



POLICY FOR CANDIDATES DEBATES AND FORUMS SPONSORED BY LWVMA

Approved by LWVMA, July 20, 2010, with additional revisions

Affirmed and Approve by LWVMA March 19, 2012

Revised and Approved April 2, 2016

The League of Women Voters of Massachusetts is nonpartisan; it neither supports nor opposes candidates for office. When planning and running candidates debates and forums, the board of directors of the League of Women Voters of Massachusetts (the board) bears the responsibility of safeguarding this nonpartisan policy and the organization's nonpartisan reputation.

Both the League of Women Voters of Massachusetts and the League of Women Voters of Massachusetts Education Fund may sponsor debates and forums. Both are required to comply with all applicable laws and regulations, including those promulgated by the Federal Elections Commission, the Federal Communications Commission, the Internal Revenue Service, and the state of Massachusetts. Any conflict between applicable law and the policy contained in this document must be resolved in favor of applicable law. Failure to comply with these laws and regulations could jeopardize the League's 501(c)(3) status and nonpartisan reputation.

This policy includes only general principles and rules and is not intended to address all specific determinations to be made in the process of organizing and running debates and forums. For additional information, see the LWVUS publications on debates and forums online.

A. Definitions of Debates and Forums

In this policy, "debates" are defined as in the Federal Election Commission regulations: as an event that includes at least two candidates, is staged in a way that does not promote or advance one candidate over another, and allows the candidates to appear concurrently, in face-to-face confrontations, with opportunities to respond to each other. "Forums" in this policy mean any League-sponsored candidate event in any format other than a debate, such as a meet-and-greet event.

B. LWVMA and Local League Sponsorship of Debates and Forums

LWVMA may sponsor or co-sponsor debates and forums for statewide offices, which may include Governor, Lt. Governor, Attorney General, Auditor, Treasurer, Secretary of the Commonwealth, and U.S. Senator. LWVMA and local Leagues may together co-sponsor debates/forums involving candidates for these offices; local Leagues may sponsor or co-sponsor debates/forums for the above offices only with the consent of LWVMA.

C. Goals for LWVMA-sponsored Debates and Forums

The goals of an LWVMA-sponsored debate or forum will be to:

- promote interest in the election
- ensure fairness for all candidates
- have a format that will attract and educate viewers/audiences
- help voters make realistic and informed choices among candidates
- provide voters with an opportunity to judge the candidates' character, knowledge of public affairs issues, communication skills, sense of humor, and ability to think on their feet

- document candidates' statements on their positions so they can be on record

D. Criteria for Candidate Participation

The board will determine which candidates will be invited to participate in an LWVMA-sponsored debate/forum. When deciding whom to invite to participate in an LWVMA-sponsored candidates debate/forum, LWVMA will adhere to all applicable federal (including the FEC, FCC and IRS) and state laws and regulations. In addition, the following criteria will be used.

1. All candidates whose names will appear on the ballot for the contested office(s) covered by the debate/forum, and who meet at least one of the following criteria, will be invited to participate. In addition, all candidates whose names will not appear on the ballot but who have announced a write-in campaign for the contested office(s) covered by the debate/forum, and who meet at least one of the following criteria, will also be invited to participate.
 - a. There is evidence that a formal campaign is being waged, for example, presence of campaign headquarters, campaign staff, issuance of position papers, campaign appearances, campaign ads including literature, bumper stickers, signs, etc., evidence of a significant level of financial support, or receipt of contributions from a significant number of contributors.
 - b. The candidate demonstrates significant voter support and interest, defined as 15% of support in generally recognized and independent polls or the same level of voter support as that received by a major party candidate in those polls, whichever is lower.
 - c. The candidate is eligible for matching funds, where public financing is available.

In determining participation of candidates according to these criteria, the burden of proof will be on the candidate, not the League. LWVMA may require candidates to provide information to show that they meet the criteria.

2. Candidates will meet all the legal qualifications for the office.
3. Stand-ins for candidates will not be allowed.

E. General Debate and Forum Policies

1. The board will decide whether to sponsor or co-sponsor a debate/forum.
2. A debate/forum may include more than one segment, each segment consisting of a panel of candidates running for the same office. If any segment does not meet the LWVMA criteria, the debate/forum may be scheduled with the other segments.
3. LWVMA may sponsor debates/forums preceding primary elections when there is a contest within a political party/parties. If there is a contest in only one party, LWVMA may sponsor a debate/forum for that party only. If there are contests within more than one party, LWVMA may offer to sponsor debates/forums for all parties. If a party declines to participate, LWVMA may sponsor a debate/forum for other party/parties provided all parties are invited to participate.
4. To maintain a clear record, LWVMA will correspond in writing with candidates concerning all aspects of the debate/forum. All correspondence will be sent to candidates in a traceable form (USPS delivered, signed mail receipt or email returned mail receipt).
5. The debate/forum will be open to the public and be held in a place that will not seem to exclude any potential audience members.
6. In the case of a debate/forum preceding a primary, if only one candidate in a contested race for a party's nomination for a particular office agrees to participate, the debate/forum (or that

segment of the debate/forum) will not be scheduled. In the case of a debate/forum preceding a general election, if only one candidate for a contested office agrees to participate, the debate/forum (or that segment) will not be scheduled.

7. Donations from candidates or political parties will not be solicited or accepted.
8. Campaign literature and signs will be placed outside the room.
9. The League may provide membership information and orally invite membership during the debate/forum.
10. If any candidate cancels well enough in advance of the debate/forum to allow LWVMA to make other arrangements without charge or penalty, LWVMA will make every effort to reschedule.
11. The closer to the scheduled debate/forum that a candidate cancels his/her appearance, the stronger the arguments for going forward with the debate/forum if at least two other candidates for the office will be participating.
12. The debate/forum must be staged in a way that does not promote or advance one candidate over another.

F. Empty Chair Debates and Forums

LWVMA must follow federal (including FEC, FCC and IRS) and state laws and regulations that govern the legality of having a debate/forum with only one participant, often called an “empty chair” debate. In addition, the following policies will apply.

1. A debate/forum will not start if only one candidate for a contested office is present. If the debate/forum has more than one segment, the segment featuring candidates running for another office may begin while waiting for the late candidate.
2. If a candidate cancels, the debate/forum may proceed if more than one candidate for the office is present. If only one is present, it must be cancelled (see exceptions in #3 below.) An LWVMA spokesperson may present without editorial comment any reason for the cancellation given by the candidate. If the candidate who cancelled provides a written statement of the factual reasons for the cancellation, the spokesperson may read it. If no reason is given, the League spokesperson will state that the League was contacted by the candidate or his/her campaign and the candidate would not be able to appear. The spokesperson may state that no reason was given for the cancellation. Attempts may be made to reschedule the debate/forum.
3. If a candidate cancels at the last moment or simply fails to appear and one candidate for the contested office is available, he/she could appear with the cameras or other recording devices shut off, if *all* of the following criteria are met:
 - a. The event was advertised as a forum or other non-debate candidate appearance (such as a meet-and-greet), but not as a debate.
 - b. LWVMA – that is, its §501(c)(4) arm, but not the League Education Fund – its 501(c)(3), is the sponsoring organization. No Education Fund money may be used.
 - c. The race is for a state, not a federal, office.
 - d. The event will not be broadcast in any form.

If *all* of these criteria are met, the one candidate who is available may be introduced and may make a statement.

G. Co-sponsoring a Debate or Forum

The board will approve any co-sponsorship of a debate/forum. In doing so, it will consider carefully potential effects on the LWVMA's nonpartisan status or the public's perception of its nonpartisanship.

LWVMA cannot waive its nonpartisan policy, its general debate/forum policies, or any procedures that ensure fair treatment of candidates. The LWVMA Policy for Participating in Coalitions will be followed.

In addition, the following policies will apply.

1. Co-sponsors cannot have endorsed or be affiliated with a candidate prior to the debate/forum.
2. If possible, LWVMA will take the lead in contacting the candidates, negotiating disputes, and controlling the format for a debate/forum that is co-sponsored. If at any time during the planning of the debate/forum LWVMA believes co-sponsorship of the debate/forum will jeopardize its nonpartisanship, LWVMA will withdraw from its co-sponsorship.
3. LWVMA will provide the moderator and timekeeper or will approve of them in advance. In no event will the moderator be identified as a member of a political party or campaign committee or have any relationship with any of the candidates.

H. Broadcasting Debates and Forums

1. Any broadcast must comply with all FCC requirements, including that there be at least two candidates for any one office.
2. The moderator will announce that unauthorized broadcasts are not allowed, except by media reporting on events.
3. The broadcaster must not edit the debate/forum and it must be broadcast in its entirety, either live or reasonably soon after the debate. The exception is news media reporting on the event.
4. Candidates may not use or edit the footage in whole or in part for campaign purposes.
5. The content of the tape/recording belongs to LWVMA and any use of these requires the approval of LWVMA with the caveat that it must be broadcast in its entirety. The footage may be posted as streaming audio/video or as a transcription on the League's website and the website of the broadcaster. LWVMA may agree to requests by other websites if such a broadcast would not conflict with or might appear to conflict with the LWVMA nonpartisan policy.
6. LWVMA takes no responsibility for use of any live or recorded footage in any social or other media.

I. Annual Review and Approval

The board will review and vote on this policy annually.