

DARK MONEY

DISCUSSION GUIDE

WE'VE PULLED A COLLECTION OF CLIPS FROM THE DOCUMENTARY FILM **DARK MONEY** FOR ADVOCATES AND EDUCATORS TO USE TO INFORM AND PROMPT DISCUSSION. THERE ARE A TOTAL OF 20 CLIPS, RANGING IN LENGTH FROM 20 SECONDS TO JUST UNDER 3 MINUTES. YOU CAN USE ONE, A FEW — OR YOU CAN USE THEM ALL.

FOR EACH CLIP, WE'VE PROPOSED QUESTIONS TO GET THE GROUP TALKING, BUT WE TRUST YOU TO KNOW WHO YOUR PARTICIPANTS ARE, THEIR KNOWLEDGE LEVELS, AND WHERE YOU WANT THE CONVERSATION TO GO. WE ENCOURAGE YOU TO DEVELOP YOUR OWN QUESTIONS AND TO SHARE THEM WITH US. YOU CAN DO SO BY POSTING THEM TO US ON TWITTER AT **@DARKMONEYFILM**.

CLIP 1: CITIZEN LEGISLATORS (RT 1:12)

In Montana, the people who make up the state legislature are “shopkeepers and tavern owners and lawyers and stay at home moms,” who represent their part of the state and, ideally, their neighbors’ best interests.

- Who is your representative in the state legislature?
- What other job — besides state legislator — do they have?
- How long and how often does the legislature meet in your state?
- What do you think is the value of a “citizen legislator” to the policymaking process?



Ellie Hill
Montana State Rep. [D]

CLIP 2: REGULATING CAMPAIGN FINANCE (0:42)

The Federal Election Commission regulates campaign finance at the federal level. Each state has its own agency that is responsible for regulating campaign finance in the state.

- What agency regulates campaign spending in your state?
- Who determines how much funding your state’s agency receives?
- What are the reporting requirements for candidates in your state?
- Are these requirements different than those for city- or county-level candidates?
- Are you satisfied with those requirements? Do they allow for sufficient transparency?





CLIP 3: STATE RESOURCES - ENVIRONMENT (0:52)

Jim Peterson, the former President of the Montana State Senate (a Republican), is concerned about the potential that “big money” will control policy and, as a result, the state’s vast natural resources.

- Why would “big money” want to control policy decisions in YOUR state?
- Why would a corporation not want voters to know they are giving money to a candidate or issue campaign?
- What does government “by the people, for the people” mean to you?



CLIP 4: ISSUE ADVOCACY (0:24)

Ann Ravel, the former Chair of the Federal Election Commission (a Democrat), calls campaign finance “the gateway issue to every other issue that you might care about.”

- What policy issues matter most to you?
- How is campaign finance potentially influencing those policy issues?

CLIP 5: HOW DARK MONEY WORKS #1 (0:53)

Montana State Legislator Llew Jones, a Republican, describes dark money as “the advertising where you don’t know who’s paying for the ad.”

- Why is it valuable to know who is paying for a political ad?
- What are the disclosure rules in your state? Do ads need to indicate who is paying for the message?



CLIP 6: MONTANA LEGACY (0:38)

Montana has a long and unique history of regulating money in state politics.

- Do you know the history of campaign finance regulation in your state?
- How do the rules in your state compare with other states? Is there more or less transparency?





Gabi Cote
Montana Voter

CLIP 7: CITIZENS UNITED AND MONTANA (1:33)

The U.S. Supreme Court's Citizens United decision overturned Montana's ban on corporate spending on campaigns.

- What was the basis for the Court's decision to allow corporations to spend freely on campaigns?
- Do you agree with their decision? Why or why not?
- What were the federal restrictions on corporations before the Citizens United decision?
- What has been the impact of the Citizens United decision on campaigns?
- Do you think states should be allowed to control campaign finance in their own elections — even if the Citizens United decision is not overturned?



CLIP 8: PRO DARK MONEY ARGUMENT (1:32)

Those who support the Citizens United decision believe that it is a free speech issue and that citizens should not "abdicate" their rights to the government by allowing them to regulate campaign finance.

- Do you think that giving money to a candidate is the same thing as holding up a sign to show your support for their candidacy? Why or why not?
- Do you think there is too much money in politics? Why or why not?
- Opponents of transparency in campaign finance say that it violates free speech. Llew Jones (a Republican) says he is an advocate for free speech, but opposes dark money. Do you think dark money promotes or hinders free speech?

CLIP 9: PUBLIC OPINION (0:20)

The public overwhelmingly believes there is too much money in politics. Trevor Potter of the Campaign Legal Center and a former Chair of the Federal Election Commission (a Republican) believes that public opinion about money in politics is going to lead to more efforts to pass new laws.

- According to polling, what do Americans think about the role of money in politics?
- Are there efforts to pass new laws in your state or in your city? If so, what initiatives are underway?
- Which do you support — and why?
- Which do you oppose — and why?



CLIP 10: FREE SPEECH (0:35)

Montana State Representative Rob Cook (a Republican) argues that the “magnitude of the money (in politics) actually destroys your freedom of speech.”

- Do you agree with Cook's argument? Why or why not?
- Is it possible, as journalist John Adams posits in the clip, that Citizens United simply led to a situation where candidates just need to work harder to get elected? Why or why not?
- Why does it matter if campaign donations are coming from out of state — or from outside of the country?





CLIP 11: FOLLOW THE MONEY (1:04)

FollowtheMoney.org compiles political donor information from all 50 states and makes it available to academics, journalists, and the public.

- Have you ever accessed FollowtheMoney.org to learn about who is giving money to candidates running for office in your state? What did you learn — or what would you like to learn — about the money they received?
- Why is it valuable for journalists to have access to this information?
- Why is it valuable for the public to have access to this information?
- What other information would you like to be able to access?



CLIP 12: RISE OF DARK MONEY (0:33)

Dark money groups sprung up in the wake of the U.S. Supreme Court's Citizens United decision.

- Given that 501 (c)(4) groups existed before 2010, why did the Citizens United decision lead to the development of so many dark money groups?
- Why does it matter if campaign donations are coming from outside of the country?
- Why would a corporation in another country care about a policy decision being made in your state?

CLIP 13: HOW DARK MONEY WORKS #2 (1:07)

Because of dark money groups, corporations are able to influence policy decisions without detection.

- Do you think it's inevitable that a candidate will support the policy agenda of those who have supported their campaign?



CLIP 14: COORDINATION AND COURTS (1:06)

Dark money is meant to be spent independently of candidates; there should be no collaboration.

- Why is it important to not allow dark money groups to coordinate with candidates? What is the impact on democracy if they do?
- How can dark money groups and candidates (or elected officials) hide coordination?





CLIP 15: COURTS (1:02)

Former Montana State Supreme Court Justice Jim Nelson believes the “monied interests” have bought the U.S. Congress and the Office of the President, but that they can’t control the government until they control the courts.

- The U.S. Constitution outlines three branches of government (executive, legislative, and judicial). What was their purpose in doing so?
- Why does Jim Nelson say state appellate courts are “where the rubber meets the road”? What types of decisions are being made in these courts?
- Judges are selected and/or elected differently in different states. What method — e.g., appointment, retention election, contested election — does your state use?



CLIP 16: COORDINATION (1:13)

In Montana, when coordination between a donor and a candidate occurs, an election expense becomes an in-kind contribution to the candidate, which means it's meant to be reported and disclosed.

- Does this same regulation exist in your state? If not, what is the rule?
- Do you think in-kind coordination qualifies as a campaign contribution? Why or why not?
- If you think it qualifies as a contribution, do you think it should be reported and disclosed? Why or why not?

CLIP 17: AMERICANS FOR PROSPERITY (2:03)

Trevor Potter of the Campaign Legal Center and a former Chair of the Federal Election Commission (a Republican) says that there are individuals — like Charles and David Koch, commonly referred to as “the Koch brothers” — who are setting up “their own political parties.”

- Why would these groups work outside of the political system?
- What are the Koch brothers' and Americans for Prosperity's goals? Why do they get involved in local politics?
- What would be the impact if private organizations became more powerful than the two main political parties?



CLIP 18: MEDIA (2:53)

Lee Newspapers closed its capitol bureau leading to a loss of coverage of campaign finance issues in Montana.

- What is the value of a local newspaper/local journalists to the issue of dark money and campaign finance?
- What impact could the closing of newspapers across the country have on the issue of money in politics? Why does journalist Chuck Johnson refer to it as “democracy’s loss”?





CLIP 19: FEDERAL ELECTION COMMISSION (2:44)

The Federal Election Commission (FEC) has become ineffective in enforcing campaign law.

- Why do you think the three Republican FEC commissioners decided to vote together?
- Why would the FEC choose to make itself ineffective?
- What can be done to ensure that the FEC is upholding campaign law?



CLIP 20: NEED TO GET ANGRY (2:03)

FEC Commissioner Ann Ravel (a Democrat) resigned from the Commission and called on President Trump to prioritize campaign finance reform.

- What is the difference between the “analog” advertising shown in the film (e.g., postcards, letters) and digital advertising on social media? What can be done to make funding for the latter more transparent?
- What are the three things that Ann Ravel believes need to be addressed to reform campaign finance? What would you add to that list?
- What are you doing to contribute to reform? What are you doing to voice your anger?



THANK YOU FOR USING THESE CLIPS.

IF YOU'RE INTERESTED IN HOSTING A FREE COMMUNITY SCREENING OF THE FILM,
STREAMING THE FILM OR PURCHASING A DVD FOR YOUR HOME OR EDUCATIONAL
INSTITUTION, VISIT US AT:

[HTTPS://WWW.DARKMONEYFILM.COM/](https://www.darkmoneyfilm.com/)