

BY: Delegate Kaye Kory

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Nick Benton got it exactly right in his editorial in last week's Falls Church News-Press. He held up a mirror to the passionate, progressive challengers of Democratic incumbent Commonwealth's Attorneys Ray Morrugh (Fairfax) and Theo Stamos (Arlington) to question the \$1 million infusion from outside of Virginia into the challenger campaigns. Even if Democrats agree that the current pace of criminal justice reform is too slow, I believe we should be deeply skeptical about condoning the impact of great wealth from outside sources on governance in the Commonwealth.

Campaign finance reform has been on my agenda since my first term in the House of Delegates. One week after I took the oath of office in 2010, the Supreme Court issued its ruling on the Citizens United case. In essence, the court ruled that corporations and labor unions have the same free speech rights as people and that political spending is a form of protected speech under the first amendment. Therefore banning the use of corporate or labor union funds on political spending is unconstitutional.

Like many progressives, I do not accept the basic premises SCOTUS employed in this case. Corporations are not people and money is not speech, but this is the law of the land. Still, common sense regulation of the use of corporate, union or any other interest group's spending on political campaigns is integral to ensuring that the community's interests are not overwhelmed by the narrow interests of individual companies or organizations.

For this reason, I am pleased to join with Senators Chap Petersen and Jennifer Boysko and Delegate Patrick Hope to introduce legislation in the 2020 General Assembly legislative session to limit excessive campaign contributions from influencing Virginia elections. The limitations we propose will be modeled after SB 1146 (2019) prohibiting individuals and political action committees from making any single contribution, or any combination of contributions, that

exceeds \$10,000 to any one candidate for Governor, Lieutenant Governor, Attorney General, or the General Assembly or other local office in any one election cycle, of which no more than \$5,000 may be contributed for the primary election or other nominating event for the office the candidate is seeking.

This year's Democratic Party primary presented Fairfax County voters with an unusually broad set of choices in contests for both state and local offices. Undoubtedly, access to funding has been a factor facilitating these races. At the County level, retirements of key members of the Board of Supervisors generated spirited races for the vacant seats, and the long-term incumbent Commonwealth Attorney faced a serious challenge. Several General Assembly incumbents (including myself) have also been held to account by means of a primary challenge.

The possibility of challenges to incumbents should drive them to better serve their constituents. This is a good thing. However, to make challenges possible:

1) Our system for campaign funding must be fair to challengers. A statute limiting outside contributions, as described above, would likely have the effect of re-enforcing the power of incumbency. Incumbents simply have better access to contributions from organizations doing business with the Commonwealth. Therefore, to offset this advantage, in part, I also believe that Virginia should move towards a campaign finance system that permits some form of public funding. Certainly, such a reform will be difficult to design and enact. Even so, I believe it must be on our agenda.

2) The way we conduct campaigns must not depress the value of the Democratic "brand." This requires Democrats to adhere to norms for conducting campaigns. Challenges must focus on real policy and governance differences rather than character assassination. Establishing and enforcing such norms is the function of leadership.

Democratic leadership has many challenges to meet this year, both in process and in uniting the party after the primary results come in. I look forward to the reforms we will implement.

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