

Grading State Disclosure 2005

Evaluating states' efforts to bring sunlight to political money

A Report by the California Voter Foundation,
with the Center for Governmental Studies
and the UCLA School of Law

A Publication of the Campaign Disclosure Project,
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Grading State Disclosure is a study of the Campaign Disclosure Project, which seeks to bring greater transparency and accountability to money in state politics through assessments of state disclosure programs as well as the development and promotion of a model state campaign finance disclosure law. The Campaign Disclosure Project is a collaborative effort of the UCLA School of Law, the Center for Governmental Studies and the California Voter Foundation and is sponsored by a grant from the Pew Charitable Trusts.

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Executive Summary

A third nationwide assessment of state-level campaign finance disclosure programs has found that 34 states received passing grades, and 16 states failed the evaluation and have unsatisfactory campaign disclosure programs. Two states that failed last year moved into the ranks of the passing states this year, and one state that passed in 2004 slipped to an F in 2005. The 2005 assessment found that overall, states continued the trend of improvement identified in Grading State Disclosure 2004.

Thirteen states improved their grades from those received in the 2004 study, while 30 remained the same and seven states received lower grades. Since the initial Grading State Disclosure study in 2003, 24 states have improved their grades, and nearly every state has made some improvement in its campaign finance disclosure practices.

Grading State Disclosure is a study by the Campaign Disclosure Project – a collaboration of the California Voter Foundation, the Center for Governmental Studies and the UCLA School of Law – and is supported by the Pew Charitable Trusts. The study is the first comprehensive, comparative study of candidate campaign finance disclosure laws and practices in the 50 states; the 2005 assessment presents findings from a third round of state evaluations and provides a review of nationwide and state-by-state changes over the past year.

New in this year's report are two features appearing at the end of each state's summary: "quick fix" suggests a simple modification that would improve each disclosure agency's web site, while "editor's pick" highlights a feature of each state's disclosure program that is particularly innovative and/or user-friendly. States seeking to improve their disclosure web sites and programs can find many best practices in online disclosure and web site design among the "editor's picks".

Grading State Disclosure 2005 evaluated four specific areas of campaign finance disclosure: state campaign disclosure laws; electronic filing programs; accessibility of campaign finance information; and the usability of state disclosure web sites. Washington, which ranked 1st in the nation for the third year in a row, received the only grade in the A range. Florida ranked second overall with a B+, followed closely by California (also with a B+). Other top states include: Hawaii (B); Georgia and Illinois (B, tied); Virginia (B); Michigan and Texas (B-, tied); Rhode Island (B-); and Ohio (B-). Sixteen states received F grades.

The states that have improved the most since 2004 are Virginia, Iowa, Hawaii, Oregon and Maine. Although the findings reveal a significant amount of progress, less than one quarter of the states received grades in the A or B range, indicating that the vast majority of states still have room to substantially improve campaign finance disclosure for statewide and legislative candidates.

Significant findings include:

- 50 states require disclosure of a contributor's name and address.
- 28 states require disclosure of a contributor's occupation and employer.
- 35 states require timely reporting of last-minute contributions.
- 40 states require independent expenditures to be reported.
- 24 states have mandatory electronic filing for statewide and/or legislative candidates.
- 13 states offer voluntary electronic filing for statewide and legislative candidates.

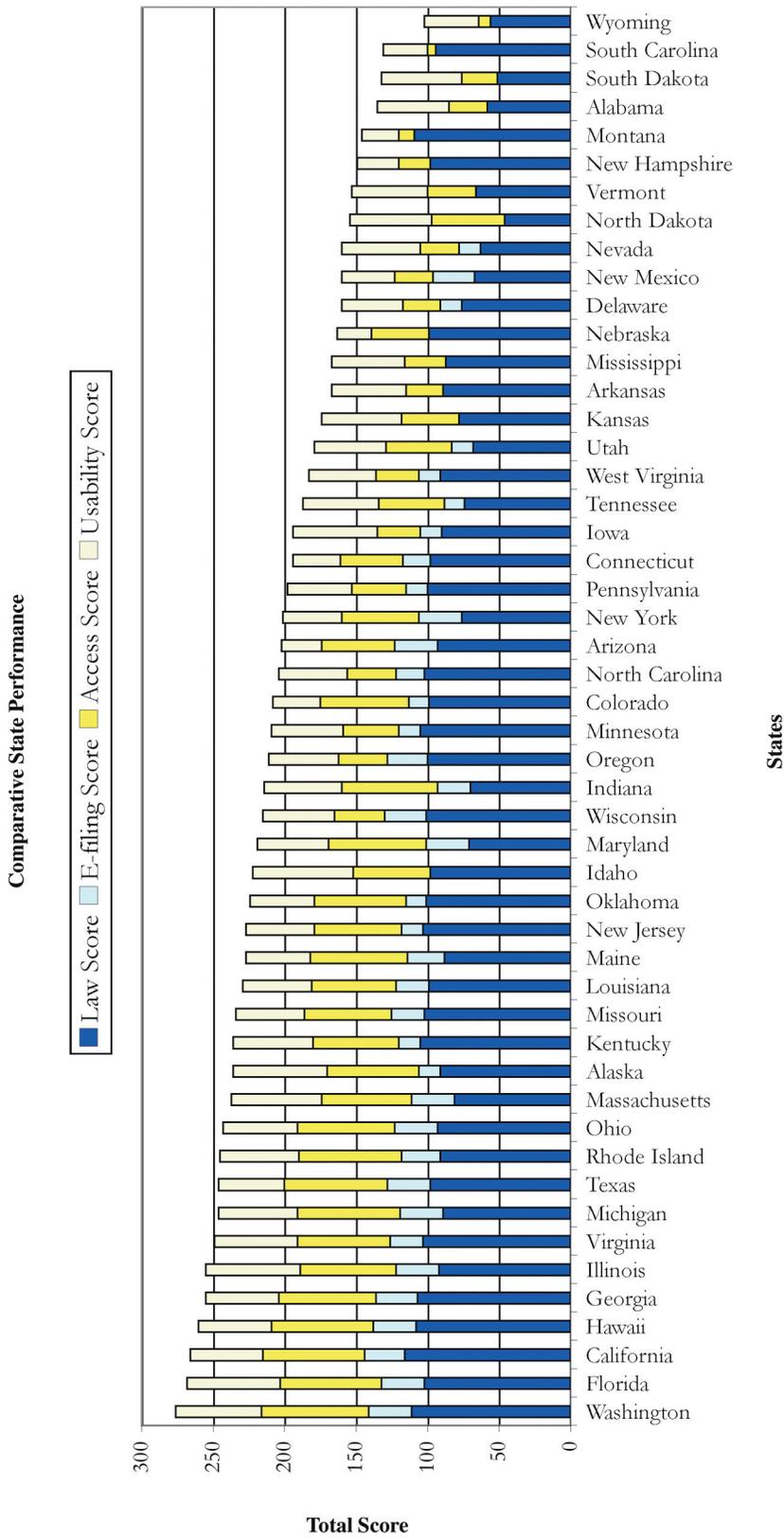
- 13 states have no electronic filing program.
- 47 states post campaign finance data on their disclosure web sites.
- 3 states – Montana, South Carolina and Wyoming – have no campaign finance data available on their web sites.
- 32 states provide searchable databases of contributions online.
- 20 states provide searchable databases of expenditures online.
- 20 states publish current campaign finance overviews online.

Significant improvements since 2004 include:

- 1 state added timely reporting of last-minute independent expenditures.
- 2 states increased the number of pre-election reports that must be filed by candidates.
- 3 states that previously had voluntary electronic filing programs converted to mandatory electronic filing for statewide and/or legislative candidates.
- 1 state that previously had mandatory electronic filing for statewide candidates added mandatory electronic filing for legislative candidates.
- 3 states posted campaign filings to the Internet more quickly in 2005.
- 3 states added online searchable databases of campaign contributions.
- 2 states improved their explanations of which reports can be found on their disclosure web sites.

Grades were based on criteria developed by the Project partners, the Project's Advisory Board and a panel of expert judges, who also assisted with the grading process. The Project sets a high, but not impossible, standard for state campaign finance disclosure programs. The grades were based on a state's performance in the area of candidate disclosure only; lobbying, conflict of interest, ballot measure and party organization disclosure were not evaluated.

Assessments of each state were based on legal research, web site visits and research, web site testing by outside evaluators and responses from state disclosure agency staff and activists working on campaign financing at the state level.



Campaign Finance Disclosure in the States: An Overview

State Campaign Finance Disclosure Laws

- Number of states that require a contributor's occupation and employer to be disclosed: 28
 - Number that require a contributor's occupation to be disclosed, but not employer: 7
 - Number that require a contributor's employer to be disclosed, but not occupation: 2
- Number of states that do not require contributor occupation or employer information: 13
 - Number of states that require timely reporting of last-minute contributions: 35
- Number of states that require expenditures to be described in campaign disclosure reports: 48
- Number of states that require disclosure of subvendor expenditures made on behalf of a campaign: 20
 - Number of states that require independent expenditures to be disclosed: 40
- Number of these 40 states that require reporting of which candidate will benefit from the expenditure: 33
 - Number of states that require last-minute independent expenditures to be disclosed: 22
- Number of states that direct their disclosure agencies to conduct desk reviews of campaign finance reports: 30
- Number of states that direct their disclosure agencies to conduct field audits of campaign finance reports: 13
 - Number of states that are not required by law to conduct at least one of these forms of review: 17

Electronic Filing of Campaign Finance Reports

- Number of states that require candidates to electronically file campaign disclosure reports: 24
- Number of these 24 states that require electronic filing by both legislative and statewide candidates: 18
 - Number of these 24 states that have an electronic filing mandate for statewide candidates only: 6
 - Number of states with a voluntary electronic filing program: 13
 - Average percentage of candidates filing electronically in these thirteen states: 25
 - Number of states with no electronic filing program: 13

Disclosure Data – Access and Usability

- Number of state disclosure agencies that post campaign finance data on the Internet: 47
- Number of state disclosure web sites that provide both itemized contribution and expenditure data online: 43
 - Number of state disclosure web sites that provide itemized contribution data only: 4
 - Number of states that post campaign finance reports online within 48 hours: 31
 - Number of states whose sites feature lists of total amounts raised and spent by candidates in recent elections: 20
 - Number of state disclosure web sites with online, searchable databases of contributions: 32
 - Number of state disclosure web sites with online, searchable databases of expenditures: 20
- Percentage of states with mandatory electronic filing that offer an online searchable database: 83
 - Number of states in which disclosure data can be sorted online: 21
- Number of states that allow the public to download disclosure data from the agency's web site: 27
 - Number of these 27 states that have electronic filing programs: 24

Thanks to Harper's magazine for permission to use its "index" format.

State-by-State Grade and Ranking Chart

State	Grade	Rank	Law Grade	Law Rank	E-Filing Grade	E-Filing Rank	Accessibility Grade	Accessibility Rank	Usability Grade	Usability Rank
Alabama	F	47	F	47	F	38	F	41	D	25
Alaska	C+	13	C	28	F	25	B	15	B+	2
Arizona	D+	28	C+	25	A+	1	D+	25	F	48
Arkansas	F	37	C	32	F	38	F	44	D+	19
California	B+	3	A	1	A	15	A	5	D+	21
Colorado	D+	26	B-	17	F	35	B-	18	F	44
Connecticut	D	31	B-	20	D	24	F	29	F	44
Delaware	F	40	D	38	F	25	F	44	F	40
Florida	B+	2	B	10	A+	1	A	5	B	4
Georgia	B	5	B+	5	A	12	A-	8	D+	21
Hawaii	B	4	A-	4	A+	1	A	5	D+	21
Idaho	C	20	B-	20	F	38	C-	23	A	1
Illinois	B	5	C	27	A+	1	B+	12	B+	2
Indiana	C-	23	F	42	C	19	B+	12	C-	16
Iowa	D	31	C	31	F	25	F	38	C+	7
Kansas	F	36	D	37	F	38	F	30	C	10
Kentucky	C+	13	B+	6	F	25	B-	21	C	10
Louisiana	C	16	B-	17	C	19	C+	22	D	31
Maine	C	17	C	34	B	18	A-	8	D-	37
Maryland	C	21	F	41	A+	1	A-	8	D	25
Massachusetts	C+	12	D+	36	A+	1	B	17	B	5
Michigan	B-	8	C	32	A+	1	A	2	C	13
Minnesota	D+	25	B+	6	F	25	F	32	D	25
Mississippi	F	37	C-	35	F	38	F	40	D+	21
Missouri	C+	15	B	10	C	19	B-	19	D	31

State-by-State Grade and Ranking Chart (continued)

State	Grade	Rank	Law Grade	Law Rank	E-Filing Grade	E-Filing Rank	Accessibility Grade	Accessibility Rank	Usability Grade	Usability Rank
Montana	F	46	A-	3	F	38	F	48	F	49
Nebraska	F	39	B-	17	F	38	F	30	F	50
Nevada	F	40	F	46	F	25	F	41	C	13
New Hampshire	F	45	B-	20	F	38	F	47	F	47
New Jersey	C	17	B	8	F	25	B-	19	D	31
New Mexico	F	40	F	44	A	12	F	41	F	43
New York	D+	29	D	38	A+	1	C-	23	F	41
North Carolina	D+	27	B	10	D	23	F	35	D	31
North Dakota	F	43	F	50	F	38	D+	25	C	9
Ohio	B-	11	C+	25	A+	1	A-	8	D+	19
Oklahoma	C	19	B	13	F	35	B	15	D-	37
Oregon	C-	24	B	15	A	15	F	35	D	30
Pennsylvania	D	30	B	15	F	25	F	33	D-	37
Rhode Island	B-	10	C	28	A-	17	A	2	C	13
South Carolina	F	49	C+	24	F	38	F	50	F	46
South Dakota	F	48	F	49	F	38	F	46	C	10
Tennessee	D-	33	D-	40	F	35	D-	27	C-	17
Texas	B-	8	B-	20	A+	1	A	2	D-	36
Utah	F	35	F	43	F	25	D-	27	D	25
Vermont	F	44	F	45	F	38	F	35	C-	17
Virginia	B	7	B	8	C	19	B	14	C+	8
Washington	A-	1	A-	2	A+	1	A+	1	B-	6
West Virginia	D-	34	C	28	F	25	F	38	D-	35
Wisconsin	C-	22	B	13	A	12	F	34	D	25
Wyoming	F	50	F	48	F	38	F	49	F	42

I.

Introduction

- The Grading Process
- The Grading Criteria
- Methodology

The Campaign Disclosure Project seeks to bring greater transparency and accountability to money in state politics through assessments of state disclosure programs as well as the development and promotion of a model state campaign finance disclosure law. The Campaign Disclosure Project is a collaborative effort of the UCLA School of Law, the Center for Governmental Studies and the California Voter Foundation and is supported by The Pew Charitable Trusts.

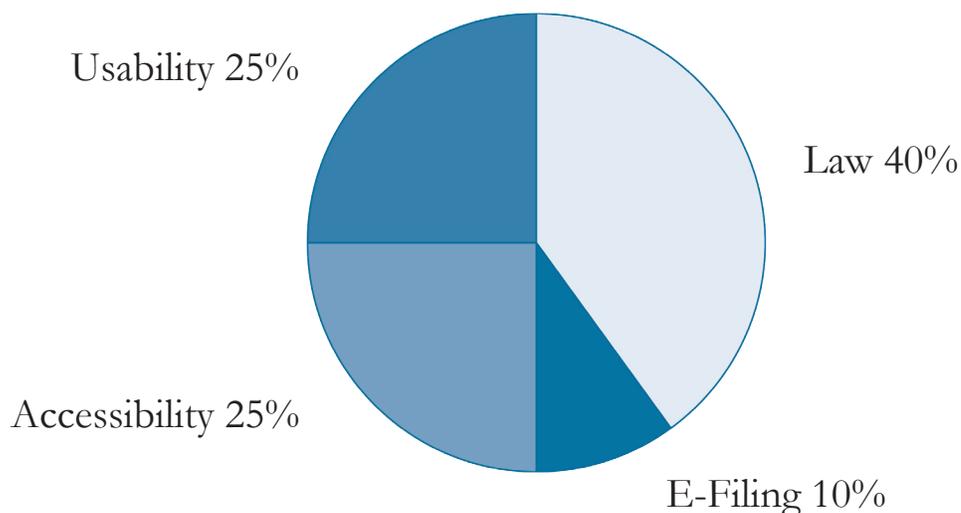
State campaign finance disclosure agencies across the country are responsible for receiving, processing and auditing candidates' campaign finance filings; these agencies are also charged with making those filings, and the data within, accessible to the public. In addition to basic information about statewide and legislative candidates' backgrounds and policy positions, voters also need to be able to determine which individuals and organizations are funding those candidates' campaigns if they are to have the opportunity to cast a truly informed vote and participate meaningfully in the election process.

Some states provide better and more complete access to information about the money that fuels campaigns than others, through both a strong campaign disclosure law and high-quality Internet access to disclosure reports. The purpose of the Campaign Disclosure Project's Grading State Disclosure 2005 study is to provide an overview of how each state measures up to a set standard for disclosure programs, as well as to show how each state compares to others around the country.

The Grading Process

Grading State Disclosure Criteria was written and developed by the California Voter Foundation in consultation with the Grading State Disclosure judges, the Campaign Disclosure Project Advisory Board and project partners. The Project sets a high, but not impossible, standard for state campaign finance disclosure programs. In developing the criteria, efforts were made to balance the concerns of practitioners and government officials with the very important need for timely, complete and effective disclosure. The criteria used for this third round of grading is unchanged from that used in the first and second rounds.

Four areas of performance comprise the grading criteria: Campaign Disclosure Laws; Electronic Filing Programs; Disclosure Content Accessibility; and Online Contextual and Technical Usability. The strength of a state's campaign disclosure law is worth 40 percent of its grade; the quality of electronic filing is worth ten percent of the grade; and accessibility to data and web site usability are each worth 25 percent.



A 300-point system was developed to score each state. Points were awarded based on a state's performance solely in the area of state-level candidate disclosure. Ranks were assigned based on points, and in several instances one or more states tied for a particular rank. This is especially the case in the Electronic Filing category, where multiple states were tied for both first and last place. Grades are based on each state's total point score, utilizing the following grading percentages:

- A: 90 – 100 % (Excellent)
- B: 80 – 89 % (Good)
- C: 70 – 79 % (Average)
- D: 60 – 69 % (Below Average/Passing)
- F: 59 % or lower (Failing)

In addition to an overall grade and rank, the states have also been graded and ranked in each of the four grading categories. In order to better measure progress over time, the grades are not curved, weighted or scaled.

The Grading Criteria

In the criteria, significant weight was placed on the comprehensiveness of state Campaign Disclosure Laws. Good campaign disclosure laws require the reporting of detailed information about contributions and expenditures. In particular, the disclosure of some critical pieces of information—including a contributor’s occupation and employer, subvendor information for expenditures, and timely reporting of last-minute contributions and independent expenditures—all enhance the public’s ability to access campaign finance data. States require the disclosure of detailed contribution and expenditure information at varying thresholds, but the criteria did not evaluate the appropriateness of these thresholds (although they are mentioned in the findings for each state.)

Occupation and employer data for campaign contributors is crucial for categorizing donations or identifying efforts by large corporations and organizations to bundle their employees’ contributions. Details of subvendor payments are important in order to increase visibility of campaign expenses charged to credit cards or made by consultants or other vendors. Reporting of last-minute contributions and independent expenditures prior to an election helps voters identify which individuals and organizations are conducting last-minute efforts to influence the outcome of the election. Strong enforcement and frequent reporting of campaign finances by candidates are also necessary components of meaningful disclosure laws.

In the Electronic Filing category, great value was placed on whether states have passed laws mandating the electronic filing of campaign finance disclosure information. The receipt of campaign finance data in an electronic format usually leads to the availability of the information on the Internet. If data is submitted in an electronic format, the agency can post data online more quickly and in formats that allow for more meaningful analysis of campaign finance reports. Indeed, most states with electronic filing have created searchable databases of contributions and expenditures, or made data available in formats that can be sorted or downloaded. While voluntary electronic filing does lead to some expanded accessibility to campaign finance data, mandatory electronic filing is preferred because it is more likely to result in timely, comprehensive online disclosure.

The Disclosure Content Accessibility category evaluated the degree to which the content of disclosure reports is available to the public both on paper and on the Internet. The states’ efforts to make paper records accessible to the public, such as the ease of obtaining records from a distance, the cost of the records and the length of time it takes to obtain the records, was part of this assessment. Significant weight was placed on the use of the Internet to publish state campaign finance disclosure information, based on the Project’s belief that the Internet is the most effective and affordable way for state agencies to make campaign finance data accessible to the public.

In the criteria, importance was given to the scope of campaign finance data on disclosure web sites and the ways in which that data could be analyzed. This included the availability of features such as databases of contributions and expenditures that allow searching across all filers (both electronic and paper) and on a number of fields. Whether states allow the public to sort data by reordering categories of information, browse records, or download data so it can be analyzed offline, were factors. State disclosure sites were also evaluated for offering and explaining “smart search” features, such as partial name and “name sounds like” lookups.

Of equal importance to the accessibility of campaign finance records was Online Contextual and Technical Usability – the degree to which state disclosure web sites are technically and contextually “user-

friendly” to the public. This category was assessed through a combination of web research by Project staff and usability testing by outside evaluators. States that did well in usability were those that: have disclosure web sites that are easy to locate from the state’s home page; provide information explaining the state’s campaign finance laws, disclosure requirements and reporting periods; provide instructions for how to access the data on the site; publish analyses or overviews of campaign finance activity; publish both original and amended campaign finance reports; and give a clear explanation of which candidates and reports are online.

Significant weight was placed on the availability of analyses of campaign finance activity, which give the public a better understanding of how one candidate’s fundraising and spending compares to another, and also how campaign finance trends change over time. Also of importance in the usability section of the criteria, was the posting and clear labeling of amended campaign finance reports on the web, with the retention of original filings online. Being able to view original and amended reports side-by-side helps the public determine when and what changes have been made to those reports.

The full Grading State Disclosure criteria are included in an appendix at the end of this report.

Methodology

Assessments of each state’s campaign finance disclosure program were based on legal research, web site visits and research, web site testing by outside evaluators and responses from disclosure agency staff and activists working on campaign financing at the state level.

The UCLA School of Law and the Center for Governmental Studies researched state campaign finance disclosure laws. The legal research was originally completed from June 2002 through March 2003. A second comprehensive examination of all fifty states’ disclosure laws was conducted from July 2003 through July 2004, and a third from August 2004 to June 2005, with the purpose of identifying any changes in the state laws as of December 31, 2004. Changes in state laws that were made or implemented in 2005 are not reflected in the states’ grades, though some are mentioned in the text of the report. Statutes, regulations, rules and forms were evaluated in each state.

The California Voter Foundation (CVF) conducted research on state electronic filing programs, accessibility to disclosure records, and online contextual and technical usability through a variety of methods. Each state agency responsible for overseeing campaign finance was asked to respond to a questionnaire, either by phone interview or in writing. All 50 state agencies responded to this request for information in 2003; in 2004, 48 state agencies completed the questionnaire and two responded by stating that nothing had changed since 2003. In 2005, 48 state agencies completed the questionnaire, one (not the same one as in 2004) responded that nothing had changed, and one did not return the survey due to lack of staff time.

CVF researched campaign finance disclosure information on the web sites of each of the 50 states. The web site evaluation form first created and used in 2003 to ensure uniformity in the research was also used in 2005, and each state web site was evaluated twice by CVF staff members between April and June 2005.

The UCLA School of Law conducted usability tests of state disclosure web sites in June 2005. The goal of the usability tests was to determine if the disclosure information provided on the Internet is accessible to the average citizen. Usability testers, recruited from the undergraduate student population at UCLA,

were asked to perform specific tasks on each state's web site. The time and number of mouse clicks it took to complete each task were measured.

The tasks were as follows:

- Locate the state's disclosure web site starting from the state's homepage;
- ascertain the total contributions received by the incumbent governor in his or her last campaign (testers were given a list of incumbent governors that included the year they were last elected); and,
- provide the name and amount contributed by any individual contributor to the incumbent governor's last campaign.

The second measure of usability was a survey in which each tester was asked to evaluate his or her experiences on each site. The states were assigned randomly to testers, with each tester testing five different states. The experiment was administered five times to ten different students, and five different students tested each state. A more detailed explanation of the usability test is included as an appendix to this report.

Following the completion of the research and usability testing, CVF compiled preliminary scores for each state that were reviewed by the Grading State Disclosure Judges before final scores, grades and ranks were determined.

II.

Findings

- Campaign Disclosure Laws
- Electronic Filing Programs
- Disclosure Content Accessibility
- Online Contextual and Technical Usability

Thirty-four states received passing grades in Grading State Disclosure 2005, while 16 states failed the evaluation and were found to have unsatisfactory campaign finance disclosure programs. Two states that failed in 2004 moved into the ranks of the passing states in 2005 (Iowa and West Virginia), and one state that passed last year slipped to an F this year (Delaware). The 2005 assessment found that overall, states continued the trend of improvement identified in Grading State Disclosure 2004.

The 2005 assessment found that the quality of campaign disclosure improved in the majority of states, even in some that received very low grades. Thirteen states improved their grades from those received in the 2004 study, while 30 remained the same and seven states received a lower grade. Though improvements identified in the 2005 study were not as dramatic as those occurring between the 2003 and 2004 Grading State Disclosure evaluations, several states continued to build on prior improvements, and others earned higher grades for the first time. Of the states with improved grades this year, over 50 percent had also earned a higher grade in 2004 than in 2003. With the exception of Delaware, states earning lower grades in 2005 lost points primarily in the area of Online Contextual and Technical Usability.

Washington State ranked number one in the study for the third year in a row (and received an A- this year), and Florida ranked second overall, with a B+. While one fewer state received a grade in the A range in 2005, ten states received grades in the B range (four more than in 2004); thirteen states received grades in the C range, and ten states received grades in the D range. Sixteen states received failing grades in 2005, compared to 17 in both 2003 and 2004. (See the State-by-State Grade and Ranking Chart on page six for a complete listing of grades and ranks.)

The states that improved most in 2005 are: Virginia, with a change in grade from a D+ to a B, and a gain in rank from 22nd to 7th; Iowa, with a change in grade from an F to a D, and an improvement in rank from 38th to 31st; Hawaii, with a change in grade from a C+ to a B and an improvement in rank from 12th to 4th; Oregon, with a change in grade from a D to a C- and an improvement in rank from 32nd to 24th; and Maine, with a change in grade from a D+ to a C and an improvement in rank from 23rd to 17th.

The top-ranking states overall are: Washington (A-); Florida (B+); California (B+); Hawaii (B); Georgia and Illinois (B, tied for 5th); Virginia (B); Michigan and Texas (B-, tied for 8th); Rhode Island (B-); and Ohio (B-).

The lowest-ranking states (all of which received an F), in rank order from 40 to 50, are: Delaware, Nevada and New Mexico (tied for 40th); North Dakota; Vermont; New Hampshire; Montana; Alabama; South Dakota; South Carolina; and Wyoming.

Campaign Disclosure Laws

For the third year in a row, states across the country performed best in the category of Campaign Finance Disclosure Laws. There were only a handful of improvements made to the area of states' disclosure laws measured by this study, none of which resulted in significant changes in states' existing letter grades. Four states received law grades in the A range, and there were more B grades (19) in this category than in any other. Twelve Cs and five Ds round out the passing states; ten states failed the disclosure law assessment.

- 28 states require a contributor's occupation and employer to be disclosed.
- 7 states require only a contributor's occupation to be disclosed.
- 2 states require only a contributor's employer to be disclosed.
- 13 states do not require disclosure of either occupation or employer.
- 35 states require timely reporting of last-minute contributions.
- 48 states require a description of an expenditure.
- 20 states require expenditure subvendor information to be reported.
- 40 states require independent expenditures to be reported.
- 22 states require timely reporting of last-minute independent expenditures.
- 30 states conduct mandatory desk reviews of disclosure reports.
- 13 states conduct mandatory field audits of disclosure reports.

Significant Changes Since 2004:

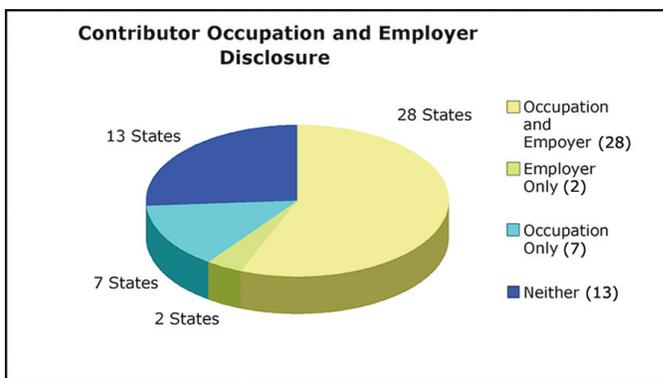
- 1 state added contributor occupation reporting (South Carolina).
- 1 state added timely reporting of last-minute independent expenditures (Illinois).
- 2 states increased the number of pre-election reports that must be filed by candidates (Iowa, South Carolina).
- 2 states added an additional non-election year campaign finance disclosure filing (Idaho, Ohio).

States with the strongest disclosure laws, in rank order from one to ten, are: California; Washington; Montana; Hawaii; Georgia; Kentucky and Minnesota (tied for 6th); New Jersey and Virginia (tied for 8th); and Florida, Missouri and North Carolina (tied for 10th).

States with the weakest disclosure laws, in rank order from 41 to 50, are: Maryland; Indiana; Utah; New Mexico; Vermont; Nevada; Alabama; Wyoming; South Dakota; and North Dakota.

While no state made improvements by December 2004 (the cutoff for disclosure law changes to be reflected in this study's grades) that were significant enough to result in a grade change in this category, increased public scrutiny of money in politics has prompted several states to initiate reviews of their campaign finance laws, which has already resulted in additional progress in this area. Oregon's Secretary of State appointed a Campaign Finance Disclosure Panel, which met throughout 2004 and developed legislation that was introduced and passed during the 2005 session; the new law improves several aspects of disclosure in Oregon and is described in that state's summary. A Citizen Advisory Group on Ethics appointed by Tennessee's governor in July 2005 completed a review of ethics practices in the state in September 2005 and presented its report, including recommendations to enhance disclosure of money in politics.

Grading State Disclosure 2005 again found that all states require disclosure of some itemized contributor information, and every state except South Dakota requires reporting of the date a contribution was made. Twenty-eight states require the disclosure of the occupations and employers of contributors, and an additional nine states require one or the other, but not both.



While these itemized details about contributors can help the public “follow the money”, this process is much easier in the 33 states that also require reporting of cumulative amounts donated. In the 17 states that do not require cumulative amount to be disclosed, enforcement agencies and members of the public must conduct time-consuming analyses in order to confirm that campaign contribution limits are being observed.

Forty-nine states require the reporting of some level of detail for campaign expenditures, with North Dakota still being the one exception. Except for Mississippi, all 49 states that require expenditure disclosure also require descriptions of expenditures. All 49 except South Dakota require reporting of vendor name. Forty-six states require the date of an expenditure to be reported, and 20 states require reporting of subvendor information, such as an itemization of credit card or consulting bills.

States vary widely in the frequency of disclosure reports required in both election and non-election years. Fourteen states require one pre-election report, 20 states require two such reports, and 16 states require three or more reports before an election. In non-election years, 24 states require one report, while 25 states require two or more. Only one state, Utah, does not require reporting in non-election years. Timely disclosure of last-minute contributions—those made between the close of the final pre-election reporting period and Election Day—is required in 35 states. In the 15 states without this type of reporting, voters do not learn about last-minute financial transactions until after they have cast their votes.

In most states, campaign finance restrictions limit the amount of money individuals and organizations can contribute directly to a candidate's campaign committee, and as these restrictions have become more stringent over time, independent expenditures have become more prevalent. As independent

expenditures can comprise a substantial portion of election-related spending, it is important for the public to know which groups are financing these independent activities in support of, or opposition to, candidates. While 40 states require the reporting of independent expenditures, seven of these states do not require that reports include the name of the candidate benefiting from the expenditure, and only 22 require last-minute independent expenditures to be reported before the election.

While all 50 states have either civil or criminal enforcement mechanisms in place to ensure compliance with campaign finance disclosure requirements, 17 states do not have mandatory auditing provisions in their laws. Thirty states conduct mandatory desk reviews of disclosure filings, but only 13 states conduct mandatory field audits of campaign finance-related receipts and documents. Only nine states have a complete set of enforcement provisions, including both mandatory desk reviews and field audits, and civil and criminal penalties. Even in states with excellent enforcement provisions, ensuring compliance with the law is dependent upon the state's enforcement agency receiving adequate funding to carry out its responsibilities, and a number of agencies have seen their budgets cut in recent years. California's Fair Political Practices Commission, for example, has recently reported an inability to carry out enforcement mandates due to budget and staffing shortfalls, and the state of Virginia appears to be in a similar situation.

Electronic Filing Programs

The study again found that a number of states have made progress in the area of electronic filing of campaign finance reports, and electronic filing is now mandatory for statewide and/or legislative candidates in 24 states. Seventy-five percent of the states have an electronic filing program in place. Seventeen states received grades in the A range for their electronic filing programs—more than in any other category in the study, and four more than last year. One state received a B in this category, four states received Cs, and two received Ds. Twenty-six states received F grades, indicating there is still significant progress to be made in this area. The failing states include those with completely voluntary electronic filing programs, because of the value placed on mandatory electronic filing in the Grading State Disclosure criteria.

- 37 states have an electronic filing program for candidate campaign finance reports.
- 24 states have some type of mandatory requirement for electronic filing of campaign finance reports.
- 18 of these states require electronic filing by candidates for both statewide and legislative office.
- 6 states require electronic filing for statewide candidates only.
- 13 states have voluntary electronic filing for candidates for statewide and legislative office.
- Of the 37 states with an electronic filing program, 34 reported having adequate funds to administer the program and 3 reported insufficient funds.
- 13 states have no electronic filing program.

Significant Changes Since 2004:

- 2 states that previously had voluntary electronic filing programs converted to mandatory electronic filing for both statewide and legislative candidates (Maine and New Mexico).
- 1 state that previously only required electronic filing of statewide candidates added mandatory electronic filing for legislative candidates (Hawaii).

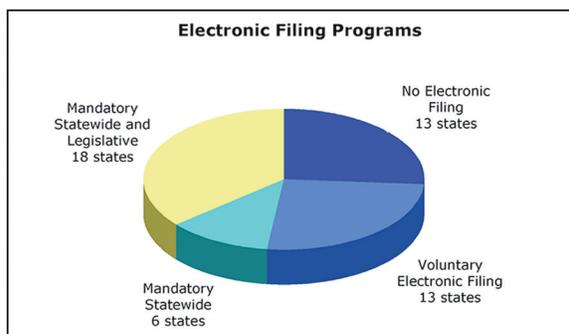
- 1 state that previously had a voluntary electronic filing program added mandatory electronic filing for statewide candidates (Indiana).
- 7 states reported increased funding for electronic filing; three states noted a decrease in funding.

States with the strongest electronic filing programs, all receiving an A+ and tied for first place in this category, are: Arizona; Florida; Hawaii; Illinois; Maryland; Massachusetts; Michigan; New York; Ohio; Texas; and Washington.

States with no electronic filing (all tied for the last place rank) are: Alabama; Arkansas; Idaho; Kansas; Mississippi; Montana; Nebraska; New Hampshire; North Dakota; South Carolina; South Dakota; Vermont; and Wyoming.

The most encouraging trend identified in states' electronic filing programs is an increase in the number of states that mandate electronic filing for statewide and/or legislative candidates. In 2004, 21 states had mandatory requirements for electronic filing of campaign finance reports, and 15 of these required electronic filing by candidates for both statewide and legislative office. This year, 24 states have mandatory requirements for electronic filing of campaign finance reports, and of these, 18 require electronic filing for candidates for both statewide and legislative office. Six states require electronic filing for statewide office candidates, but offer voluntary programs for legislative candidates. The thresholds that trigger mandatory electronic filing vary by state and type of candidate, and range in amount from zero (Arizona) to \$250,000 (Connecticut).

In addition to the 24 states that require electronic filing of at least some candidates, 13 states offer completely voluntary electronic filing programs. While these states still received failing grades in this category, their ranks indicate that they are performing substantially better than those states with no electronic filing program. Candidate participation in voluntary electronic filing programs varies widely throughout the states, from less than one percent (Delaware) to over 50 percent (Kentucky and New Jersey for statewide candidates, and Tennessee for legislative candidates). The average rate of electronic filing in states with completely voluntary programs is 27% for statewide candidates and 25% for legislative candidates.



Nineteen states offer a free, web-based filing system for candidates while twenty states provide free filing software, and in six of these states (Delaware, Indiana, Massachusetts, New Jersey, New Mexico and Texas) candidates can take advantage of either option. In addition, most states provide candidates with a standard filing format (technical specifications) that can be used to ensure reports are filed in a manner compatible with the filing agency's computer system. In their responses to the Grading State Disclosure 2005 survey, many states indicated they have

improved outreach, training and technical assistance offered to candidates, either in response to increased demand or in expectation of an increased number of e-filers due to new electronic filing requirements.

Adequate funding is a critical component of electronic filing programs; in addition to the resources necessary to develop such a program, disclosure agencies also require funding to maintain and upgrade them, and to provide support and training to candidates. Fortunately, most states recognize the need to

continue to provide a stable funding stream that anticipates both program growth and the need to adapt to new technology. This year, nearly all states reported having adequate funding for their electronic filing programs, and only three states reported decreased funding.

Thirteen states (Alabama, Arkansas, Idaho, Kansas, Mississippi, Montana, North Dakota, Nebraska, New Hampshire, South Carolina, South Dakota, Vermont and Wyoming) still have no electronic filing program in place, though South Carolina and Montana are in the process of developing one. New Hampshire, which previously reported that it offered candidates the option of filing electronically, clarified in its Grading State Disclosure 2005 survey answers that what it actually offers are downloadable forms that candidates may print and complete, but then must return via traditional filing methods such as mail or in-person delivery.

Disclosure Content Accessibility

Fifteen states made positive changes in 2005 in the Disclosure Content Accessibility category, which again saw the second-highest number of improvements across the states. Eight states improved their grades in this category, and there were two more As and two more Bs this year than in 2004.

A total of eleven states received A grades for Disclosure Content Accessibility, ten states received B grades, three states received C grades and four states received D grades. As in 2004, 22 states received failing grades in this category, although it was not the same 22 states. One state that failed in 2004 received a B in 2005 (Virginia), and one state that received a barely passing grade in 2004 dropped to an F this year (Connecticut). Montana, South Carolina, and Wyoming still do not post any campaign finance data on the Internet, and rank at the bottom.

- 47 states post campaign finance data on their disclosure web sites.
- 3 states have no campaign finance data available on their web sites.
- 32 states provide searchable databases of contributions online.
- 20 states provide searchable databases of expenditures online.
- 27 states allow campaign finance data to be downloaded from their web sites in a spreadsheet format.
- 31 states post campaign finance data online within 48 hours.

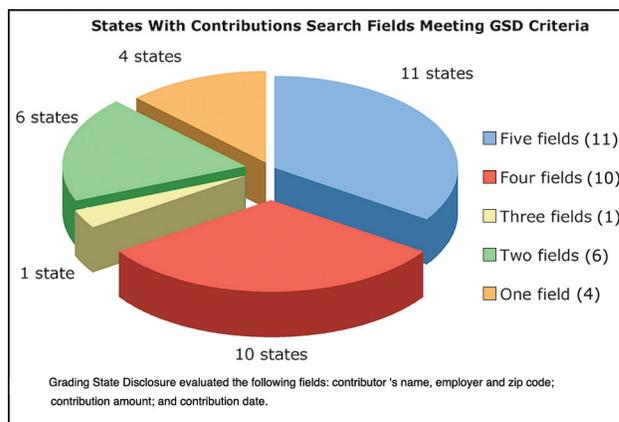
Significant Changes Since 2004:

- 3 states added online searchable databases of contributions (Minnesota, Nebraska and Virginia).
- 1 state added an online searchable database of expenditures (Virginia).
- 2 states added fields to existing searchable databases (Missouri and New Jersey).
- 1 state removed a searchable database of contributions and expenditures from its disclosure web site (Delaware).
- 3 states posted campaign filings to the Internet more quickly in 2005 (Florida, Hawaii, and Maine).
- 4 states reduced the cost of obtaining paper copies of campaign finance reports (Iowa, Maine, Missouri, and Nevada).

States that provide the best access to campaign finance records are: Washington; Michigan, Rhode Island and Texas (tied for 2nd); California, Florida and Hawaii (tied for 5th); and Georgia, Maine, Maryland and Ohio (tied for 8th).

States with the weakest access to campaign finance records, in rank order from 41 to 50 are: Alabama, Nevada and New Mexico (tied for 41st); Arkansas and Delaware (tied for 44th); South Dakota; New Hampshire; Montana; Wyoming; and South Carolina.

One of the most important things a disclosure agency can do to facilitate public access to campaign finance data is provide up-to-date, online, searchable databases of campaign contributions and expenditures that feature a variety of options for querying data and organizing results. This year, Minnesota and Nebraska added searchable databases of contributions to their disclosure web sites, and Virginia added a searchable database of both contributions and expenditures. New Jersey and Missouri added new search fields to existing databases. Thirty-two states now offer the public the ability to search campaign contributions, and 20 offer searchable databases of expenditures. Of the 18 states with no online search feature, four—North Carolina, Pennsylvania, Vermont and Wisconsin—allow site users to download campaign finance data in spreadsheet format from the state's disclosure web site.



It is still the case that states with mandatory electronic filing are more likely to offer the public an online searchable database of contributions, though some state agencies that receive filings on paper do data-enter itemized contributions to create searchable databases. Eighty-three percent of states with mandatory e-filing offer a database of contributions online, compared to 61 percent of states with voluntary e-filing, and just 31 percent of states without an electronic filing program. The advantage provided by mandatory electronic filing is even more pronounced in the case of searchable databases of expenditures, with 71

percent of states with mandatory e-filing providing such a database online, compared to just 23 percent of states with voluntary e-filing. Of the thirteen states without electronic filing, none offer the public a searchable expenditures database on their disclosure web sites.

Among states that make campaign disclosure filings available online but whose disclosure web sites do not feature searchable databases, there are a number of mechanisms used for providing the public with access to the information. Some states feature itemized records in HTML displays that are either static or allow data to be sorted online. A number of states simply scan paper disclosure reports and post them online as either PDF or TIFF files, but this method results in varying degrees of readability and accessibility, depending on whether files can be displayed using a standard program such as Adobe Reader or whether specialized software must be downloaded and installed in order to view reports.

The benefits of online access to campaign records are many, but an obvious and important one is that the public can find out about candidates' campaign finance activities far more quickly than was ever possible before the advent of the Internet, when people had few options other than visiting disclosure agencies in person or waiting for media outlets to report on disclosure data. Of the 47 states that today offer

disclosure filings online, 31 post those filings to the web within 48 hours of receipt, with another ten states posting all records within one week. Because electronically-filed reports typically become available online either in real-time or on the same day they are filed, states with mandatory electronic filing have the strongest record of providing prompt public access to campaign finance reports. Some disclosure agencies have policies requiring them to withhold e-filed reports from the web until all candidates for a particular office have filed, but even that usually results in only a slight delay in online access. In 2005, three states—Florida, Hawaii and Maine—improved in this area and reported they are posting data to the Internet much more quickly than in the past.

While states increasingly report that fewer people are requesting paper copies of campaign disclosure records (particularly in those states with excellent Internet access to campaign data), they also generally recognize the need to continue to provide the public with easy access to paper reports, and several states improved in this area in 2005. Iowa, Maine, Missouri and Nevada all lowered the cost of paper copies of disclosure records, with Nevada cutting the cost in half from \$1.00 per page to \$.50 per page—still very high, but a definite improvement. Alabama and South Dakota continue to charge the highest rate, at \$1.00 per page, while Ohio charges the lowest rate of any state, at three cents per page. The majority of states charge between \$.10 and \$.25 per page, and the median rate is \$.20 per page.

In addition to accessing campaign records on paper or on states' disclosure web sites, journalists, watchdog organizations, and others sometimes prefer to receive large quantities of disclosure records on CD, a format that more easily allows for analysis of several candidates' records or all campaign committees' reports for a given election cycle. Thirty-six states now offer the public campaign data on CD, disk or via email, including Pennsylvania, North Dakota and Maine, which all added this option in 2005.

Online Contextual and Technical Usability

Online Contextual and Technical Usability was the category in which states exhibited the most change in 2005, both positive and negative. While 20 states improved their grades in this category, 15 states received lower grades than in 2004, largely because of changes in usability testing scores. The reduction in the number of states receiving failing grades in this category—from 21 in 2004 to only 11 in 2005—signals that overall, states are continuing to make progress in the area of web site usability.

In Grading State Disclosure 2005, one state received an A, five states received B grades, and twelve states received C grades. Twenty-one states received D grades and eleven states received failing grades.

- 20 states publish current campaign finance analyses online, including lists of total amounts raised and spent by statewide and/or legislative candidates in the most recent election.
- Of these 20, all but one also provide this information for previous elections.
- 4 states publish historical campaign finance analyses online, but do not provide similar analyses for the most recent election.
- 26 states do not provide any compilations of summary data online.
- 46 states provide information about campaign finance restrictions online.
- 50 states post information about disclosure reporting requirements online.
- 45 states feature lists of candidates for the most recent or current election on their disclosure web sites.

- 22 states provide comprehensive information explaining which disclosure reports are available online.
- 11 states provide little or no information explaining which disclosure reports are available online.
- 41 disclosure web sites are easily located from the state homepage.

Significant Changes Since 2004:

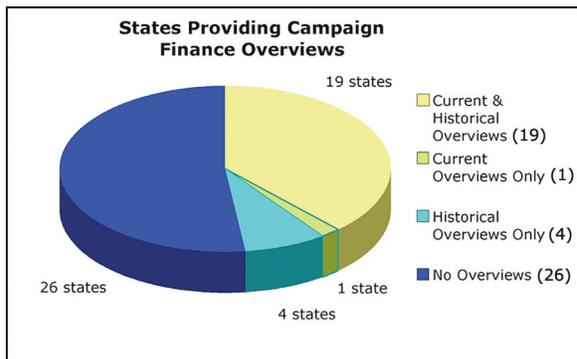
- 3 states added or made improvements to summary campaign finance analysis information on their web sites (Hawaii, Iowa and Virginia).
- 3 states added or made improvements to candidate lists online (Hawaii, Iowa and New Jersey).
- 2 states improved their explanations of which reports can be found on their disclosure web sites (Hawaii and Oregon).
- 4 states expanded the scope of campaign finance information available online to include both original reports and clearly labeled amended reports (Kentucky, Oregon, Virginia and Wisconsin).
- 3 states added or improved information about campaign finance restrictions (Arkansas, Maine and Oklahoma).

States with the best contextual and technical web site usability, in rank order from one to ten, are: Idaho; Alaska and Illinois (tied for 2nd); Florida; Massachusetts; Washington; Iowa; Virginia; North Dakota; and Kansas, Kentucky and South Dakota (tied for 10th).

States with the weakest contextual and technical web site usability, in rank order from 41 to 50, are: New York; Wyoming; New Mexico; Connecticut and Colorado (tied for 44th); South Carolina; New Hampshire; Arizona; Montana; and Nebraska.

The Grading State Disclosure criteria place considerable importance on the availability of resources that give the public some context when looking at campaign finance data, and the most important contextual resource is compilations of the total amounts of money raised and spent by individual candidates.

These overviews allow people to compare spending by different candidates for a single office, as well as gain a better understanding of money in politics trends. The study found that 19 states provide lists



of total amounts raised and spent by all statewide and legislative candidates, in both the most recent election and previous ones. Four additional states provide historical summary data, but offer none for current candidates. This year, Hawaii and Iowa added complete current and historical overview data to their disclosure web sites, and Virginia added an overview for statewide candidates only. Twenty-six states still do not provide any compilations of data online, making it more difficult for the public to easily compare fundraising and spending across candidates and election cycles.

Another essential element of contextual usability is whether a state’s disclosure web site contains adequate information to help the public determine the scope of candidates’ reports and campaign data available online. Just under half of the states (22) do a very good job in this area, providing explanations of which types of candidates’ reports are available, the time period covered by the online data, and which

specific reports can be viewed for each campaign committee. These states' sites often feature detailed descriptions of available data, along with interfaces for accessing online reports that clearly show which candidates' reports are included. Two states—Oregon and Hawaii—made progress in this area in 2005, but there are still eleven states that provide very little or no information about the data on their disclosure web sites.

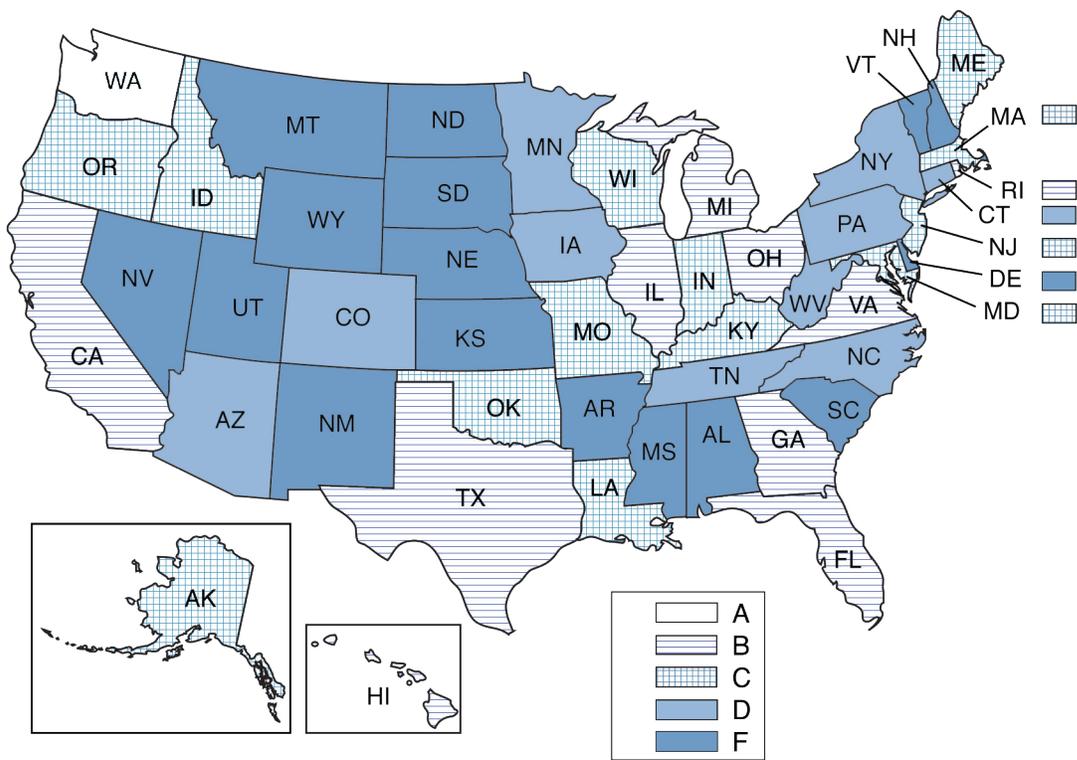
The study found that 30 states make both original and amended campaign reports available online, with 28 of those states (all except Alabama and Arkansas) clearly labeling amended reports as such. There was considerable improvement in the handling of amended filings in 2005, with Kentucky, Oregon, Virginia and Wisconsin all making progress in this area. Kentucky developed a particularly user-friendly way to display changes to previously-filed campaign finance reports, and gives visitors to its disclosure web site the ability to identify specific, itemized transactions that have been amended.

The availability of detailed, technical instructions designed to help site visitors access and navigate the campaign finance data on state disclosure web sites is another important part of web site usability, particularly in those states that have complex searchable databases, multiple access points for campaign records, or very large amounts of data online. While all but three of the 47 states posting data online provide some guidance to site visitors, the study found that only 24 states publish comprehensive sets of instructions or user manuals. States that provide particularly thorough instructions for site users include California, Illinois, Kentucky, New York, Rhode Island and Washington.

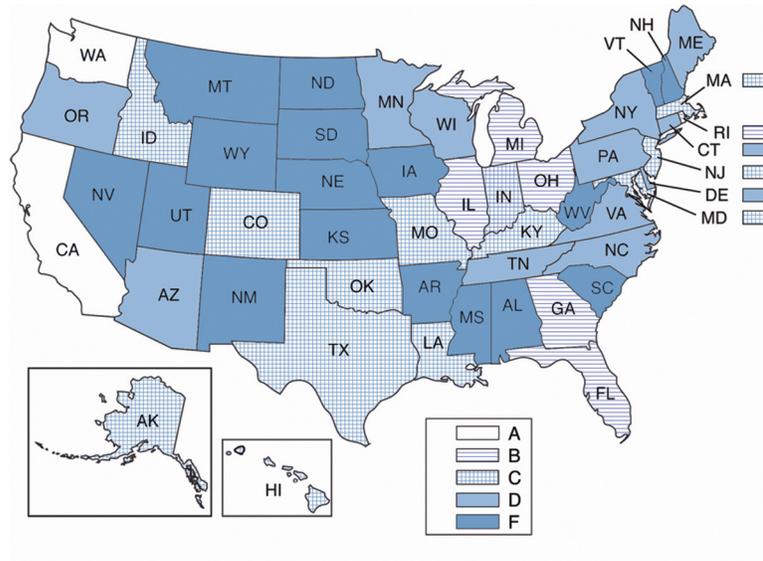
Finally, one-third of the possible points in the study's Online Contextual and Technical Usability category come from the usability testing conducted at the University of California, Los Angeles, which is designed to measure the public's ability to locate a state's disclosure web site and extract from it accurate answers to specific questions about candidates' campaign finance activity. Many states lost ground in the usability test in 2005 (though some improved their scores) and the reason for the weaker performance could be any number of things. One possibility is that the visibility of state disclosure web sites on state homepages was affected by the fact that 2005 was not an election year in most states; links to disclosure sites that were prominently displayed on state web portals in 2004, for example, may have been removed in 2005. Another possibility is that the design and functionality of state disclosure web sites is not keeping pace with either changing technology or the public's expectations for what a web site should look like and how it should function.

In any case, the usability test results confirm that all disclosure web sites—even the best—must be constantly reviewed and updated in order to keep up with technological advances and continue to meet the public's evolving needs and expectations. Fourteen state disclosure agencies redesigned their web sites in 2005, with some simply updating the site's look, and others completely overhauling both the site's design and structure. Maintaining and improving their web sites will continue to be a challenge for disclosure agencies in the future, but one that must be taken seriously if states truly wish to provide the public with meaningful access to campaign data and give people a way to easily and accurately "follow the money."

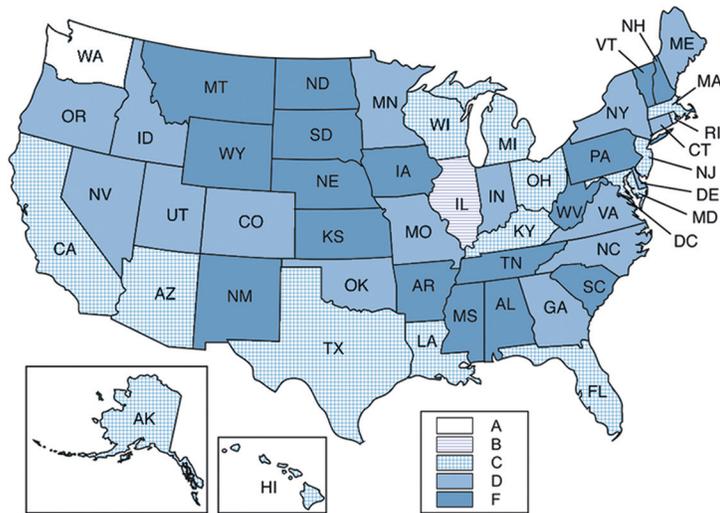
U.S. Map of Grading State Disclosure 2005 Study Results



U.S. Map of Grading State Disclosure 2004 Study Results



U.S. Map of Grading State Disclosure 2003 Study Results



III.

State-by-State Summaries

Alabama

Grade	F
Rank	47

Subcategories	Grade	Rank
Campaign Disclosure Law	F	47
Electronic Filing Program	F	38
Disclosure Content Accessibility	F	41
Online Contextual & Technical Usability	D	25

Alabama ranked 47th overall and in the Campaign Disclosure Law category for the third year in a row, and lost some of the gains made in web site usability in 2004, slipping nine places to a ranking of 25 in Online Contextual and Technical Usability.

Alabama law requires candidates to disclose the names and addresses of contributors giving \$100 or more, but not contributors' occupations and employers. Candidates must also disclose information about expenditures larger than \$99, not including subvendor details or accrued expenses. Contributing to the consistently low rank in the law category are a lack of mandatory review and auditing of campaign statements, and a lack of independent expenditure reporting, both of which are serious deficiencies. Alabama still does not require, or even offer, electronic filing of disclosure reports, even though e-filing legislation has been introduced a number of times in recent legislative sessions.

There have been few changes to Alabama's disclosure web site since 2004, and the problems that were discussed in previous *Grading State Disclosure* reports still exist. To improve access to online campaign finance reports, the agency might start by streamlining the process for viewing scanned images of reports, and shortening the number of steps required to get to the various schedules of each report. For example, the screen that says "The document you requested...has 1 page. The document's size is 48K... the document will open in approximately 15 seconds" is one that could probably be skipped, especially since it appears that most files take only 1-2 seconds to open.

Alabama's strengths are the contextual information on its disclosure web site, and its relatively high score for web site usability. However, its grade dipped a bit in this category and its rank dropped substantially as other states improved. To improve the contextual usability of the site and give site visitors a better sense of the scope of data available, the Secretary of State might consider adding the complete reporting period to the index of reports for each campaign committee, or at least featuring this information in a chart on the site. The label "45 day pre-election report," for example, denotes when a particular campaign report was due, but does not indicate what time period is covered by the records within that report.

→ *Quick Fix:* Reduce the cost of paper copies of disclosure records. \$1.00 per page is the highest in the country, with only one other state charging that much.

◆ *Editor's Pick:* Clear and prominent "View Campaign Finance Reports" button on the agency's main page.

Alaska

Grade	C+
Rank	13

Subcategories	Grade	Rank
Campaign Disclosure Law	C	28
Electronic Filing Program	F	25
Disclosure Content Accessibility	B	15
Online Contextual & Technical Usability	B+	2

There have been no measurable changes in Alaska's campaign disclosure program since 2004, and its overall and category grades remain the same, though its rank fell slightly as other states improved.

Alaska law requires candidates to disclose the names and addresses of all contributors, and to report occupation and employer for those giving \$100 or more. Candidates must file detailed information about expenditures, including accrued expenditures, but subvendor data is not disclosed. Independent expenditure reporting is a weak point in Alaska's disclosure law, and last-minute expenditures are not reported until after the election. The Alaska Public Offices Commission (APOC) is developing a new, web-based filing system to provide committees with additional reporting options and speed up the delivery of reports to the public, but electronic filing is still voluntary. In fact, the legislature took a step away from mandatory e-filing last fall when it passed SB 351, which strips the Commission of the power to require electronic filing and instead requires the Commission to accept reports in non-electronic formats.

After making significant improvements in data accessibility last year, Alaska's disclosure web site changed little in 2005, and there is definitely room for further improvement. The searchable contribution and expenditure databases help the state maintain its B in Disclosure Content Accessibility, but the system could be streamlined to enhance access and reduce confusion. For example, there are four different interfaces that can be used to search for individual contributors, each one offering a different combination of search fields, and there are yet more interfaces for performing expenditure searches. Consolidating these multiple screens would simplify the search process, reduce duplication and improve site navigability.

For the third year in a row, Alaska has received a top score in the web site usability testing, and its grade and rank in the Online Contextual and Technical Usability category reflect those test results, as well as the wealth of contextual information it gives site visitors. No other state has consistently achieved a top rating in the usability test, which measures both the ability of site users to extract key information from the site, as well as the level of satisfaction with the site expressed by testers. To further improve in this area, the APOC could revisit some of the terminology used throughout the site, particularly the labeling of the various search interfaces.

→ *Quick Fix:* Add comprehensive instructions for the searchable databases. Given the multiple search screens and wealth of data available, the site needs more complete instructions, and possibly a user guide.

◆ *Editor's Pick:* Overviews of campaign finance disclosure data for all candidates.

Arizona

Grade	D+
Rank	28

Subcategories	Grade	Rank
Campaign Disclosure Law	C+	25
Electronic Filing Program	A+	1
Disclosure Content Accessibility	D+	25
Online Contextual & Technical Usability	F	48

Arizona again received an overall D+, but dropped five places in the rankings to 28th, resulting in a cumulative drop of twelve places since 2003, when it ranked 16th overall. The state also lost ground in Online Contextual and Technical Usability.

Arizona's disclosure law, which is average by this study's standards, requires that candidates report detailed information about contributors, including occupation and employer. Candidates must disclose all expenditures regardless of amount, but subvendor information is not reported. A lack of reporting of last-minute contributions and independent expenditures until after the election is still a major weak point in the state's campaign finance law. Arizona's strength throughout the three-year study has been its law requiring electronic filing by all legislative and statewide candidates.

The mechanism for accessing campaign finance data on the Internet has changed little, and the same limitations encountered in 2004 remain, namely a small number of searchable fields and no way to search expenditure data. The contribution database on the Secretary of State's web site can be searched only by contributor name and contribution date, and the usefulness of the contribution date field is limited, because it requires first specifying a contributor's name. Furthermore, project researchers encountered a number of problems attempting searches in 2005, with the site returning a "Please try to be more specific" message even when limiting the search to one contributor name, one candidate and a one-week time period. Another message on the site indicates that a new search mechanism will be online soon.

Arizona already earned an F in 2004 for web site usability, but usability testers gave the state's disclosure site an even lower score in 2005 and caused Arizona's rank to drop again, from 42nd to 48th place, in this category. There are signs that change is underway—the Secretary of State's web site received a makeover in 2005, but not until after the close of the study's research period at the end of June. The updated web site includes some obvious improvements in site organization, navigation and aesthetics, but some of the terminology problems persist, and the database functionality does not appear to have improved.

→ *Quick Fix:* Add "data history" information. The disclosure web site contains very little contextual information to help site visitors understand which candidates' reports are online, and what time period is covered by the database. Adding even a simple 1-2 paragraph description of which records are available online would be an improvement.

◆ *Editor's Pick:* Clear, specific and up-to-date "Campaign Contribution Limits" chart.

Arkansas

Grade	F
Rank	37

Subcategories	Grade	Rank
Campaign Disclosure Law	C	32
Electronic Filing Program	F	38
Disclosure Content Accessibility	F	44
Online Contextual & Technical Usability	D+	19

A persistent, low F in the Disclosure Content Accessibility category and a lack of electronic filing combine to give Arkansas another overall F, but the state's overall rank continued to improve, climbing to 37th in 2005.

Arkansas' average campaign finance law is the bright spot in the state's disclosure system, requiring candidates to report detailed information about contributors giving \$50 or more, including occupation and employer. Expenditures above \$99 are also disclosed, but reports do not include subvendor information. Reports of independent expenditures are thin on details, such as who benefits from the expenditure and cumulative amount spent; neither contributions nor independent expenditures made right before the election are disclosed until after Election Day. While Arkansas still does not have an electronic filing program in place, representatives of the Secretary of State's office report they are currently researching e-filing systems and hope to implement one soon.

The strength of Arkansas' campaign disclosure web site in the past has been its comprehensiveness and the speed with which candidate filings are scanned and posted online. However, one news organization did report a significant slowdown in the posting of those filings to the Secretary of State's site in the months leading up to the 2004 general election. One obvious way to avoid such delays is to implement electronic filing; taking that step would also improve the readability of the reports, some of which are poorly handwritten and display sideways on the screen, rendering them nearly impossible to read online.

The only category in which Arkansas made measurable improvements in 2005 was Online Contextual and Technical Usability. The state's grade in this area rose from an F and rank of 38, to a D+ and rank of 19, a result of a big improvement in Arkansas' performance in the web site usability test. All of the testers located the specific campaign finance data they were looking for, and all expressed confidence in the accuracy of the site.

→ *Quick Fix:* Make information about campaign finance rules more visible. Site visitors may find it difficult to locate information about campaign fundraising and spending restrictions, which is now in the "Ethics Reporting Forms" section of the web site. The agency could make those rules more visible by featuring them elsewhere or changing the name of the "Reporting Forms" link to better reflect what is available there.

◆ *Editor's Pick:* Monthly filing of disclosure reports in election years.

California

Grade	B+
Rank	3

Subcategories	Grade	Rank
Campaign Disclosure Law	A	1
Electronic Filing Program	A	15
Disclosure Content Accessibility	A	5
Online Contextual & Technical Usability	D+	21

A lower grade in the web site usability category bumped California from 2nd to 3rd place in the overall rankings this year, but the state still has one of the best disclosure programs in the country, with strengths particularly in the areas of disclosure law and data accessibility.

Candidates in California must report the name, address, occupation and employer of donors who give \$100 or more to their campaigns. Last-minute contributions must be disclosed before Election Day. The law requires detailed disclosure of all expenditures of \$100 or more, including a breakdown of subvendor information. The only deficiency in the state's law, as measured by this project's criteria, is that the dates expenditures are made are not required to be reported, though many committees report this information anyway. Electronic filing is mandatory for state-level candidates who reach a \$50,000 threshold, and as of September 2005, candidates can file reports using a new, free web-based filing system on the Secretary of State's web site.

California's "Cal-Access" web site features searchable contribution and expenditure databases of electronically-filed campaign data going back to 2000. The functionality of those databases and the fact that reports are available online in real-time as they are filed, place California in the top five states in the country for Disclosure Content Accessibility. One major limitation of Cal-Access is that once a filing has been amended, the original report is no longer linked from the committee's filing history page, though it is still online. To give site visitors an even more complete picture of each candidate's campaign finance activity, the agency could provide links to both original and amended reports.

The state's grade for Online Contextual and Technical Usability dropped from a B+ to a D+ in 2005, due to a far lower score on the usability test this year than in 2004. Testers had trouble finding summary campaign finance figures for the governor, lacked confidence in the accuracy of the figures they did locate, and universally found the site confusing. The poor usability test scores may be a reflection of any number of things relating to the site structure or the data itself, including perhaps that there are no less than seven campaign committees associated with the current governor.

→ *Quick Fix:* Add information about campaign finance restrictions. The Cal-Access web site could be improved by adding some written information or even a simple chart about campaign fundraising and spending rules.

◆ *Editor's Pick:* Comprehensive 18-page User Guide and quick reference guide for the searchable databases.

Colorado

Grade	D+
Rank	26

Subcategories	Grade	Rank
Campaign Disclosure Law	B-	17
Electronic Filing Program	F	35
Disclosure Content Accessibility	B-	18
Online Contextual & Technical Usability	F	44

While there has been a big change at Colorado's disclosure agency—Secretary of State Donetta Davidson left in August to join the Election Assistance Commission, after serving as Secretary since 1999—there has been little change to the state's disclosure program and web site in the last year. Colorado's overall grade dropped slightly to a D+ in 2005, due to a lower grade in the usability category.

Colorado's disclosure law is its biggest strength, and requires the disclosure of detailed information for all who contribute \$20 or more, plus occupation and employer for those giving \$100 or more. Disclosure of expenditure data is thorough, except that candidates are not required to report subvendor information. Other gaps in the law include a lack of mandatory desk or field audits, and a lack of detailed reporting requirements for loans received by committees. Electronic filing is voluntary for candidates in Colorado, and the state reports it now has adequate funding for that program. Electronically-filed reports are due two days after manually-filed reports, to provide added incentive for candidates to file by electronic means.

The state's grade in the Disclosure Content Accessibility category remained static, but its rank dropped for the second year in a row as other states improved in this area. Colorado's comprehensive databases and format for browsing filed reports keep it among the top twenty states for data accessibility, but the missing database search fields mentioned in earlier *Grading State Disclosure* reports (contributor's zip code and employer, and expenditure purpose) still represent a significant weakness.

Colorado's overall grade suffers most from the poor usability of its web site, which received an even lower usability testing score this year than last. Testers lacked confidence in the campaign finance data they found on the site, and most felt the site was somewhat or very confusing. In terms of contextual usability, the biggest shortcomings of the disclosure web site are a lack of basic summary information showing total amounts raised and spent by all candidates, an inadequate description of which records are online, and the confusing structure of the site.

→ *Quick Fix:* Add missing search fields, as noted above, to the contribution and expenditure databases.

◆ *Editor's Pick:* Index of reports filed by each candidate. The index can be sorted and contains both the due date of each report, and the date reports were actually filed, along with a beginning and ending balance.

Connecticut

Grade	D
Rank	31

Subcategories	Grade	Rank
Campaign Disclosure Law	B-	20
Electronic Filing Program	D	24
Disclosure Content Accessibility	F	29
Online Contextual & Technical Usability	F	44

Connecticut received the exact same rank and grade this year as in 2004, with poor performances in the areas of Disclosure Content Accessibility and web site usability being the main cause of the state's persistent D.

Connecticut does best in the Campaign Disclosure Law category, with stronger disclosure requirements than 30 other states in the country. Candidates are required to provide details about donors giving \$30 or more to their campaigns, including occupation and employer for contributions above \$100. Details about expenditures, including subvendor information, also must be disclosed. Connecticut is a good example of why mandatory, rather than voluntary, electronic filing is so important. The state's e-filing program is mandatory for statewide candidates raising over \$250,000, but voluntary for legislative candidates, 95 percent of whom continue to file campaign finance reports on paper.

There were no measurable improvements to Connecticut's disclosure web site in 2005, though it received a makeover in fall 2005, and the state's grade in the accessibility category dropped slightly from a D- to an F. The lack of a searchable database of expenditures continues to be a serious deficiency, along with a limited number of search fields in the contributions database. The inability to sort or download data is also a problem, though the agency continues to report it is in the process of developing a mechanism for downloading campaign finance data from its web site in spreadsheet format.

For the third year in a row, Connecticut received an F in the Online Contextual and Technical Usability category, clearly an area in which the state is struggling. The Secretary of State's disclosure web site has very little contextual information to help site visitors understand campaign finance rules and decipher disclosure reports, and does not offer a basic list of total amounts raised and spent by all candidates. Furthermore, the site structure puts the burden on the site user to determine whether a candidate filed on paper or electronically, and to locate that candidate's reports in one of two systems for displaying filings. Usability testers expressed a lack of confidence in the accuracy of the data they located, and found the site confusing.

- *Quick Fix:* Add information about campaign finance restrictions (such as contribution limits.) Often this information is included in a state's candidate or treasurer's manual; if one exists in Connecticut, it could be featured online.
- ◆ *Editor's Pick:* While looking for reports to browse, site visitors can limit the returned list of documents to either originals or amendments.

Delaware

Grade	F
Rank	40

Subcategories	Grade	Rank
Campaign Disclosure Law	D	38
Electronic Filing Program	F	25
Disclosure Content Accessibility	F	44
Online Contextual & Technical Usability	F	40

Delaware's overall grade slipped from a D- to an F in 2005, and it moved down seven places in the study's overall rankings. The only category in which Delaware received a passing grade was Campaign Disclosure Law, with continued poor performance in the areas of electronic filing, data accessibility and web site usability.

Candidates are required by Delaware law to report the name and address, but not occupation or employer, of each donor who gives \$100 or more. Similarly, details about expenditures of \$100 or more must be disclosed, but subvendor information is not required. There is no reporting of last-minute contributions or independent expenditures until after the election, and enforcement suffers from a lack of mandatory desk reviews and field audits. In theory, Delaware has a voluntary electronic filing program; however Commissioner of Elections staff report that no candidates are currently filing electronically. The agency recently redesigned its filing system, and expects that a large number of candidates will use it during the next election cycle.

The removal of the searchable contributions and expenditures databases from the agency's disclosure web site—databases which last year contained just a handful of electronically-filed campaign statements—caused the state's Disclosure Content Accessibility rank to drop from 29th in 2004 to 44th in 2005. What the site does feature is images of scanned filings, in the somewhat cumbersome TIFF format, which means that data cannot be sorted, downloaded or otherwise manipulated online or offline. The agency does post reports to the Internet quickly, and offers a fairly simple interface for browsing filings.

Delaware's grade in the web site usability category dropped back down to an F in 2005, and its rank in this area fell twenty places, as other states made usability improvements. A redesign of the main section of the state's disclosure web site did bring with it some improvements in usability, particularly more contextual information and better terminology, but usability testing scores decreased markedly. Testers rated their overall experience on the site poorly, citing confusion about the data and a lack of confidence in their ability to answer specific questions about candidate fundraising using the online data.

→ *Quick Fix:* Add information to help the public determine whose reports are available online. The disclosure web site includes very little information to help visitors figure out the universe of filings available on the site. If a complete "data history" document is not possible, even a few paragraphs explaining exactly what is and is not on the site would be an improvement.

◆ *Editor's Pick:* Links directly into Delaware code relating to campaign finance.

Florida

Grade	B+
Rank	2

Subcategories	Grade	Rank
Campaign Disclosure Law	B	10
Electronic Filing Program	A+	1
Disclosure Content Accessibility	A	5
Online Contextual & Technical Usability	B	4

A number of small but significant improvements have bumped up Florida's ranking in the study, and the state can now claim the second best campaign disclosure program in the country. Florida's biggest strengths lie in the areas of Electronic Filing and Disclosure Content Accessibility, but it also performs well in the disclosure law and web site usability categories.

Florida's campaign disclosure law requires candidates to report details about contributors giving more than \$100, but employer and cumulative amount donated are not included in filings. Expenditure disclosure is stronger, with candidates reporting subvendor information and accrued expenditures. The law's enforcement provisions, including mandatory desk reviews and field audits, are another strong point. Florida has mandatory electronic filing and this year debuted a new, free web-based filing system, which accounts for the improvement from an A to an A+ in the Electronic Filing category.

The Secretary of State's web site offers searchable contribution and expenditure databases that are comprehensive in scope (they include paper filers' data) and feature a wide range of searchable fields. The only field that is missing from the search form is a contributor's employer, and that, of course, can't be remedied until the law changes to require employer disclosure. There is a good interface for browsing filed reports by candidate, but some visitors may miss this feature because it is accessed through a "Candidates & Races" link, rather than through the "Campaign Finance Information" link. Florida has maintained excellent access to paper copies of disclosure records as well.

The usability of Florida's disclosure web site improved in 2005, as measured by a slightly improved score in the usability test. Most testers were confident in their ability to accurately answer questions about the governor's campaign finance activity using data from the site, and most found the disclosure site easy to use and understand. Particular strengths in Online Contextual and Technical Usability include the availability of overview information comparing fundraising and spending totals among candidates, the comprehensive data history section, and a wealth of information about disclosure requirements and restrictions.

→ *Quick Fix:* Retain original filings online, even after amendments have been filed and made available online.

◆ *Editor's Pick:* The very thorough "About the Campaign Finance Database" page, including topics such as "Quality of Data," "Whose Records are Included?," "When are the Records Available?" and "How to Use the Database."

Georgia

Grade	B
Rank	5

Subcategories	Grade	Rank
Campaign Disclosure Law	B+	5
Electronic Filing Program	A	12
Disclosure Content Accessibility	A-	8
Online Contextual & Technical Usability	D+	21

Georgia's campaign disclosure program maintained its overall B in 2005 and remains among the top five, but slipped one notch in the rankings due to the lower score it received in the Online Contextual and Technical Usability category.

Georgia's disclosure law ranks in the top five in the nation and is particularly strong in disclosure of individual contributor and independent expenditure data. Candidates must report details about all contributors giving more than \$100, including occupation and employer, and large, last-minute independent expenditures and contributions must be reported prior to an election. Expenditures of over \$100 are also reported, but committees are not required to list subvendor information. Electronic filing is required for statewide and legislative candidates reaching certain thresholds, and the agency offers training and a help desk for filers.

Georgia's disclosure web site provides excellent access to campaign filings, but there is at least one significant issue that needs to be addressed, which is the difficulty experienced by site users when attempting to view filings that include a large amount of data. The June 2005 filing of one gubernatorial candidate, for example, contained over 2,500 itemized contribution listings on a single web page and took more than 20 minutes to load using a high-speed Internet connection. Such a display represents a major barrier to accessing the data (particularly the expenditure data, which shows up at the bottom of the page following the last individual contributor), as most people will not have the patience to wait nearly half an hour to view the information. Additionally, the site still does not give visitors the ability to search by expenditure description and date, both of which are required by law to be disclosed and are available in the browsable filings.

Although Georgia performed relatively well in the 2005 usability test, its score did drop slightly, causing Georgia's Online Contextual and Technical Usability grade to drop to a D+. Testers felt the web site was easy to understand and generally rated it well, though some lacked confidence in their ability to correctly answer specific questions about candidates' fundraising using the data online. The disclosure site still needs a thorough data history description, and contains very little information about campaign finance rules and restrictions.

- *Quick Fix:* Break up very large filings into smaller pages. Separating the data into pages with 100 contributions each, for example, would make it much easier to access and browse the filings of candidates raising and spending large sums of money.
- ◆ *Editor's Pick:* Index of reports for candidates clearly differentiates between original and amended reports, and shows exactly when campaign filings were submitted.

Hawaii

Grade	B
Rank	4

Subcategories	Grade	Rank
Campaign Disclosure Law	A-	4
Electronic Filing Program	A+	1
Disclosure Content Accessibility	A	5
Online Contextual & Technical Usability	D+	21

Passage of a mandatory electronic filing law for state legislators, plus a number of improvements to its disclosure web site, improved Hawaii's overall grade to a B and placed the state's campaign finance disclosure program among the top five in the country.

Hawaii's disclosure law requires candidates to report detailed information about contributors giving at least \$100, but occupation and employer is disclosed only for major donors. The strongest areas of the law are disclosure of expenditures, independent expenditures, and loan details; last-minute independent expenditures must be reported prior to Election Day. The state legislature passed a bill in May 2005 to require electronic filing for legislative candidates, after years of attempts to enhance the state's electronic filing law (statewide candidates have had to file electronically since 1997.) The change bumps the state's e-filing grade from a D to an A+. The new law does include a waiver provision, and one big question will be how strictly or loosely that provision is implemented.

The Campaign Spending Commission's web site offers both scanned filings and searchable databases of contributions and expenditures, and the percentage of candidates whose reports are searchable should increase markedly in the next election. Unfortunately, case sensitivity is still a big problem in the databases, and at least needs to be explained to site visitors, if not fixed. For example, searching one statewide candidate's records for contributors by occupation "attorney" returns no records, but searching for "Attorney" with a capital "A" returns over 100 contributions totaling \$162,000. Hopefully this and other technical problems will be addressed before the 2006 election year.

Hawaii made a number of significant improvements to its disclosure web site that are reflected in a higher rank (from 39 to 21) and grade in the web site usability category. The site now includes summary amounts raised and spent by all candidates, an explanation of the differences between the HERTS1 and HERTS2 databases, lists of candidates, and improved terminology. Having added many great resources to the site, Hawaii can now work on improving the organization of the information; usability testers expressed some confusion and lack of confidence in the site, and gave it overall low marks for navigability and usability.

→ *Quick Fix:* Add a set of technical instructions for the searchable databases, including a prominently displayed notice about case sensitivity.

◆ *Editor's Pick:* Receipts and Disbursements Totals for statewide and legislative candidates, and Receipts and Disbursements Analysis for 1994-2004.

Idaho

Grade	C
Rank	20

Subcategories	Grade	Rank
Campaign Disclosure Law	B-	20
Electronic Filing Program	F	38
Disclosure Content Accessibility	C-	23
Online Contextual & Technical Usability	A	1

Idaho's clear strength is in the usability of its disclosure web site, which improved further and helped the state climb from a C- to a C overall. The lack of even a voluntary electronic filing program is still a significant shortcoming, and prevents the state from achieving a higher overall rank and grade.

Idaho's disclosure law, which is slightly above average by this project's criteria, requires candidates to report details about contributors giving more than \$50 and expenditures of at least \$25. Expenditure disclosure is particularly strong and requires reporting of information about subvendors and accrued expenses. Last-minute contributions and independent expenditures must be reported before Election Day, and the law's enforcement provisions, including mandatory desk reviews and field audits, are strong. Idaho still does not offer candidates the option of filing reports electronically, one of only thirteen states without such a program.

While Idaho does offer the public a comprehensive searchable database of contributions, its disclosure web site still lacks an interface for searching campaign expenditures and there are still problems with data consistency, as described in previous Grading State Disclosure reports. Also, there are some fields missing from the searchable database, and disclosure records cannot be sorted either there or in the browsable filings. A recent change in the law requires candidates for statewide office to file an additional statement mid-year in non-election years, and those filings are now online.

Idaho made enough gains in Online Contextual and Technical Usability to jump from a B to an A, and perhaps more significantly, to move into 1st place in this category in 2005, up from 7th in 2004. The state's performance in the usability tests improved substantially, with most testers finding the terminology and interface easy to understand, and giving the site an overall high rating. Summary information is excellent, as noted below, and the Secretary of State's web site is well-designed and easy to navigate.

→ *Quick Fix:* Add contribution date and contributor zip code fields to the searchable database of contributions, and add ability to sort itemized contribution records.

◆ *Editor's Pick:* 2004 Sunshine Summary, and additional summary information going back to 1994.

Illinois

Grade	B
Rank	5

Subcategories	Grade	Rank
Campaign Disclosure Law	C	27
Electronic Filing Program	A+	1
Disclosure Content Accessibility	B+	12
Online Contextual & Technical Usability	B+	2

A small increase in Illinois' Campaign Disclosure Law score was balanced out by an equal drop in its score for Online Contextual and Technical Usability, leaving the state with the exact same overall score, grade and rank as in 2004. Illinois' strengths are still its Electronic Filing Program and the usability of its disclosure web site, which ranks 2nd in the nation; overall Illinois ranks among the top five states in the country.

State-level candidates in Illinois are required by law to report detailed information about contributors giving more than \$150, with occupation and employer disclosed only for those giving more than \$500. Expenditures of more than \$150 are also reported, but not subvendor information. Independent expenditure disclosure is a weak point, though a new law does require the disclosure of independent expenditures in the two months leading up to the election (but not during the rest of the year). Statewide and legislative candidates reaching a threshold of \$10,000 must file electronically, and the disclosure agency offers excellent filer assistance.

Illinois received a B+ in the Data Content Accessibility category for the third year in a row, though its rank in this area slipped again slightly, from 10th to 12th. Little has changed in the data section of the disclosure web site, which continues to offer well-designed searchable databases and browsable campaign filings. Particularly helpful is the summary statement that precedes the listings of search results and says, in the case of a search for contributors to one statewide office candidate, "your search found 570 receipts totaling \$1,527,424.98."

The State Board of Elections web site got a makeover in 2005, although the structure of the site is basically unchanged. It continues to offer outstanding contextual information, including an annual "Money and Elections in Illinois" analysis that features total amounts raised and spent by state-level candidates, a glossary of common campaign disclosure terms, and a wealth of information about Illinois' campaign finance restrictions and disclosure requirements. Illinois scored well in the usability test with most testers rating the site well overall, but only half expressed confidence in the accuracy of the information they collected in answer to specific questions about a candidate's fundraising history.

- *Quick Fix:* Add the ability to download data in a spreadsheet format. By not offering downloadable data, the state makes it more difficult for journalists, activists and others to conduct detailed analyses of the data and to identify patterns in giving and spending.
- ◆ *Editor's Pick:* Live, streaming Campaign Disclosure Seminar for candidates, treasurers and the public, held on 2/5/05 and archived on the agency's web site.

Indiana

Grade	C-
Rank	23

Subcategories	Grade	Rank
Campaign Disclosure Law	F	42
Electronic Filing Program	C	19
Disclosure Content Accessibility	B+	12
Online Contextual & Technical Usability	C-	16

An improvement in the area of electronic filing was offset by a drop in Indiana's web site usability grade, leaving the state with another overall C- and a slightly lower overall rank in the 2005 study.

Indiana's campaign disclosure law is the weakest element of its disclosure program, and ranks in the bottom ten in the nation. Candidates must report detailed information about contributors giving at least \$100, but employers are not disclosed and occupations are included only for major donors of \$1,000 or more. Expenditures over \$100 are disclosed, but reports do not include subvendor information. There is no disclosure of independent expenditures, and Indiana is still the only state in the nation that does not require candidates to report in-kind (non-cash) contributions of goods and services. The state legislature passed a mandatory electronic filing law for statewide candidates in 2005, but unfortunately did not apply the requirement to themselves; electronic filing will remain voluntary for those seeking legislative office.

Indiana performs best in the Disclosure Content Accessibility category, and offers well-designed searchable databases of contributions and expenditures that include both electronically-filed and paper-filed disclosure records. The only field missing from the searchable database is contributor's employer, but that cannot be added until the law changes to require that data to be disclosed in the first place. To improve further in this area, the Secretary of State's office could speed up the process of data-entering paper reports and posting them online, which currently takes one to two weeks.

Indiana's score in the usability test dropped in 2005, causing a corresponding drop in the state's Online Contextual and Technical Usability grade. Testers had some trouble locating summary information for specific candidates, and reported varying levels of satisfaction with the disclosure web site this year, with half of them finding the site somewhat or very confusing. Strong points in web site usability include thorough information about exactly which records are available online, and a well-designed report index format. The Secretary of State's web site, which was redesigned in 2004, was updated again in 2005.

- *Quick Fix:* Compile summary information that is already available online for individual candidates into a single document, to make it easier for site visitors to quickly compare fundraising and spending across candidates.
- ◆ *Editor's Pick:* Itemized contribution and expenditure data that has been amended is marked with a yellow "A" in the display of search results.

Iowa

Grade	D
Rank	31

Subcategories	Grade	Rank
Campaign Disclosure Law	C	31
Electronic Filing Program	F	25
Disclosure Content Accessibility	F	38
Online Contextual & Technical Usability	C+	7

Iowa has shown significant improvement this year, raising its overall grade from an F to a D, and its overall rank from 38th to 31st, with most of the gains coming in the Online Contextual and Technical Usability category.

Iowa's disclosure law can be described as average, and requires candidates to report detailed information about almost all contributions received and expenditures made. Legislation passed in 2004 now requires a supplemental pre-election filing for candidates reaching a certain fundraising threshold, which accounts for the bump in Iowa's law grade from a C- to a C. Another piece of disclosure-related legislation unfortunately didn't fare as well: the House passed a bill this year mandating electronic filing for statewide and legislative candidates, but it stalled in the Senate. Had it become law, its phased-in requirements would not have taken effect until 2007 (challengers) and 2009 (incumbents), but even that would have been a step in the right direction.

Though the state's grade and rank for Disclosure Content Accessibility has not changed since 2004, there has been one small measurable improvement in this area, which is that the agency reduced the price of paper copies of campaign finance reports. Otherwise, there have been few changes in data accessibility and the main deficiency is still a lack of any searchable—or even sortable—data, even though approximately one-third of the candidates are filing electronically.

No other state improved more in the web site usability category than Iowa, which jumped from an F and rank of 44 in 2004, to a C+ and rank of 7 in 2005. The huge gain can be attributed mostly to a much higher score in the usability test. Testers were able to answer specific questions about candidate fundraising using the Ethics and Campaign Disclosure Board web site, and felt the site was easy to understand and navigate. Additionally, the agency made a number of specific improvements to the site, including making both current and historical summary campaign finance information available online, adding a "How to Use this Site" page, and featuring a candidate list with more complete information.

→ *Quick Fix:* Organize campaign finance filings by candidate, rather than by reporting period, to give site visitors a better sense of each committee's complete filing history.

◆ *Editor's Pick:* An overview document including summary amounts raised and spent by candidates is available not only for candidates in the most recent statewide election, but also for those who have formed exploratory committees for the next election.

Kansas

Grade	F
Rank	36

Subcategories	Grade	Rank
Campaign Disclosure Law	D	37
Electronic Filing Program	F	38
Disclosure Content Accessibility	F	30
Online Contextual & Technical Usability	C	10

Very little about Kansas' disclosure program has changed since 2004, and it received an overall F for the third year in a row. In spite of the general lack of progress, a better performance in this year's usability tests did cause the state's overall ranking to improve slightly.

Kansas has made no measurable improvements to its disclosure law in the last three years, and again received a D in this category. The law requires candidates to report detailed information about contributors giving over \$50, including occupation but not employer for those giving more than \$150. Expenditure disclosure is stronger, but still does not require reporting of accrued expenditures, and there is no reporting of last-minute contributions and independent expenditures until after the election. Legislation enacted several years ago authorized the development of an electronic filing system for campaign disclosure, but no money was appropriated. A number of bills introduced in 2004 would have established e-filing, but none passed and the state is still without even a voluntary electronic filing program.

Access to campaign finance data in Kansas is still well below average, and there is much room for improvement in this area. Because the Governmental Ethics Commission currently data-enters filings, it takes up to two months for that information to be made available on the Internet, though the agency reports it plans to scan and post filings within two days in 2006. Itemized expenditure data is currently not available on the web site at all. While several other states actually decreased the cost of paper copies of campaign finance reports this year, the Secretary of State's office continues to charge a relatively high 50 cents per page for such copies.

Kansas' grade in Online Contextual and Technical Usability climbed from a D to a C in 2005, due to an improved usability testing score. Testers reported relatively high levels of confidence in the data they located on the site, and generally found it easy to understand. Nonetheless, there are still some significant shortcomings in terms of contextual information, including a lack of information to help visitors understand which records are available online. The Commission could also consider a redesign of its web site, to improve navigation and facilitate better access to the records available there.

→ *Quick Fix:* Allow site visitors to search by amount and zip code by adding those fields—both of which are already available in the search results—to the database search screen.

◆ *Editor's Pick:* "Quick Statistics" provide summary amounts raised and spent for each candidate and go back to 1993.

Kentucky

Grade	C+
Rank	13

Subcategories	Grade	Rank
Campaign Disclosure Law	B+	6
Electronic Filing Program	F	25
Disclosure Content Accessibility	B-	21
Online Contextual & Technical Usability	C	10

Kentucky maintained its overall C+ but fell out of the top ten to 13th, as other states improved. Its strengths are still in the areas of Campaign Disclosure Law and Disclosure Content Accessibility, and its only major weakness is in electronic filing.

Kentucky's disclosure law is among the best in the country and requires candidates to report detailed information about contributors giving more than \$100, including occupation and employer. Expenditure disclosure is excellent and reports must include subvendor data and accrued expenditures. However, reporting of last-minute contributions before the election is required only of gubernatorial candidates, and last-minute independent expenditures are not reported until after the election. Statewide and legislative candidates have the option of filing reports electronically, but are not required to do so.

The Registry of Election Finance's web site contains a comprehensive searchable database of contributions that is well designed and is accompanied by an extensive tutorial and user guide. The law requires disclosure filings to be posted online within ten days, but the agency reports it has a strong record of online disclosure in half that time. The biggest deficiency of the state's disclosure site is still the lack of an expenditures database. Itemized expenditures are only available online for electronic filers, and are not data-entered from paper filings.

Kentucky added the ability to view both original filings and amended reports in 2005, and specific transactions that have been amended are now highlighted, with original transactions available in a pop-up window. This unique system gives site visitors a way to easily track revisions to the data, and also provides them with a much better sense of a particular candidate's filing history. This major improvement was unfortunately offset by a significant drop in Kentucky's usability test score, which is the reason the state's grade for usability actually dropped from a C+ to a C. Some testers lacked confidence in their ability to draw accurate conclusions about a candidate's total spending using data on the site, and others found the terminology confusing.

→ *Quick Fix:* Add some functionality to the contributor search by adding "name contains" and "name begins with" search capability.

◆ *Editor's Pick:* Handling of amendments, as described above.

Louisiana

Grade	C
Rank	16

Subcategories	Grade	Rank
Campaign Disclosure Law	B-	17
Electronic Filing Program	C	19
Disclosure Content Accessibility	C+	22
Online Contextual & Technical Usability	D	31

Louisiana's overall grade slipped a notch in 2005 from a C+ to a C, due to a slightly lower web site usability grade. Its performance in the disclosure law, electronic filing, and data accessibility categories remained basically unchanged.

Louisiana's disclosure law ranks among the top twenty in the country, and includes particularly strong expenditure disclosure and enforcement provisions. Candidates report the names and addresses of contributors, but are not required to collect and disclose occupation and employer information. Last-minute contributions must be disclosed before the election, but the reporting threshold increased last year to \$1,000 for major office candidates and \$500 for district-level candidates.

Electronic filing is required of statewide candidates raising at least \$50,000, but is voluntary for legislative candidates. The Board of Ethics' current strategic plan sets forth a relatively modest goal of having 20 percent of filers submitting reports electronically by 2010. Given that goal and the time period they have given themselves to accomplish it, one wonders how many candidates are actually voluntarily e-filing now; it is a difficult question to answer, as the agency reports it does not keep statistics on the number of voluntary electronic filers in Louisiana.

The question of how many candidates are filing electronically is particularly relevant because Louisiana's searchable databases of contributions and expenditures include only electronically-filed reports. Reports filed on paper, which represent the vast majority of reports, can only be viewed online as scanned images that are not always easy to read. The searchable databases still have some technical problems, most notably that the system is case sensitive. Fortunately, the governor is no longer filing her reports in all-capital letters, which means data from her most recently filed reports can be more easily searched.

Louisiana's grade for Online Contextual and Technical Usability dropped from a D+ to a D and its rank fell from 17th to 31st in 2005, mostly due to a lower score in the usability test. Testers had difficulty locating summary contribution figures for specific candidates, and expressed less confidence in their ability to use the site to gather accurate information.

→ *Quick Fix:* Post complete lists of candidates, including office and district information, on the disclosure web site.

◆ *Editor's Pick:* *Directory of Campaign Finance Late Fees.* For each committee that has incurred fees, the site lists which report was late and by how many days, the fine amount, amount paid to date, and outstanding fee balance.

Maine

Grade	C
Rank	17

Subcategories	Grade	Rank
Campaign Disclosure Law	C	34
Electronic Filing Program	B	18
Disclosure Content Accessibility	A-	8
Online Contextual & Technical Usability	D-	37

Maine has made a number of significant improvements to its disclosure program in the past year, and along with earning higher grades in nearly every category, has raised its overall grade from a D+ to a C, and its rank from 23rd to 17th.

The state's disclosure law is average and requires candidates to report the name, address and occupation of contributors who give over \$50, but not the employer. Reports of last-minute contributions now have to be filed within 24 hours, rather than 48 hours. Expenditure disclosure is good and includes subvendor details, but not accrued expenses, and the law is particularly strong in the area of independent expenditure reporting. The Commission on Governmental Ethics and Election Practices proposed a bill in 2005 to require electronic filing for candidates raising more than \$1,500, and it passed and was signed into law. Candidates without access to the necessary technology will be able to request a waiver once the requirement goes into effect at the beginning of 2006.

Maine also made gains in the Disclosure Content Accessibility category, raising its grade from a B- to an A- and now ranking within the top ten in the nation for access to campaign finance data. Its disclosure web site features comprehensive, searchable databases and a simple interface for browsing candidate filings. A number of improvements contributed to the higher grade, including substantially lower prices for paper copies of campaign reports, the availability of disclosure records in other digital formats, such as on CD, and a faster turnaround time between when reports are received and when they are posted online.

Maine has the most room to improve in the area of web site usability, but adding a new page describing contribution limits and including information about what constitutes a contribution bumped Maine from an F to a D- in this category. The agency reports that it hopes to offer "at-a-glance" summary campaign finance information by the 2006 election cycle, which is the most important contextual resource currently lacking on the Commission's web site.

→ *Quick Fix:* Give web site visitors the ability to sort search results.

◆ *Editor's Pick:* A "Who to call for help" chart organized by topic, and the "Guide to Political Activity," designed specifically "for organizations and individuals other than candidates."

Maryland

Grade	C
Rank	21

Subcategories	Grade	Rank
Campaign Disclosure Law	F	41
Electronic Filing Program	A+	1
Disclosure Content Accessibility	A-	8
Online Contextual & Technical Usability	D	25

There were almost no measurable changes to Maryland's disclosure program in 2005, and the state again received an overall C, with a particularly low grade and rank in the Campaign Disclosure Law category.

Maryland's disclosure law has a number of significant shortcomings, most notably in the area of independent expenditure disclosure (none is required). Candidates are required to report detailed information about contributors, but occupation and employer are not included. Last-minute contributions are not reported until after the election. Expenditure disclosure is better, but candidates still are not required to report subvendor details. All statewide and legislative candidates must file electronically, and waivers are granted only to those committees that have raised less than \$5,000.

Maryland provides the public with excellent access to campaign finance records, offering comprehensive online databases with both simple and advanced search interfaces. The system provides some unique search features, such as the option to "include only dates that do NOT match the above criteria," and itemized search results are preceded by useful summary information about those results. Visitors to the disclosure web site also have the option of browsing complete filings, and data can be downloaded for viewing and analyzing offline.

Though the State Board of Elections' web site is full of useful data and information, a few important resources are still missing and the state's Online Contextual and Technical Usability grade suffers as a result. Most importantly, while the site offers interesting compilations and analyses, it does not provide visitors with a way to quickly and easily compare fundraising and spending amounts for all statewide and legislative candidates. Site users are also unable to access original reports, in cases where amendments have been filed; only the most recently filed report is online.

→ *Quick Fix:* Add an overview page or document that allows site visitors to quickly compare spending and fundraising among candidates running for the same office.

◆ *Editor's Pick:* Campaign Fund Report Statistics. This information is updated daily and provides interesting general statistics about what kinds of entities are making contributions and where those contributions are coming from.

Massachusetts

Grade	C+
Rank	12

Subcategories	Grade	Rank
Campaign Disclosure Law	D+	36
Electronic Filing Program	A+	1
Disclosure Content Accessibility	B	17
Online Contextual & Technical Usability	B	5

Massachusetts received a slightly higher score for web site usability in 2005, but its overall grade and rank remained static at a C+ and 12 respectively. Its biggest strengths are still in Electronic Filing and Online Contextual and Technical Usability, and it ranks within the top five in both categories.

The state's campaign disclosure law requires candidates to report details for contributors giving at least \$50, including occupation and employer for those contributing above \$200. Expenditures above \$50 are reported, but detailed information does not include subvendor payments. A weak point in the law is the lack of reporting of last-minute contributions and independent expenditures prior to the election; voters don't find out about that money until candidates file post-election reports. Statewide candidates who raise or spend more than \$50,000 and legislative candidates raising or spending more than \$5,000 must file reports electronically.

The Office of Campaign and Political Finance web site provides good access to campaign records through searchable contribution and expenditure databases, as well as complete filings that can be browsed by site visitors. Electronic filings are available on the disclosure site in real time, and in fall 2004 the agency began posting scanned images of independent expenditures, which are not filed electronically, as well. To make the system even more complete, the agency could add data from paper-filed reports to its databases, and give site users the ability to search by contributor zip code, expenditure amount, and expenditure purpose.

Massachusetts' only measurable improvement in this year's study was a slight increase in its usability test score. Even so, testers had mixed reactions to the disclosure web site, with most feeling confident in the accuracy of data, but some expressing confusion about the site's terminology. Reorganizing the site, which contains lots of excellent contextual and summary information, might help improve navigation and usability.

→ *Quick Fix:* Improve site navigation by changing the color of visited links.

◆ *Editor's Pick:* Electronic Report Log listing the most recently filed reports, and Report Status feature.

Michigan

Grade	B-
Rank	8

Subcategories	Grade	Rank
Campaign Disclosure Law	C	32
Electronic Filing Program	A+	1
Disclosure Content Accessibility	A	2
Online Contextual & Technical Usability	C	13

After ranking 10th in 2003 and 6th in 2004, Michigan placed right in between at 8th in 2005 and received an overall B-, slightly lower than last year's B. Disclosure Content Accessibility and Electronic Filing remain its biggest strengths.

Michigan again received a C for its average disclosure law, but dropped a few places in the law rankings as other states improved their disclosure requirements. Candidates must report details about contributors giving more than \$100, including occupation and employer. Expenditure disclosure is weaker and does not include subvendor details or accrued expenses; reporting of loan details could also be improved. Last-minute contributions and independent expenditures must be reported prior to Election Day. Both statewide and legislative candidates reaching a threshold of \$20,000 must file reports electronically.

Michigan maintained its 2nd place ranking in the Disclosure Content Accessibility category, and continues to provide excellent access to campaign finance records through the Secretary of State's office and web site. Its contribution and expenditure databases can serve as a model for other states, and have great functionality, a wide range of search options, and data going back to 1997. Access to reports filed on paper could be improved by adding those records to the searchable database.

The state's grade for Online Contextual and Technical Usability dropped from a B- to a C, due to a poorer performance in the usability test. Testers had more difficulty locating the total amount raised by the governor, and expressed less confidence in the accuracy of the information they did collect. Strengths in web site usability include complete candidate lists, resources to help the public determine whose records are on the site, and in-depth information about campaign finance restrictions and disclosure requirements.

- *Quick Fix: Summary data.* Offer site visitors overview information comparing fundraising and spending of all candidates, either through a new database function or in a static document.
- ◆ *Editor's Pick: Data history information and explanations about committee types and campaign statements, designed specifically for the general public.*

Minnesota

Grade	D+
Rank	25

Subcategories	Grade	Rank
Campaign Disclosure Law	B+	6
Electronic Filing Program	F	25
Disclosure Content Accessibility	F	32
Online Contextual & Technical Usability	D	25

Minnesota's overall grade improved again in 2005—albeit slightly—from a D to a D+, due to improvements in the Disclosure Content Accessibility category. Minnesota's campaign disclosure law is still the state's biggest strength and ranks 6th in the country.

Candidates are required by law to report detailed information, including occupation and employer, for contributors giving at least \$100. Expenditure disclosure is excellent and includes subvendor details as well as accrued expenses, with every expense over \$99 being reported. The law's biggest shortcoming relates to its filing schedule (reports are filed less often than in many other states), though last-minute contributions must be disclosed before Election Day. A bill recommended by the Campaign Finance and Public Disclosure Board and introduced in the state legislature in 2005 would have required electronic filing of campaign reports by all committees raising over \$15,000, but did not pass. Minnesota does have a voluntary e-filing program in place, which is used by approximately 35 percent of candidates.

The Board improved access to campaign finance records in 2005, but because its grade in this category was so low in 2004, even the improvements could not bring it above an F in this area (though they did raise Minnesota's overall grade in the study to a D+). The disclosure web site now features a better mechanism for searching contributor records, and the technology that drives the system appears to have improved, with data loading faster than in years past. Further improvements were made after the close of the study's research period (specifically, additional search fields and sortable search results.) Unfortunately, there is still significant lag time between when reports are filed and when data is posted to the Internet, and itemized expenditures are still not available online.

The main section of the disclosure agency's web site received a makeover in 2005, but the effect on usability was not necessarily positive. Minnesota received a lower score in the usability test, which caused its Online Contextual and Technical Usability grade to drop from a C to a D. Testers were less able to answer specific questions about candidates' fundraising in 2005, and were less confident in the accuracy of the information they did locate. Strengths in web site usability include thorough reference information about disclosure requirements and restrictions, and campaign finance overviews, both current and historical.

→ *Quick Fix:* Lower the cost of paper copies of campaign reports. This is particularly important since expenditure data is not available online, and for those who can't get to St. Paul to make copies themselves, 50 cents per page is prohibitively high.

◆ *Editor's Pick:* Campaign Finance Summaries going back to 1998.

Mississippi

Grade	F
Rank	37

Subcategories	Grade	Rank
Campaign Disclosure Law	C-	35
Electronic Filing Program	F	38
Disclosure Content Accessibility	F	40
Online Contextual & Technical Usability	D+	21

There were no measurable changes to Mississippi's campaign disclosure program in 2005, which is reflected in its overall F, a grade it has received all three years of this study. Mississippi performs best in the area of Campaign Disclosure Law, and is weakest in Electronic Filing and Disclosure Content Accessibility.

The state's disclosure law requires candidates to report details about contributors giving in excess of \$200, including their occupations and employers. Last-minute contributions (but not last-minute independent expenditures) have to be reported before Election Day. Expenditure disclosure is weak and requires candidates to report vendor name and expenditure date, but not subvendor details, accrued expenses, or expenditure descriptions. Mississippi failed to enact mandatory electronic filing legislation for the second consecutive year in 2005, after the House and Senate could not agree on various campaign finance reform and disclosure provisions of the bill. Among the disputed points was the threshold amount for triggering mandatory e-filing, which began at \$75,000 and which some suggested should be set as high as \$500,000.

Access to campaign finance filings remains problematic in Mississippi, and the state again received an F for Disclosure Content Accessibility. The Secretary of State's web site features reports filed by all statewide and legislative candidates in the last ten years, but those filings are scanned and their usefulness is limited. One unique offering is that each disclosure report lists the candidate's web site and email address on the report's summary page; few, if any, other states combine web and email contact information with disclosure filings in this way.

Mississippi's highest ranking comes in the Online Contextual and Technical Usability category, in which it received a D+ but is ranked relatively high at 21st. The State of Mississippi makes it easy to locate the campaign finance disclosure web site, with an agency directory by topic that specifically lists "campaign finance." Once at the site, visitors will find a summary of whose records are online, complete candidate lists, and information about disclosure requirements. Still missing, though, is a simple list of candidates and the amounts raised and spent by each—a critical resource for helping the public put campaign finance activity into a larger context.

→ *Quick Fix:* Add complete reporting periods to each candidate's report index.

◆ *Editor's Pick:* The listings of 48-hour reports for each candidate include the contributor name in the report index, which means that basic information about all last-minute contributions received by the candidate is available on one page.

Missouri

Grade	C+
Rank	15

Subcategories	Grade	Rank
Campaign Disclosure Law	B	10
Electronic Filing Program	C	19
Disclosure Content Accessibility	B-	19
Online Contextual & Technical Usability	D	31

A significant improvement in the Online Contextual and Technical Usability category helped bump Missouri's overall grade from a C- to a C+ and improve its overall rank from 17 to 15. Missouri's Campaign Disclosure Law continues to be a strong point, and places among the top ten in the country.

Under Missouri law, candidates must report detailed information about contributors giving over \$100, including occupation and employer. Last-minute contributions are reported before Election Day, but last-minute independent expenditures are not. Disclosure of loan details is particularly strong; expenditure disclosure is also good, but details about subvendor payments are not included. Statewide candidates raising more than \$15,000 must file reports electronically, but e-filing is voluntary for legislative candidates. House Bill 525 in the 2005 legislative session included a provision that would have lowered the statewide candidate e-filing threshold to \$5,000, but the bill was vetoed by the governor.

Two small improvements resulted in a higher grade for Disclosure Content Accessibility this year and moved Missouri into the B range in this category. The Ethics Commission reduced the price of paper copies of reports from 25 cents to 10 cents per page, and made it possible to search the contributions and expenditures database by street, city or zip code, rather than just city. The database only contains the electronically-filed records of statewide candidates, but legislative candidates' records, filed on paper, are scanned and posted to the Internet within one day.

Missouri received a significantly higher score in the usability test in 2005, raising its grade in Online Contextual and Technical Usability from an F to a D, and its rank nine places, from 40th to 31st. Even with the increase, Missouri's performance in the test was just average. Testers had an easier time locating individual contributions and summary information for the governor in 2005, and expressed greater confidence in the accuracy of that data, but some found the site's terminology confusing and gave the site only a fair rating. It became easier to locate the Ethics Commission web site from the state's homepage, and the Commission added a simple but important note to its site regarding pop-up windows, which it uses to display searchable database results.

→ *Quick Fix:* Improve site navigation by changing the color of visited links.

◆ *Editor's Pick:* For each candidate, site visitors can view a listing of reports, the method by which they were submitted, and their posting status (i.e. "scanned" or "received but not scanned").

Montana

Grade	F
Rank	46

Subcategories	Grade	Rank
Campaign Disclosure Law	A-	3
Electronic Filing Program	F	38
Disclosure Content Accessibility	F	48
Online Contextual & Technical Usability	F	49

Montana received an overall F for the third year in a row, and its rank dropped from 43 to 46. While it ranks near the bottom in three of the four categories of the study, Montana's campaign disclosure law is still one of the best in the country and lays the groundwork for what could be a much better overall disclosure program.

Candidates in Montana are required to disclose details, including occupation and employer, about contributors giving \$35 or more. Last-minute contributions are reported prior to Election Day, but last-minute independent expenditures are not. Expenditure disclosure is excellent and requires the reporting of subvendor details and accrued expenses. Other strengths include the filing schedule, reporting of loan details, and enforcement. The Office of Commissioner of Political Practices has been developing an electronic filing system since 2004, and reported in June that work on a web-based filing interface was nearing completion. The agency expects to debut the new program in late 2005.

Montana's grade in the Disclosure Content Accessibility category reflects the fact that there is currently zero campaign finance data available on the disclosure agency's web site. Hopefully that situation will change when the Commissioner's office launches electronic filing; the agency also reported in June that it had completed work on the database that will store electronically-filed data. Access to paper copies of disclosure records, from the Commissioner's office in Helena and from county election offices throughout the state, is very good.

It is impossible to earn a good grade in Online Contextual and Technical Usability if a state's disclosure web site contains no campaign finance data, and the absence of such data on Montana's site is why its grade and rank in this category are so low. Again, if the introduction of electronic filing results in the introduction of actual data to its web site, the site's usability will improve. There is already some good contextual information on the Commissioner of Political Practices' web site, which was redesigned in fall 2005.

- *Quick Fix:* Add a document to the disclosure site that lists total amounts raised and spent by statewide and legislative candidates. In the absence of itemized campaign finance records online, a basic overview would at least give site visitors some sense of candidates' campaign activity.
- ◆ *Editor's Pick:* *Election Contribution Limits Summary*. This document is thorough, and easy to find on the disclosure web site.

Nebraska

Grade	F
Rank	39

Subcategories	Grade	Rank
Campaign Disclosure Law	B-	17
Electronic Filing Program	F	38
Disclosure Content Accessibility	F	30
Online Contextual & Technical Usability	F	50

For the third year in a row, Nebraska received an overall F for its disclosure program, and while its law remains relatively strong and ranks 17th in the nation, the state's rank in the web site usability category fell to 50th in 2005.

Nebraska's disclosure law requires candidates to report detailed information about contributors giving more than \$250, not including their occupations and employers. Large, last-minute contributions and independent expenditures (over \$1,000) are reported before Election Day. Expenditure details are provided for expenditures greater than \$240, but reports do not include subvendor information. Nebraska does not have an electronic filing program, and does not currently have plans to introduce one.

The Nebraska Accountability and Disclosure Commission added a search feature to its web site in 2005, but the only field is contributor name, and that is limited further to organizational contributors; searching for specific individual donors produces no results. The system represents a good first step, but needs to be greatly expanded if the agency wishes to give site visitors any real capacity for analyzing filings and identifying patterns of giving across all filers.

The Commission's statement that "campaign finance data is currently fully accessible" in Nebraska is surprising given its grade and rank in the Online Contextual and Technical Usability category, not to mention its grade for data accessibility. Testers participating in the usability test certainly disagreed, with all finding the site confusing and most rating it poorly overall. Nebraska's score in the usability test dropped significantly in 2005, and one reason may be that the interface for locating campaign filings no longer includes lists of candidates, making it more difficult to find and browse reports. A list of candidate committees mitigates the situation to a certain degree, but is in a separate section of the web site and does not include office, district or party affiliation information.

→ *Quick Fix:* Replace the various page backgrounds on the Commission's web site with a simple, uniform design. Many of the backgrounds are either distracting or make it difficult to read the text on the page, and updating them would both unify the site design and ease navigation.

◆ *Editor's Pick:* The full text of the Accountability Act and Campaign Finance Limitation Act are available and highlighted on the agency's web site.

Nevada

Grade	F
Rank	40

Subcategories	Grade	Rank
Campaign Disclosure Law	F	46
Electronic Filing Program	F	25
Disclosure Content Accessibility	F	41
Online Contextual & Technical Usability	C	13

Nevada saw few measurable changes to its campaign disclosure program in 2005 and received an overall F for the second year in a row. Web site usability is still Nevada's strength; its biggest weakness is its disclosure law.

Nevada law requires candidates to report details about contributors giving more than \$100, but occupation, employer and cumulative amount donated are not disclosed. Detailed information about expenditures over \$100 must be filed, but reports do not include subvendor payments. Disclosure of loan and independent expenditure details is minimal, and enforcement provisions are weak compared to other states. The Secretary of State's office reports that it has pushed for mandatory electronic filing in the last two legislative sessions, but the legislation did not make it out of committee in 2005. The state's program remains voluntary, and is used by only one percent of statewide and legislative candidates.

Nevada's grade for Disclosure Content Accessibility suffers from a lack of searchable data online, or even records that can be sorted or downloaded. What the state's disclosure web site does offer is scanned images of reports that have been filed on paper, many of which have been handwritten. These are accessed through indexes of reports organized by year, rather than by committee, which means that viewing all of one particular candidate's filings requires site visitors to search through eight separate directories covering the years 1998-2005. To improve access to reports and make it easier for the public to get a sense of each candidate's filing history, the Secretary of State could add a second interface for viewing reports that is organized by candidate first, and then by date. On a positive note, the agency reduced the price for paper copies of reports from \$1.00 to 50 cents per page, which is more reasonable, but still high compared to rates in other states.

Web site usability is clearly Nevada's strong point and its performance in this area improved in 2005. The state's Online Contextual and Technical Usability grade rose from a D back up to a C, mostly as a result of a higher score in the usability test. Testers felt confident in their ability to accurately answer questions about candidate fundraising using data from the site, and generally felt the terminology was easy to understand.

→ *Quick Fix:* Add office and district information to the lists of candidate-incumbent campaign finance reports, to help people locate their representatives and candidates.

◆ *Editor's Pick:* The state's election laws are easy to locate on the site and nicely indexed.

New Hampshire

Grade	F
Rank	45

Subcategories	Grade	Rank
Campaign Disclosure Law	B-	20
Electronic Filing Program	F	38
Disclosure Content Accessibility	F	47
Online Contextual & Technical Usability	F	47

New Hampshire's rank in the study dropped for the second year in a row and its disclosure program is still among the bottom ten in the nation, with poor performance in the areas of electronic filing, data accessibility, and web site usability.

New Hampshire performs best in the area of the law, and it received a B- in the Campaign Disclosure Law category. Candidates are required to report details about contributors giving \$25 or more, including occupation and employer for those contributing more than \$100. Disclosure of loan details, however, is minimal, and expenditure reports do not include subvendor details or accrued expenses. Last-minute contributions and independent expenditures both must be reported prior to Election Day. The Secretary of State's office previously stated it offered candidates the option of filing electronically, but clarified in 2005 that what it actually offers is downloadable forms that candidates must print, complete and return via traditional filing methods (i.e. mail or in-person delivery).

Access to campaign filings in New Hampshire is poor, as reflected in the state's F for Disclosure Content Accessibility. Disclosure reports are still scanned and posted online as TIFF images, a format that allows for higher image quality, but presents a barrier for site visitors who do not have the software required to view them. None of the records on the site can be searched, sorted or downloaded, and reports for state House of Representatives candidates are not online at all.

Though the state no longer ranks last in the Online Contextual and Technical Usability category, its F and rank at 47th indicate there is still plenty of room for improvement in this area. The state's disclosure web site again received the lowest possible score in the usability test, with testers reporting a lack of confidence in the information on the site, confusion over site terminology, and general dissatisfaction with their experience using the site. There is still no quick-access overview information comparing candidates' campaign finance activity, nor is there a good explanation of which disclosure records are available online. On the bright side, the Secretary of State's office did add language to its web site indicating that some candidates' reports are in the political committee section, rather than the "candidate" section.

→ *Quick Fix:* Begin offering scanned images of disclosure reports online in PDF, rather than TIFF, which is less universal and presents problems for some site visitors.

◆ *Editor's Pick:* Chart showing spending limits and penalties for exceeding those limits.

New Jersey

Grade	C
Rank	17

Subcategories	Grade	Rank
Campaign Disclosure Law	B	8
Electronic Filing Program	F	25
Disclosure Content Accessibility	B-	19
Online Contextual & Technical Usability	D	31

New Jersey received a C in the study for the third year in a row, and though its overall grade did not change, there were in fact many changes in the state's campaign disclosure program and more improvements are underway. Its disclosure law is still New Jersey's biggest strength, and access to disclosure data improved again in 2005.

New Jersey law requires candidates to disclose details about contributors, including occupation and employer, for those giving \$300 or more. Contributions received and independent expenditures made at the last minute must be reported before Election Day. Disclosure of expenditure information includes subvendor details and accrued expenses, but not the date of an expenditure. New Jersey's electronic filing program is voluntary for candidates running in the 2005 elections; however, new Election Law Enforcement Commission (ELEC) rules will require electronic filing by statewide and legislative candidates spending over \$100,000 and will be phased in starting in 2006. The agency also reports it began a formal Treasurer Training Program in 2005, and hopes to offer web-based filing in the future.

The state's disclosure web site, which already featured a comprehensive, searchable database of contributions, now also offers a "Quick Data Download" option that allows site users to download large amounts of contribution data going back to 1981 (plus gubernatorial candidate expenditure data for 2005 only.) An ELEC report published in late 2004 detailed the agency's plans for further enhancing the state's disclosure site, including enabling visitors to browse reports without having to download and install specialized software. That software requirement, and the lack of a searchable expenditures database, are still the state's main weaknesses in the Disclosure Content Accessibility category.

The ELEC web site was redesigned and now includes lists of candidates, a glossary of disclosure terms, and a comprehensive web site help section. However, improvements in the area of contextual information were offset by a lower score in this year's usability test, resulting in another D in the Online Contextual and Technical Usability category. The state's usability test score was impacted by the software download requirement, a situation that is likely to improve in the future given the agency's priorities.

→ *Quick Fix:* Add the full reporting periods to the index of a candidate's reports.

◆ *Editor's Pick:* Summary of New Laws that affect campaign finance and disclosure in New Jersey, with links directly to the text of each bill on the legislature's site.

New Mexico

Grade	F
Rank	40

Subcategories	Grade	Rank
Campaign Disclosure Law	F	44
Electronic Filing Program	A	12
Disclosure Content Accessibility	F	41
Online Contextual & Technical Usability	F	43

New Mexico's big improvement in the Electronic Filing Program category was still not enough to raise the state's overall grade above an F, due to continuing poor performance in the remaining three categories of the study.

Candidates in New Mexico must report detailed information about contributors giving \$250 or more, including occupation but not employer or cumulative amount donated. Loan disclosure is a weak point, and there is no independent expenditure reporting. Candidates are required to disclose details about expenditures, but reports do not include subvendor details or accrued expenses. Large, last-minute contributions are reported before Election Day. Starting in January of 2006, all statewide and legislative candidates who are required to file reports with the Secretary of State must file them electronically, unless they apply for and are granted a hardship exemption from that agency.

New Mexico's disclosure web site includes images of scanned campaign finance reports for all state-level candidates, but accessing those reports can be difficult. Site visitors first have to know either a candidate's name or a report date; if they do not, they must go back several screens to look for that information in the Bureau of Elections' section of the site. Replacing the cumbersome report-viewing software—which does not work on some computer platforms and is really just a complicated way of displaying PDF files—with simple links to filings that can be viewed using a free PDF-viewer, would be a huge improvement. The Secretary of State's office reports that it plans to offer a searchable database online by 2006; hopefully it will upgrade the system for browsing complete filings at the same time.

Another F for Online Contextual and Technical Usability confirms that there is also plenty of room for improvement in the area of web site usability. The Secretary of State's web site does feature a list of candidates, information about disclosure requirements and campaign finance restrictions, and both original and amended campaign reports, but is still missing a number of resources that are critical for giving the public some context in which to put disclosure data, such as a summary of total amounts raised and spent by all candidates.

→ *Quick Fix:* Add information describing whose reports are available online, what data is included, and what time periods are covered, to give site visitors a better sense of the scope of the disclosure web site.

◆ *Editor's Pick:* Helpful description of the responsibilities of the Secretary of State.

New York

Grade	D+
Rank	29

Subcategories	Grade	Rank
Campaign Disclosure Law	D	38
Electronic Filing Program	A+	1
Disclosure Content Accessibility	C-	23
Online Contextual & Technical Usability	F	41

New York's overall grade improved slightly from a D to a D+ in 2005, though all four of its category grades remained the same. New York still performs best in the areas of electronic filing and access to disclosure data, and it made major changes to its disclosure web site in late October that are described below but not reflected in the state's grade.

The state's disclosure law is below average and requires candidates to report the name and address of contributors who give \$100 or more, but not their occupations and employers. Large, last-minute contributions are disclosed before Election Day. Details of expenditures over \$49, including subvendor information, must be reported, but accrued expenses are not disclosed. The law's most significant weaknesses are in the areas of independent expenditure disclosure and enforcement. All state-level candidates filing with the State Board of Elections must submit reports electronically, and the agency provides free software for that purpose.

An October 2005 redesign of the State Board of Elections web site resulted in a number of significant improvements that came too late to raise the state's category grade and New York again received a C- for Disclosure Content Accessibility. The comprehensive, searchable database of contributions is a useful tool for analyzing fundraising activity across candidates and now allows searching by a contributor's name and zip code, and by contribution date and amount. Most importantly, the agency added a searchable database of expenditures that can be searched by vendor name and zip code, and expenditure date and amount. Had these upgrades been made prior to the end of the study's research period, the state would have received a B+ for Disclosure Content Accessibility.

In addition to the database upgrades, the State Board of Elections' web site now includes lists of the aggregate amounts raised and spent by statewide and legislative candidates; that improvement alone would have resulted in a passing grade for Online Contextual and Technical Usability had it been made before the close of the study's research window. During the evaluation period, the site was still missing a number of important contextual resources, and received a low score in the usability test.

→ *Quick Fix:* Give web site visitors the option to download search results from the searchable contribution and expenditure databases.

◆ *Editor's Pick:* Contributor search box that appears on the report index page for each committee.

North Carolina

Grade	D+
Rank	27

Subcategories	Grade	Rank
Campaign Disclosure Law	B	10
Electronic Filing Program	D	23
Disclosure Content Accessibility	F	35
Online Contextual & Technical Usability	D	31

North Carolina's web site usability grade improved in 2005, but its electronic filing grade slipped, leaving the state with another overall D+ and a campaign disclosure program that now ranks 27th in the nation.

North Carolina's disclosure law is among the ten best in the country, and requires candidates to report detailed information about contributors giving over \$100, including occupation and employer. Large, last-minute contributions are disclosed before Election Day, but there is no last-minute independent expenditure reporting. Expenditure disclosure is particularly strong and candidates must report details about payments over \$50, including subvendor payments for media-related expenses. Statewide candidates raising over \$5,000, and legislative candidates contributing more than \$5,000 to statewide candidate committees, must file reports electronically. Inadequate funding for the state's e-filing program caused its Electronic Filing Program grade to drop from a C to a D in 2005.

For the third year in a row, North Carolina received an F in the Disclosure Content Accessibility category, and its rank dropped again as other states improved. While all candidates' disclosure reports are available online and can be browsed in HTML or downloaded, the Board of Elections web site is still lacking a searchable database of contributions and expenditures. Board staff report that, while the agency would like to offer such a database online, it simply does not have the staff or financial resources necessary to make that upgrade. To improve the current system without spending a lot of money, the agency could give site visitors the option of sorting the itemized data online.

North Carolina's Online Contextual and Technical Usability grade improved from an F to a D in 2005, because it became much easier to locate the disclosure web site from the main state web portal, and because the state received a slightly higher score in the usability test. The Board of Elections updated the look of its web site this year, but could still improve the quality of contextual information on the site by adding current overview information (lists of the total amounts raised and spent by each candidate) and a detailed explanation of which candidates' records are available online.

→ *Quick Fix:* Add the ability to sort detailed listings of contributions and expenditures.

◆ *Editor's Pick:* Historical campaign finance data. Itemized data going back to 1990, including all schedules of all reports, is available online and can be downloaded in spreadsheet format.

North Dakota

Grade	F
Rank	43

Subcategories	Grade	Rank
Campaign Disclosure Law	F	50
Electronic Filing Program	F	38
Disclosure Content Accessibility	D+	25
Online Contextual & Technical Usability	C	9

Improved grades in Disclosure Content Accessibility and Online Contextual and Technical Usability contributed to the improvement of North Dakota's overall rank from 44th to 43rd, but the state's disclosure law still ranks last in the country and brings down its overall grade.

North Dakota law requires candidates to report detailed information about contributors giving over \$200, plus occupation and employer information for those contributing \$5,000 or more. The law does not require candidates to list a cumulative amount given by each contributor. Loans, campaign expenditures, and independent expenditures are not reported at all, which is the reason why the state ranks consistently at the bottom of the disclosure law category. While North Dakota currently does not have an electronic filing program in place, the Secretary of State's office does plan to offer that option in the future.

North Dakota improved its grade for Disclosure Content Accessibility for the second year in a row, and now has a D+ in that category. Staff at the Secretary of State's office key in data from reports filed by all state-level candidates, in order to create the browsable files and comprehensive, searchable database that are available on the agency's web site. Reports are posted to the Internet quickly, especially considering the data-entry work required to make them available online. The database is well-designed and easy to use, but search options are still limited; site visitors can search disclosure records by contributor name and zip code, but not by contribution date or amount. For those looking to do more in-depth analysis of large amounts of contributor data, the agency now offers data on CD at a cost of \$35 per request.

The Secretary of State's web site is well-designed and easy to navigate, and scored very well in the study's usability test this year. Testers easily located information about the governor's campaign finance activity, expressed high levels of confidence in the accuracy of the data online, and gave the disclosure web site a very good rating overall. The most important thing the agency could do to improve further in this area is compile and post a list of the total amounts raised by each candidate, to enable quick comparisons of activity among all candidates.

→ *Quick Fix:* Add the ability to sort both search results and the display of contribution details within browsable disclosure reports.

◆ *Editor's Pick:* Simple, clean design of the Secretary of State's disclosure web site.

Ohio

Grade	B-
Rank	11

Subcategories	Grade	Rank
Campaign Disclosure Law	C+	25
Electronic Filing Program	A+	1
Disclosure Content Accessibility	A-	8
Online Contextual & Technical Usability	D+	19

A drop in Ohio's Online Contextual and Technical Usability grade overshadowed an improvement in its Campaign Disclosure Law grade, and contributed to a slight drop in the state's overall rank in the study, from 7th to 11th in the nation. Ohio's overall B- did not change.

Candidates in Ohio must report detailed information about contributors giving more than \$100, including occupation and employer. Expenditure details include accrued expenses, but not subvendor payments. Independent expenditures must be reported, but reports do not include who benefits and last-minute independent expenditures are not disclosed until after Election Day. The improvement in Ohio's law grade, which climbed from a C to a C+, is due to new legislation requiring semi-annual campaign filings in July of each year. Candidates reaching a \$10,000 threshold must file electronically; however, committees are now able to apply for a "hardship" exemption, which will permit paper filing with payment of a data entry fee.

Ohio's biggest strength is still in the area of accessibility of campaign disclosure records, and the state maintained its A- in that category. Ohio continues to offer one of the best databases of campaign finance records in the country, and gives site visitors many ways to search, sort, and download itemized contributions and expenditures. All candidates' disclosure reports are available online and can be either browsed or searched, and campaign data goes back to 1990. To improve further in Disclosure Content Accessibility, the disclosure agency could improve access to paper copies of campaign records, and more quickly post data from paper-filed reports online.

A lower score in the usability test—which was conducted before Ohio redesigned its disclosure web site in August—caused Ohio's Online Contextual and Technical Usability grade to drop from a C to a D+, and its rank in this category to drop from 12 to 19. Testers had difficulty determining how much money the governor raised, and many found the web site's terminology confusing and rated the site poorly overall. Adding the full reporting period to the index of reports for each committee is one improvement that could be made relatively easily and would give site visitors additional contextual information when browsing candidates' filings.

→ *Quick Fix:* Add a note to the instructions telling site visitors that the searchable database is capable of conducting "name contains" searches using the % character.

◆ *Editor's Pick:* Campaign Finance File Transfer Page, offering static files containing large amounts of itemized campaign data that are updated daily.

Oklahoma

Grade	C
Rank	19

Subcategories	Grade	Rank
Campaign Disclosure Law	B	13
Electronic Filing Program	F	35
Disclosure Content Accessibility	B	15
Online Contextual & Technical Usability	D-	37

Oklahoma's campaign disclosure program ranked 19th in the country for the second year in a row, though its overall grade improved from a C- to a C in 2005, mostly due to improvements in the area of web site usability. The state's campaign disclosure law is its biggest strength.

Oklahoma law requires that candidates report detailed information about contributors giving more than \$50, including occupation and employer. Large, last-minute contributions are disclosed prior to Election Day, as are last-minute independent expenditures. Candidates must report all expenditures, including subvendor information, but not accrued expenses. A new administrative rule will make electronic filing mandatory for all statewide and legislative candidates raising or spending over \$20,000 per campaign, but does not take effect until July 2006.

The state again received a B for Disclosure Content Accessibility, and while its rank in this category is high, there is still room for improvement. The searchable databases of contributions and expenditures on Oklahoma's disclosure web site are well-designed and include a number of search options, but still only contain records for 25 percent of the candidates who file with the disclosure agency. For the 75 percent who file reports on paper rather than electronically, only summary data is available online; members of the public wishing to view itemized contributions to the governor's campaign committee, for example, must request paper copies of those records from the Ethics Commission in Oklahoma City.

Oklahoma's grade for web site usability rose from an F to a D, because the Commission's web site now has more complete information about campaign finance restrictions, and because the state's score in the usability test improved in 2005. While most testers felt the site's terminology was easy to understand, only half felt confident they could accurately answer questions about the governor's fundraising using data from the site.

- *Quick Fix:* Add the ability to search the database by expenditure purpose (reason). This information already shows up in the search results, so it should be relatively simple to add one more field to the search interface.
- ◆ *Editor's Pick:* Index of reports for each committee is nicely designed and includes a column showing whether a report was filed on paper or electronically.

Oregon

Grade	C-
Rank	24

Subcategories	Grade	Rank
Campaign Disclosure Law	B	15
Electronic Filing Program	A	15
Disclosure Content Accessibility	F	35
Online Contextual & Technical Usability	D	30

Significant improvement in the areas of web site usability and Disclosure Content Accessibility caused Oregon's overall grade to rise from a D to a C-, with a corresponding rise in the state's overall rank in this study. Oregon's governor signed campaign disclosure legislation in August 2005 (HB 3458) which took effect immediately and will bring about further improvements.

Though Oregon's disclosure law has changed, its grade in the law category is still a B and reflects revisions to the law only through December 2004. The new law will require more frequent reporting of contributions and expenditures, particularly in the weeks leading up to an election. Candidates are now required to report detailed information about contributors giving \$100 or more (up from \$50), including occupation and employer. Expenditure disclosure is excellent, with all payments over \$100 reported in detail. All state-level candidates filing disclosure reports with the Secretary of State's office must file those reports electronically, and HB 3458 directs the agency to develop a free, electronic filing system.

Oregon made a number of improvements in the area of Disclosure Content Accessibility that are reflected in the state's improved rank in this category (from 45th to 35th), but the changes were not enough to raise its grade above an F. The site now contains disclosure filings for all candidates, including itemized contribution and expenditure data, that can be browsed online but not sorted or downloaded. The main reason for the low grade is that the state's disclosure web site is still lacking a searchable database of itemized disclosure records, though HB 3458 also mandated that a searchable database be created and made available online. The Secretary of State's office hopes to have a database in place by January 2007.

Oregon raised its Online Contextual and Technical Usability grade from an F to a D in 2005, because it added information to help the public determine which candidates' records are available online, offers web site visitors the option of viewing both original and amended filings, and added instructions for how to use the site. The state also received a slightly higher score in the usability test, with one tester giving the web site a rating of 5 on a 5-point scale.

→ *Quick Fix:* Add the complete reporting period (rather than just the report name) to the index of each candidate's disclosure filings.

◆ *Editor's Pick:* Synopsis of changes made to Oregon's election and campaign finance laws in 2005, compiled by the Secretary of State.

Pennsylvania

Grade	D
Rank	30

Subcategories	Grade	Rank
Campaign Disclosure Law	B	15
Electronic Filing Program	F	25
Disclosure Content Accessibility	F	33
Online Contextual & Technical Usability	D-	37

A major improvement in the Disclosure Content Accessibility category came too late to raise Pennsylvania's grade either in that category or overall, and its overall rank actually dropped from 28th to 30th in 2005. The state's campaign finance disclosure law is still its strong point.

Pennsylvania law requires candidates to report details about all receipts of \$50 or more, including cumulative amount donated and a contributor ID. Occupation and employer are disclosed for contributors giving at least \$250. Expenditure disclosure is also good, with candidates reporting accrued expenses, but not subvendor payments. Last-minute contributions and independent expenditures must be reported prior to Election Day. Committees have the option of filing reports electronically, but the law does not require it and only approximately 30 percent of statewide and legislative candidates do.

The Pennsylvania Department of State debuted a searchable database of contributor records on its web site in August 2005, but the addition came after the close of this study's evaluation period, and did not affect the state's Disclosure Content Accessibility grade. In addition to browsing campaign filings on the disclosure web site, visitors can now search them by contributor name and zip code, and contribution date and amount, though not by employer. The system unfortunately has some technical limitations, including that site users cannot enter a date range greater than one year or search by date alone, and that the database requires cookies to function properly but does not disclose this on the search page. The disclosure agency now also offers the public campaign data on CD at a cost of \$50, a resource that can be helpful to journalists and others wishing to analyze large sets of records.

The only measurable change in the area of Online Contextual and Technical Usability was a slightly lower score in the usability test, which caused Pennsylvania's grade in this category to drop from a D to a D-. Its rank dropped 12 places to 37, as other states made usability improvements. Testers had varying degrees of success locating information about the governor's campaign finance activity on the disclosure site, with only half giving the site a high overall rating.

→ *Quick Fix:* Add a set of simple instructions for using the new searchable database.

◆ *Editor's Pick:* Amended filings are clearly distinguished from original filings, and are marked with a red "A" in each candidate's report index.

Rhode Island

Grade	B-
Rank	10

Subcategories	Grade	Rank
Campaign Disclosure Law	C	28
Electronic Filing Program	A-	17
Disclosure Content Accessibility	A	2
Online Contextual & Technical Usability	C	13

Rhode Island's performance in the Disclosure Content Accessibility category, in which it ranks 2nd in the nation, helped the state maintain an overall B- in the study, though its overall rank slipped from seven to ten. The state's biggest weakness is its disclosure law.

Rhode Island's campaign disclosure law is average and requires that candidates disclose detailed information about contributors giving at least \$100, including employer but not occupation or cumulative amount donated. Loan disclosure is weak, and most candidates do not have to report last-minute contributions until after Election Day. Expenditures over \$100 must be disclosed, but reports do not include subvendor information. All state-level candidates must file reports electronically. In spite of reporting inadequate funding for its electronic filing program, the Board of Elections manages to provide committees with a free, web-based filing system and personalized training on how to use it.

Rhode Island ranks higher than 46 other states in the Disclosure Content Accessibility category (it shares its number 2 rank with Michigan and Texas,) and is second only to Washington. The Board of Elections provides the public with excellent access to candidates' campaign filings, and features comprehensive, searchable databases of contribution and expenditure data on its web site. The only thing missing from those databases is the ability to search expenditure records by purpose. Disclosure reports are posted to the Internet quickly, and can also be browsed, sorted and downloaded.

The usability of the state's disclosure web site improved in 2005, and its grade for Online Contextual and Technical Usability rose from a D+ to a C. The index of reports for each candidate now includes the full reporting period for each filing, which helps site visitors better grasp the filing schedule and exactly which time period is covered by each report. The state's score in the usability test, which rose, also affected its grade in this category; testers generally felt terminology on the site was easy to understand, and most gave the site a good rating overall.

→ *Quick Fix:* Add a simple list of the total amounts raised and spent by all candidates (organized by office), either through the database or as a static document.

◆ *Editor's Pick:* High profile of the disclosure site on the State of Rhode's Island web portal. The Board of Elections web site is easy to locate from the state's homepage, both by browsing and by searching.

South Carolina

Grade	F
Rank	49

Subcategories	Grade	Rank
Campaign Disclosure Law	C+	24
Electronic Filing Program	F	38
Disclosure Content Accessibility	F	50
Online Contextual & Technical Usability	F	46

For the third year in a row, South Carolina received an F in the study and ranked 49th overall. There is still no campaign finance data on the state's disclosure web site, despite the fact that sweeping campaign finance and disclosure reforms were passed and signed into law in 2003.

South Carolina's disclosure law is its strong point, and requires candidates to report detailed information about contributors giving over \$100, including occupation but not employer. Disclosure of loan details is strong, and candidates must report details of all expenditures, including subvendor payments and accrued expenses. Independent expenditures are disclosed, however neither last-minute independent expenditures nor last-minute contributions are reported prior to Election Day. The State Ethics Commission was slow to put out bids for development of an e-filing program, though the law requires that candidates file electronically, but is now working with a vendor and plans to have a program in place by early 2006.

Two years after South Carolina passed disclosure reform, the State Ethics Commission web site still contains no campaign finance reports or even summaries of total amounts raised and spent by all state-level candidates. That fact is why the state again received an F and ranked last in the country for Disclosure Content Accessibility. The Commission plans to post electronic filings online beginning in 2006, but if those plans should be delayed, a relatively simple backup option would be posting candidate filings online as scanned images. In the meantime, the state could reduce the cost of paper copies of disclosure reports, which currently is \$.50 per page.

Not surprisingly, South Carolina's web site usability grade continues to suffer from the lack of campaign data on the state's disclosure web site, though the site does include some information to help the public understand the state's disclosure rules and requirements. One of the "Major Achievements of the Past Year" included in the agency's annual report on the 2003-2004 fiscal year, published last fall, was the "availability of all Commission forms online" in PDF; considering this development a major achievement provides some insight into where the agency has been, technologically speaking, and how far it still has to go.

→ *Quick Fix:* Lower the cost of paper copies of disclosure records.

◆ *Editor's Pick:* The disclosure agency's complete contact information is displayed prominently at the top of the disclosure web site.

South Dakota

Grade	F
Rank	48

Subcategories	Grade	Rank
Campaign Disclosure Law	F	49
Electronic Filing Program	F	38
Disclosure Content Accessibility	F	46
Online Contextual & Technical Usability	C	10

The only measurable change in South Dakota's campaign disclosure program was a negative one, and the state again ranked second-to-last in the nation. South Dakota's extremely poor disclosure law and lack of electronic filing make it nearly impossible for the state to achieve above an F in the study.

Contributor disclosure is particularly weak and candidates are not required to report the date contributions were received, contributors' occupations, or cumulative amounts donated. Expenditure disclosure is also lacking, and does not include vendor name or expenditure date. Other shortcomings include a lack of reporting of independent expenditures, and weak enforcement provisions. On the positive side, last-minute contributions of \$500 or more are disclosed prior to Election Day, giving the public a way to monitor campaign finance activity that occurs in the final weeks of a campaign. As noted above, South Dakota does not have an electronic filing program.

As was the case in 2004, staff at the Secretary of State's office scan all statewide and legislative candidates' disclosure reports and post them on the agency's web site, usually the same day they are received by that office. Reports can be browsed in PDF, but itemized data cannot be sorted, searched or downloaded, which is the main reason South Dakota received an F for Disclosure Content Accessibility. The Secretary of State charges \$1.00 per page to purchase paper copies of disclosure reports, which is higher than every other state except for Alabama (which also charges \$1.00).

South Dakota not only received a passing grade in the Online Contextual and Technical Usability category, but it also ranked in the top ten in the nation in this area. The state's disclosure web site includes a number of helpful contextual resources, including summary reports of campaign finance activity, complete candidate lists, and information about campaign finance rules and disclosure requirements. It became harder to locate the web site from the state of South Dakota's main web portal, but the state still did well in the usability test.

→ *Quick Fix:* Reduce the charge for copies of campaign disclosure reports.

◆ *Editor's Pick:* Prominent link to the list of candidates from the report viewing page.

Tennessee

Grade	D-
Rank	33

Subcategories	Grade	Rank
Campaign Disclosure Law	D-	40
Electronic Filing Program	F	35
Disclosure Content Accessibility	D-	27
Online Contextual & Technical Usability	C-	17

After improving significantly in 2004, there has been little noticeable improvement in Tennessee's disclosure program in 2005 and the state's overall grade actually dropped slightly from a D to a D-, due to a weaker performance in the usability test.

Tennessee's disclosure law, ranked 40th in the country, requires candidates to report details about contributors giving over \$100 and to quickly report large contributions made in the weeks leading up to Election Day. All expenditures over \$100 must be disclosed, but subvendor payments are not detailed. There is no reporting of independent expenditures. Improvements to Tennessee's law may be on the way, however; a Citizen Advisory Group on Ethics appointed by the governor in July 2005 has already conducted its review and presented its report, including recommendations to increase the frequency of disclosure reporting and require the disclosure of donors' occupations and employers. The Registry of Election Finance has a voluntary electronic filing system, in which half of the state's legislative candidates participate.

Tennessee's D- and rank of 27 in the Disclosure Content Accessibility category reflect a lingering weakness in the area of access to paper copies of disclosure reports, and a disclosure web site that is still in the process of being enhanced and fine tuned. The Registry of Election Finance unveiled a new system for viewing and searching itemized campaign records online in 2004, but the system is so far only capable of searching for contributions, not expenditures, and has a few minor technical difficulties that still need to be ironed out. Registry staff have said the agency plans to expand the contributor search options and introduce an expenditures search, however those changes are not yet in place.

There were few changes to Tennessee's disclosure web site in 2005, but its grade for Online Contextual and Technical Usability fell from a B to a C-, due to a significantly lower score in the usability test that makes up one-third of this category grade. Testers had greater difficulty this year locating individual contributors to the governor, and had less confidence in the accuracy of the information they did find. Only half felt terminology on the web site was easy to understand, while the other half felt it was confusing. In spite of the drop, Tennessee's disclosure web site is still its strong point and features a number of excellent resources that give the public context in which to view campaign records; the best might be the reports of Candidate Summary Contributions and Expenditures that are compiled by the Registry and go back to 1996.

→ *Quick Fix:* Add a mechanism for searching itemized expenditures, which can already be browsed online.

◆ *Editor's Pick:* Simple, clean design of the state's disclosure web site.

Texas

Grade	B-
Rank	8

Subcategories	Grade	Rank
Campaign Disclosure Law	B-	20
Electronic Filing Program	A+	1
Disclosure Content Accessibility	A	2
Online Contextual & Technical Usability	D-	36

There has been significant change in Texas' disclosure program in 2005, most of it positive, and the state's overall grade improved from a C+ to a B-. Texas now ranks 8th in the nation, up from 9th last year, and is particularly strong in the area of Disclosure Content Accessibility.

Texas law requires candidates to disclose detailed information about contributors giving more than \$50, including occupation and employer, but not the cumulative amount donated. Last-minute contributions, as well as last-minute independent expenditures, must be disclosed before Election Day. All expenditures over \$50 are reported, but reports do not include information about subvendor payments or accrued expenses. Statewide and legislative candidates must file electronically, and waivers are granted only to those candidates who file an affidavit saying they do not use a computer to track campaign finance activity and who have not raised or spent more than \$20,000.

After ranking 4th in the nation for access to campaign data in 2003, Texas experienced a drop in its Disclosure Content Accessibility grade and rank in 2004 due to server capacity problems with the searchable database on the state's disclosure web site. The Texas Ethics Commission addressed those problems in late 2004, the database is functioning well, and the state now shares the number two rank in this category with Michigan and Rhode Island. Texas' excellent database could be improved further by adding the ability to search expenditures by purpose.

The Ethics Commission web site was redesigned in 2005 and the information has been reorganized for the better, though there are a couple of instances in which terminology could be improved to better direct site visitors to key resources. For example, the searchable database is accessed through a link called "search campaign finance reports" that is somewhat buried on the Electronic Filing page, rather than highlighted on the agency's homepage. Texas' grade for web site usability dropped slightly this year, because of a lower score in the usability test. Testers reported some confusion over site terminology and expressed a lack of confidence in the accuracy of data they collected from the site.

→ *Quick Fix:* Add a list of candidates with office and district information to the disclosure web site.

◆ *Editor's Pick:* Simple and advanced search options, and contribution and expenditure search fields, are all integrated into one database search screen.

Utah

Grade	F
Rank	35

Subcategories	Grade	Rank
Campaign Disclosure Law	F	43
Electronic Filing Program	F	25
Disclosure Content Accessibility	D-	27
Online Contextual & Technical Usability	D	25

Very little about campaign disclosure in Utah has changed in the last year, and the state received the exact same grade and rank overall and in every category except Electronic Filing, in which its rank slipped three places to 25.

Utah law requires candidates to report detailed information about contributors giving \$50 or more, but information does not include occupation, employer, or cumulative amount donated. Last-minute contributions and independent expenditures are not reported until after Election Day. Expenditure disclosure is relatively strong, but candidates do not have to report subvendor information. Committees have the option of filing electronically, but are not required to do so; according to the disclosure agency, 75 percent of statewide candidates and 40 percent of legislative candidates participate in the voluntary program.

Utah could greatly improve access to campaign data by making a few simple enhancements to the state's disclosure web site. The site has not changed much since 2003 and Utah received a D- in the Disclosure Content Accessibility category for the second year in a row. The State Elections Office posts all disclosure records online either immediately (for e-filings), or within one week (for paper filings), and its searchable database of contributions is comprehensive. Unfortunately, a number of significant shortcomings persist: search options are limited; it is not possible to review a candidate's complete report online; and there is no way to search itemized expenditure records. Given that all of this data is already in digital format and online, enhancing the functionality of the system should not be too difficult.

Online Contextual and Technical Usability is Utah's strong point, though it still received only a D in this category and has room to improve, particularly in terms of the contextual information offered online. There is no information about campaign finance rules and restrictions on the State Elections Office site, and the description of whose records and what data are available could be enhanced. Utah scored very well in the usability test, with all testers locating the governor's campaign finance reports and expressing confidence in the accuracy of the records they found. Three-quarters of the testers gave the site an overall rating of "excellent."

→ *Quick Fix:* Add the ability to search itemized contribution records by date, amount or contributor zip code.

◆ *Editor's Pick:* Verify Submitted Reports feature, listing which reports are due and the exact date and time each report was filed, for each candidate.

Vermont

Grade	F
Rank	44

Subcategories	Grade	Rank
Campaign Disclosure Law	F	45
Electronic Filing Program	F	38
Disclosure Content Accessibility	F	35
Online Contextual & Technical Usability	C-	17

Vermont's Online Contextual and Technical Usability grade improved substantially in 2005, rising from an F to a C-, but it still received Fs in three of the four categories of this study and ranked among the bottom ten in the country overall.

Under Vermont law, candidates must disclose the name and address, but not occupation or employer, of contributors giving over \$100. Contributions made at the last minute are not reported until after Election Day. Disclosure of campaign expenditures is relatively strong, however candidates do not report subvendor details. Independent expenditures are not reported, which is a major shortcoming in the state's disclosure law and one of the reasons for the low grade and rank in this category. Vermont is one of only thirteen states that do not offer candidates the option of filing disclosure reports electronically.

Vermont again received an F for Disclosure Content Accessibility and its rank in this category fell from 33 to 35, reflecting the fact that, while other states made improvements, access to disclosure records in Vermont is still poor. The Secretary of State's office scans all state-level candidates' campaign finance reports and posts them online as TIFF files, but the files display poorly and can be difficult to view on a computer screen. The agency's web site also offers searchable text files of statewide candidates' complete filings, but this "search" operates more like a computer program "find" command and falls short of the type of functionality called for in this study's criteria. On the bright side, access to paper copies of disclosure records is excellent and Vermont is among the best in the country in this regard.

The one area in which Vermont improved in 2005 was Online Contextual and Technical Usability, in which its grade jumped from an F to a C-, and its rank from 35 to 17. The state's disclosure web site already featured a number of great resources to help site visitors understand campaign finance in Vermont, including information about disclosure rules and both current and historical summary reports. The improvement in the grade was due to a higher score in the usability test this year, with testers better able to answer specific questions about the governor's fundraising activity, and giving the disclosure site a higher rating overall.

→ *Quick Fix:* Improve the description of the report database, including adding information about how far back in time the reports go, and explaining terms such as "Native ASCII" and "First Hit" that appear on the report viewing page.

◆ *Editor's Pick:* Disclosure web site includes photos of Elections & Campaign Finance Division staff, along with a description of their work and their contact information.

Virginia

Grade	B
Rank	7

Subcategories	Grade	Rank
Campaign Disclosure Law	B	8
Electronic Filing Program	C	19
Disclosure Content Accessibility	B	14
Online Contextual & Technical Usability	C+	8

Virginia earned the distinction of being the most improved state in Grading State Disclosure 2005, raising its overall grade from a D+ to a B and its overall rank from 22 to seven. The biggest improvement came in the area of Disclosure Content Accessibility, but the state also made strides in Online Contextual and Technical Usability.

Virginia's disclosure law is strong and ranks 8th in the nation. Candidates are required to disclose detailed information, including occupation and employer, about contributors giving over \$100. Contributions made just before Election Day are reported before the election. Expenditure disclosure is excellent and candidates must report vendor name, subvendor details, and accrued expenses. Disclosure of independent expenditures is required, but last-minute independent expenditures are not reported until after the election. The state's enforcement provisions could be improved, particularly in the area of auditing. Electronic filing is mandatory for statewide office candidates and voluntary for legislative candidates, though the Board of Elections estimates that 85 percent of legislative candidates participate in the program.

The State Board of Elections web site now features a comprehensive, searchable database of itemized contributions and expenditures, which is the reason for the huge jump in Virginia's Disclosure Content Accessibility grade from an F to a B. The new system greatly improves access to campaign records, but is a bit cumbersome—for example, to view the names of all individuals making contributions in 2005 from a particular zip code requires looking at 18 different search results screens (three screens each for six different committees). To improve further in this area, the agency could add the ability to search by a contributor's employer (data which is already included in the search results), and consolidate the search results screens.

Virginia's Online Contextual and Technical Usability grade also improved, from a D- in 2004 to a C+ in 2005, and it now ranks among the top ten states in this category. Specific improvements include the availability of both original and amended reports, and a compilation of total amounts raised and spent by all statewide office candidates. The agency redesigned its web site in October 2005 (too late to be factored into its grade.) Still missing is a set of instructions to accompany the new searchable database; adding a complete user's guide would be best, but even some basic tips would help site visitors make the most of the new system.

→ *Quick Fix:* Add a search field for contributor's employer to the existing database..

◆ *Editor's Pick:* Comprehensive, searchable databases, which are made possible in part due to the high rate of participation among legislative candidates (85%) in the agency's voluntary electronic filing program.

Washington

Grade	A-
Rank	1

Subcategories	Grade	Rank
Campaign Disclosure Law	A-	2
Electronic Filing Program	A+	1
Disclosure Content Accessibility	A+	1
Online Contextual & Technical Usability	B-	6

For the third year in a row, Washington state's campaign disclosure program tops the charts at number one in the country, with particularly strong performances in the areas of Electronic Filing and Disclosure Content Accessibility, and a campaign disclosure law that is second only to California's.

Washington's disclosure law requires candidates to report detailed information about contributors giving over \$25, including occupation and employer for those donating over \$100. Last-minute contributions must be reported prior to Election Day. Disclosure of campaign expenditures is particularly strong, with candidates providing detailed information about vendors, subvendors and accrued expenses. Independent expenditures are disclosed, and those made in the three weeks leading up to the election must be disclosed within 24 hours. The Public Disclosure Commission makes electronic filing software available free of charge, and electronic filing is required of candidates spending over \$10,000.

Washington received 100 percent of the possible points for Disclosure Content Accessibility and once again ranked first in this category. The Public Disclosure Commission continues to offer exceptional access to campaign disclosure records, giving visitors to the agency's web site the ability to either browse disclosure filings or search a comprehensive database of itemized contributions and expenditures on a number of fields. Access to paper copies of disclosure records is excellent, and the agency also offers data on CD.

After receiving a C- in 2003 and an A- in 2004, Washington landed in the middle with a B- for Online Contextual and Technical Usability this year. The drop was due to a lower usability test score in 2005, with testers reporting some confusion over site terminology and expressing less confidence in their ability to accurately answer questions about the governor's fundraising activity using information on the site. Still, the Public Disclosure Commission's web site includes a number of great resources to help site users put campaign data into a larger context, including a series of "Election Financing Fact Books" going back to 1976, and detailed information about the state's disclosure laws and requirements.

→ *Quick Fix:* Add the complete reporting period to the index of candidates' reports.

◆ *Editor's Pick:* The "Campaign Reporting Pocket Guide," which is a condensed quick-reference guide to Washington's campaign finance restrictions and disclosure rules.

West Virginia

Grade	D-
Rank	34

Subcategories	Grade	Rank
Campaign Disclosure Law	C	28
Electronic Filing Program	F	25
Disclosure Content Accessibility	F	38
Online Contextual & Technical Usability	D-	35

An improvement in Online Contextual and Technical Usability has bumped West Virginia's overall grade to a D- and moved it into the ranks of the passing states, though its placement relative to other states has not changed and remains at 34.

West Virginia's strength continues to be its campaign disclosure law, which requires candidates to report detailed information about all contributors, including occupation and employer (but not cumulative amount donated) for those giving \$250 or more. Contributions made at the last minute are not reported until after Election Day. Candidates must disclose all expenditures, but information about subvendor payments is not included in reports. The law's enforcement provisions are a weak point, particularly in the area of desk review and field auditing. West Virginia has a voluntary electronic filing program, in which approximately 15 percent of statewide candidates and 20 percent of legislative candidates participate.

While it is possible to view all state-level candidates' disclosure reports on the Secretary of State's web site shortly after those reports are filed, records are still displayed in a way that makes it difficult for the public to analyze the campaign records of one or more committees. Not only can the data not be searched, sorted, or downloaded, but even the scanned files that are available online can be difficult to access—for example, one of the governor's pre-election reports from 2004 is a 9.9 MB file that took several minutes to load on a new computer with a fast Internet connection. Breaking up those filings into several web pages would greatly improve access to the data, particularly for those using older computer equipment and/or a slow Internet connection, who may have considerable trouble viewing large reports.

West Virginia's grade for Online Contextual and Technical Usability improved in 2005 from an F to a D-, due to an improvement in the state's usability test score. West Virginia performed poorly in the test in 2004, and this year's score, while higher, was still among the bottom half of the states. Testers expressed a lack of confidence in their ability to accurately answer questions about candidates' campaign finance activity using data on the site, and most felt that the terminology used throughout the site was confusing.

→ *Quick Fix:* Add the full reporting period to the index of each candidate's disclosure filings.

◆ *Editor's Pick:* Link to "view reporting calendar" from the interface for locating and viewing candidates' campaign finance reports.

Wisconsin

Grade	C-
Rank	22

Subcategories	Grade	Rank
Campaign Disclosure Law	B	13
Electronic Filing Program	A	12
Disclosure Content Accessibility	F	34
Online Contextual & Technical Usability	D	25

Wisconsin is buoyed by its strong disclosure law, ranked 13th in the country, but suffers from continued poor access to disclosure records and low marks for Online Contextual and Technical Usability. Its grade in that category improved from an F to a D in 2005, resulting in a slightly higher overall grade and rank compared to last year, when it ranked 25th, with an overall D+.

Candidates in Wisconsin are required by law to disclose detailed information about contributors giving over \$20, including occupation and employer for those giving over \$100. Last-minute contributions and independent expenditures must be reported prior to Election Day. Expenditures over \$20 must be disclosed, but reports do not include subvendor details. Another weakness is the number of pre-election reports that must be filed, which is fewer than many other states require. Statewide and legislative candidates raising \$20,000 or more must file reports electronically, and the State Elections Board in 2005 described funding for its electronic filing program as adequate.

Wisconsin again received an F for Disclosure Content Accessibility, which can be largely attributed to the fact that there are no searchable databases of contributions and expenditures online. The state's disclosure web site does feature itemized, downloadable data, but only for those candidates who file electronically. Unfortunately, there are a significant number who do not, including some incumbent state legislators who fall below the \$20,000 e-filing threshold and still file on paper. The State Elections Board did make one important improvement to the way in which candidates' campaign finance reports are accessed online; site visitors can now browse filings by candidate rather than only by filing date, which makes it possible to quickly view the recent filing history of a particular candidate on one screen.

The State Elections Board web site was completely overhauled in 2005, which is the reason for the jump in Wisconsin's Online Contextual and Technical Usability grade from an F to a D. As part of the redesign, the agency changed the way amended filings are handled online, and it is now possible to view not only original filings, but also all amendments filed by each committee. Also contributing to the higher grade in web site usability is Wisconsin's performance in the usability test, which improved slightly in 2005.

→ *Quick Fix:* Display itemized records online in HTML for candidates whose reports can already be downloaded in spreadsheet format.

◆ *Editor's Pick:* Contribution limits relating to candidates for state office are clearly described in a chart that is easily located on the disclosure web site.

Wyoming

Grade	F
Rank	50

Subcategories	Grade	Rank
Campaign Disclosure Law	F	48
Electronic Filing Program	F	38
Disclosure Content Accessibility	F	49
Online Contextual & Technical Usability	F	42

Wyoming's campaign disclosure program was again found to be the worst in the country, with continuing poor performances in all areas of the study and particularly low rankings in the Campaign Disclosure Law and Disclosure Content Accessibility categories.

Under Wyoming's disclosure law, which ranked 48th in the nation, candidates report the name and address of contributors giving over \$25, but not their occupation, employer or cumulative amount donated. Last-minute contributions are not reported until after Election Day. Candidates do not file information about campaign expenditures until after the election, and even then are not required to disclose information about subvendors or accrued expenses. The law does not require the reporting of independent expenditures, and its enforcement provisions are also lacking, particularly in the areas of desk review and field auditing. Though Wyoming law allows for the electronic filing of campaign reports, the legislature still has not appropriated the funds necessary for the Secretary of State's office to develop an e-filing program.

The lack of electronic filing is one reason Wyoming still does not have any campaign finance data on its disclosure web site, but that alone should not stop the state from publishing records online. Ten other states without electronic filing either scan reports or data-enter the records to create online access to candidates' filings. As it is, the only way to view campaign disclosure reports in Wyoming is to request copies of them from the Secretary of State's office at \$.15 per page or visit that agency in person to browse the paper filings. Providing access to records only on paper is not enough to ensure the public's ability to easily "follow the money" in Wyoming, and is the reason for the state's F in the Disclosure Content Accessibility category.

The Secretary of State's web site features some useful contextual information—including a campaign guide that details reporting deadlines and other disclosure requirements, and provides information about contribution limits and other campaign finance restrictions—but these resources are not enough to raise Wyoming's grade for Online Contextual and Technical Usability above an F. The web site does not contain a list of the total amounts raised and spent by all state-level candidates, something that is weighted heavily in this category, and the state's usability test score was very low due to the lack of campaign records online.

→ *Quick Fix:* Post even a small amount of campaign finance data on the Internet, such as summary totals for gubernatorial or other high-profile candidates.

◆ *Editor's Pick:* Lists of candidate committees on the disclosure web site go back to 1998.

IV.

Appendices

- Methodology of Usability Testing
- Grading State Disclosure Criteria
- Glossary
- 2004 Grade and Ranking Chart
- 2003 Grade and Ranking Chart
- Credits

Appendix I — Methodology of Usability Testing

The usability tests determine if the disclosure information provided on the web by state disclosure agencies is accessible to the average citizen. To do this we designed a test to answer the following question: “Can a non-expert find basic, informative data about campaign finances on the Internet in his or her state without undue difficulty or investment of time?”

Most usability tests compare a handful of web sites, and are concerned with minor differences between them (see Steve Krug’s “Don’t Make Me Think” (2000)). Web site designers might be concerned about the location of a task bar on a web page or the use of drop down menus. They hire testers to sit in front of computers and do simple tasks, and the web designers watch how they navigate around the site. The Grading State Disclosure usability test is different. We were not concerned with minor differences but with gross ones. Dozens of interfaces were compared across 50 states, and the test measured whether the overall design of a state’s web site—from architecture to jargon to database—facilitated access to information by the average voter. The two types of testing do share a common trait, however. In both types of testing it is not necessary to determine which design is optimal, only which design is better.

Two standard measures of usability were used. The first was a degree of difficulty measure, on the assumption that difficulty and accessibility are inversely related. Subjects were given three tasks to perform and the test measured the time and number of mouse clicks it took to perform each task. The three relatively simple tasks were devised, after some experimentation, to represent the minimum any citizen should expect from a campaign disclosure site. Subjects were asked to: (a) locate the state's disclosure web site starting from the state's homepage; (b) ascertain the total contributions received by the incumbent governor in his or her last campaign (subjects were given a list of incumbent governors that included the year they were last elected); and (c) provide the name and amount contributed by any individual contributor to the incumbent governor's last campaign.

The second measure of usability was a survey. After the third task was completed, each subject was given a short questionnaire and asked to evaluate his or her experiences on each state's web site. Subjects were asked to rate their level of confidence in their answers, whether the web site's disclosure terminology was understandable, and to provide a ranking (one to five) of their overall experience on the site. Subjects were also asked if any special software or unusual browser plug-ins were required to access the site's disclosure information.

Subjects were recruited from the undergraduate student population at UCLA, and the experiments were conducted at the California Social Science Experimental Laboratory (CASSEL) at UCLA. The experiment was administered five times to ten different students, and five different students tested each state. The states were assigned randomly to students, and each student was assigned five states. Limits were imposed on the amount of time a subject could take with each state and each subject was given no fewer than 20 minutes to complete the three tasks for each state. Each experiment lasted no longer than 120 minutes, and some subjects were finished after 60 minutes.

There were two concerns about the time and mouse clicks data that were collected: first, subjects might learn during the experiment and become more proficient with the later states than the earlier ones; second, there might be subject effects (level of competency, prior experience with disclosure web sites, etc.). To address these issues, a fixed-effects ordinary least squares model was constructed to control for subject differences, and included a variable to control for the order in which each state was tested by the subject. With these controls in place, each state's average time and number of mouse clicks was estimated for each of the three tasks. These scores were then combined into two separate indices (Cronbach's $\alpha > .75$) and ranked. The survey data were also combined into a single index ($\alpha = .77$) and ranked.

Each state could receive up to a total of 27 points for the usability test score. The distribution of scores in the three separate indices (time, clicks and survey) was examined and scores were assigned based upon the apparent thresholds in the distributions. The top-ranked states received six points each, the medium states received three points, and the lowest-ranked states received zero points for each of the time and clicks indices. The remaining 15 points were assigned according to the survey responses, with a maximum of 15 and a minimum of three points assigned to each state. These three scores were then added together to create the usability test score for the state.

Appendix II — Grading State Disclosure Criteria

The California Voter Foundation (CVF) utilized the criteria developed for its 1999 “Digital Sunlight Awards” project, as well as the grading model developed by Syracuse University’s State and Local Government Performance Project to inform the criteria and methodology for Grading State Disclosure.

Grading Categories

- I. Campaign Disclosure Laws – 40%
- II. Electronic Filing Programs – 10%
- III. Disclosure Content Accessibility – 25 %
- IV. Online Contextual & Technical Usability – 25%

Grading Categories Criteria

I. Campaign Disclosure Laws – 120 points/40%

Meaningful campaign disclosure requires comprehensive campaign disclosure laws. The Campaign Disclosure Project has identified key disclosure requirements that are essential to public campaign disclosure:

1. Disclosure Content (84 points)

1.1 Contribution record (26 points)

- 1.1.1 Date (5 points)
- 1.1.2 Contributor name and address (5 points)
- 1.1.3 Contributor occupation (5 points)
- 1.1.4 Contributor employer (5 points)
- 1.1.5 Contributor ID number (if applicable) (3 points)
- 1.1.6 Cumulative amount (for the year or election) (3 points)

1.2 Type of Contribution (21 points)

- 1.2.1 Loan - Date made (3 points)
- 1.2.2 Interest rate of Loan (2 points)
- 1.2.3 Loan Repayments (due date) (2 points)
- 1.2.4 Loan Guarantors (2 points)
- 1.2.5 In-kind contribution disclosed (9 points)
- 1.2.6 Total for non-itemized contributions (3 points)

1.3 Expenditure information (22 points)

- 1.3.1 Vendor name (5 points)
- 1.3.2 Subvendor information (3 points)
- 1.3.3 Description and/or expenditure codes (6 points)
- 1.3.4 Date (4 points)
- 1.3.5 Accrued Expenditure (4 points)

- 1.4 Independent expenditures (15 points)
 - 1.4.1 Are they reported? (6 points)
 - 1.4.2 Are last-minute independent expenditures reported? (3 points)
 - 1.4.3 Does report include who benefits? (3 points)
 - 1.4.4 Does report include cumulative amount? (3 points)
2. Enforcement (15 points)
 - 2.1 Does the state conduct mandatory reviews and/or field audits? (6 points)
 - 2.2 Enforcement mechanism: Criminal, civil, or both? (6 points) (3 points for either, 6 for both)
 - 2.3 Is there a penalty for late filings? (3 points)
3. Filing Schedule (21 points)
 - 3.1 Pre-election reporting (9 points) (points awarded will depend on the number of reports required before an election: 1 report = 3; 2 reports = 6; more than 2 = 9)
 - 3.2 Late contribution reporting? (6 points)
 - 3.3 Non-election year filing (6 points) (points awarded will depend on the number of reports required during non-election years: 2 or more reports = 6; one report = 4; no reporting = 0)

II. Electronic Filing Programs – 30 points/10%

Electronic filing is key to timely online disclosure. If campaigns send disclosure data reports to state agencies in a digital format in the first place, it is feasible to place the data immediately on the Internet in ways that make it easy to search, browse or download. State electronic filing programs are assessed and evaluated according to the following criteria:

1. Electronic Filing Program (30 points)
 - 1.1 Does the state have an electronic filing program? (3 points)
 - 1.2 Is electronic filing mandatory for statewide candidates? (10 points) (if mandate covers all statewide candidates and the threshold is reasonable = 10 points; voluntary program = 2 points)
 - 1.3 Is electronic filing mandatory for legislative candidates (8 points) (If mandate covers all legislative candidates and the threshold is reasonable = 8 points; voluntary program = 1 point)
 - 1.4 Is there adequate funding for an electronic filing program? (3 points)
 - 1.5 Does the state provide training and/or technical assistance to filers? (3 points)
 - 1.6 Is filing software and/or web-based filing available? Is it free? Does the state have a standard filing format? (3 points)

III. Disclosure Content Accessibility – 75 points / 25%

In this category, the Campaign Disclosure Project looks at the degree to which content included in disclosure reports is accessible to the public.

1. Accessibility to Disclosure Records on Paper (12 points)

- 1.1 What is the procedure the state uses to facilitate public access to paper disclosure reports? Can the public obtain them in more than one place? How long does it take for the state to respond to a request? (9 points)
- 1.2 How much do the paper records cost? (3 points) (\$.10 or less per page = 3 points; \$.11 - .15 = 2 points; \$.16 - .25 = 1 point; more than \$.25 = 0 points)

2. Scope of Disclosure Records on the Internet (18 points)

- 2.1 Is the state publishing campaign finance data on the Internet? (3 points)
- 2.2 How quickly are the data made available on the Internet? How up to date is the information online? Is it instantly available as soon as it is reported? Is it available within 24 or 48 hours? Is it available within a week? Does it take longer than a week? (4 points)
- 2.3 What is the scope of the data online? Is data available for all disclosed reports, or just some? (6 points) (If all reports are online via e-filing or data entry = 6 points; mix of e-filed data and scanned reports = 3-5 points; all reports online in PDF = 2 points; some reports online in PDF = 1 point).
- 2.4 Does the site feature itemized contribution and expenditure data? (5 points)

3. Accessibility to Disclosure Records on the Internet (42 points)

- 3.1 Does the site offer a searchable database of itemized campaign contributions? (20 points) (if can search in one report for one candidate = 2 points; or if can search within all reports of one candidate = 4 points; or if can search across all filers = 10 points) (In addition, for the following fields: donor, amount, date, zip code, and employer – one point per searchable field for single candidate search of all reports; 2 points per searchable field for all filer search.) (Maximum points for searchable databases will be 2, 9 or 20 depending on scope of search capabilities.)
- 3.2 Does the site offer a searchable database of itemized campaign expenditures? (10 points) (if can search in one report for one candidate = 1 point; or if can search within all reports of one candidate = 2 points; or if can search across all filers = 5 points) (In addition, for the following fields: description/code = 2 points; vendor name = 1 point; amount = 1 point; date = 1 point; field search points will be awarded only if can search by all candidate's reports or across all filers; the same number of search field points will be awarded in either case). (Maximum points for searchable databases will be 1, 7 or 10 depending on scope.)
- 3.3 Can you filter or limit the search? (i.e. ability to limit search to just one election cycle or one candidate) (1 point)
- 3.4 Are there any types of "smart search" features such as "name sounds like" or "name contains"? (1 point – no credit for "hidden" smart search capabilities)
- 3.5 Can the data be sorted online? (3 points)
- 3.6 Can the raw data be downloaded for sorting and analyzing offline? (3 points)
- 3.7 Can you browse an index of a particular candidate's reports? (2 points)
- 3.8 Can you browse itemized transactions within a report? (2 points)

4. Accessibility to Disclosure Records in Other Formats (3 points)

- 4.1 Are disclosure records accessible in other formats, i.e. on disk, CD, other? How much does it cost? Is it available from the state or an outside vendor? (3 points)

IV. Online Contextual & Technical Usability – 75 points/25%

Each state is assessed on the usability of the state's campaign disclosure web site. Usability is divided into two categories: contextual and technical.

1. Contextual Usability (38 points)

Contextual usability means whether the web site provides essential background information that helps the public understand what the disclosure laws and campaign finance limits, if any, are, so that they can monitor campaign finance activities. When evaluating sites for contextual usability, the following questions will be answered.

- 1.1 How easy is it to find the disclosure agency's contact information? (2 points) (if it's on front page or featured on front page = 2 points; buried = 1 or no points; not there = 0 points)
- 1.2 Does the site provide information, such as summary campaign data and historical figures to give the public an overview of campaign financing trends? (8 points) (recent statewide information = 3 points; and/or recent legislative information = 3 points; and/or historical summaries for either = 2 points.)
- 1.3 Does the site provide information explaining the state's campaign finance restrictions? (3 points)
- 1.4 Does the site provide information explaining the state's disclosure requirements? (3 points)
- 1.5 Does the site provide a comprehensive list of candidates for recent or current elections? Does this list include offices and/or district numbers? Does it include party affiliation? (5 points) (List/office/party = 5 points; list and office or party = 3 points; list without office or party = 2 points)
- 1.6 Can the public determine which filers' reports are available online and which ones are not? (5 points)
- 1.7 Are the disclosure reporting periods clearly labeled? (3 points) (if filing period is featured in a report index = 3 points; if reporting periods are listed only inside the actual report = 2 point; if unavailable = 0 points).
- 1.8 Does the site use clear terminology to identify information? (3 points)
- 1.9 Are original filings and amendments available? Are amendments clearly labeled? (6 points) (Both original and all amended reports available online = 3 points; and/or amended reports are clearly labeled = 3 points)

2. Technical Usability (10 points)

Technical usability refers to the architecture of the disclosure web site. A site's structure, navigation, and database configuration have great impact on a site's overall "user-friendliness". When evaluating a site for technical usability are, the following questions will be answered:

- 2.1 How easy is it to find the disclosure site from the state home page? (4 points) (if you can

find it quickly through a search tool and through a topical or agency browsing feature = 4 points; otherwise 0 – 2 points)

2.2 Does the site provide instructions for how to use it? (3 points)

2.3 Can the features on the site be easily utilized with a dialup modem and/or a machine with limited RAM? (3 points)

3. Usability Testing (27 points)

One of the best ways to evaluate a disclosure web site's usability is to see how easy or difficult it is for someone to use the site. One of the challenges disclosure agencies have faced with their web sites is trying to meet the needs of both the high-end, advanced users and the low-end casual users. CVF and the UCLA School of Law recruit groups of upper division social science students to help assess the usability of disclosure web sites. They fall somewhere in the middle of the casual-to-advanced scale of users; interested in politics and familiar with technology, but not familiar with the politics in the states they will be evaluating.

To evaluate usability, the evaluators will answer the following seven questions:

1. Find the campaign disclosure web page for this state. Copy the site URL into the space below.

2. From the list you were given, find the name of the Governor of this state. How much money did this person raise in their last election campaign? Enter that amount in the space below.

3. Find a list of contributors to the Governor's last campaign. Identify one contributor from that list. In the space below, provide the name of the contributor, the amount of the contribution, and any other identifying information (street address, city, zip code, occupation, employer, etc.)

Post-task survey (after each state):

4. How confident are you that you answered the three questions accurately? (1. Very confident 2. Somewhat confident 3. Not very confident 4. Not at all confident)

5. Was the disclosure terminology on this web site easy to understand or was it confusing? (1. Very easy to understand 2. Somewhat easy to understand 3. Somewhat confusing 4. Very confusing)

6. On a scale of one-to-five, with one being Terrible and five being Excellent, how would you rate your overall experience on this disclosure site?

7. Did this site require any uncommon software, plug-ins or browser features in order to view the information? (1. Yes 2. No)

Appendix III — Glossary

Accrued Expenditure – an expenditure that is not paid at the time a service is provided. Accrued expenditures are debts owed by the campaign to political consultants or other vendors for good or services such as direct mail or campaign signs.

Amendment – a correction or revision made to a campaign finance report.

Committee – an entity established by a candidate, political party or other organization for the purpose of raising and spending money and filing required campaign statements with detailed information about campaign contributions and expenditures.

Desk Audit – a review of a campaign finance disclosure report as it has been filed by a political committee. In a desk audit, documentation other than the actual campaign finance disclosure report, such as canceled checks, bank statements and vendor receipts, are not reviewed.

Disclosure – in the context of campaign financing, disclosure means making information about campaign contributions and expenditures known to the public.

Electronic Filing – the process by which political committees and candidates disclose campaign contributions and expenditures in an electronic format. Electronically-filed campaign finance information can be submitted via a web-based filing system, e-mail or computer disk. Candidates typically use either a standard filing format provided by the state, or filing software provided by the state or an outside vendor.

Field Audit – an in-depth review of a campaign finance disclosure report and other documentation related to the campaign finance report, including canceled checks, bank statements and vendor receipts, to verify the accuracy of the report.

Independent Expenditure – an expenditure for a communication which expressly advocates the election or defeat of a clearly identified candidate, but which is made independently of any candidate's campaign. An example of an independent expenditure is a campaign ad run by an issue organization in support of a specific candidate for office. (Source: Federal Election Commission)

Itemized Data – breakdowns of contributions received or expenses made by a committee, such as listings of individual contributions with the contributor's name, address, occupation, and employer. (By contrast, an example of unitemized data would be when a committee reports the total amount of all contributions under \$100, but does not provide detailed information about the individual transactions that make up that total figure.)

Last-minute Contribution or Late Contribution – a contribution (often large) that is received by a committee after the closing date for the final statement filed before the election, but before the election takes place. Many states require supplemental reporting of individual last-minute contributions made in the last days and weeks prior to Election Day.

Last-minute Independent Expenditure or Late Independent Expenditure – an independent expenditure that is received by a committee after the closing date for the final statement filed before the election, but before the election takes place. Many states require supplemental reporting of last-minute independent

expenditures made in the last days and weeks prior to Election Day.

Loan Guarantor – a person who guarantees that a loan to a campaign will be repaid. Often financial institutions will not lend money to a candidate or campaign unless there are private individuals who guarantee that they will repay the loan if the campaign cannot.

Mandatory Review – the process by which a state’s campaign finance filing agency, often the Secretary of State, is required to examine campaign statements that are filed with its office, typically either through desk or field audits.

Reporting Period – the specific time period covered by a particular campaign finance statement.

Standard Filing Format – a uniform or standard technical format set forth by a state government which committees or candidates can use to file campaign finance disclosure statements electronically. The standard format ensures that all candidates’ filings can be integrated into the state’s internal data system or system of Internet disclosure.

Subvendor – a third party, such as a political consultant, who makes an expenditure on behalf of a campaign. For example, when a political consultant receives funds from a campaign and purchases TV time for the campaign, the campaign must report the consultant’s expenditures if subvendor disclosure is required. Credit cards can also fall into the subvendor category because detailed information about expenditures can be found in credit card statements. If the campaign only listed the credit card company in its expenditure report, the public would not know the actual expenditures of the campaign.

Subvendor Information – detailed information, including name and address, about subvendors.

Supplemental Filing – a campaign finance report that is filed in addition to regular campaign finance filings. Supplemental filings are often last-minute contribution statements, independent expenditures statements, or last-minute independent expenditure statements.

Threshold – a monetary value at or above which a candidate must disclose campaign activity. The threshold can apply to the contribution amount that will trigger a campaign to disclose detailed information about a contributor. Or, the threshold can apply to the total amount of money raised or spent that will require a campaign to file campaign finance reports electronically.

Appendix IV — 2004 Grade and Ranking Chart

State	Grade	Rank	Law Grade	Law Rank	E-Filing Grade	E-Filing Rank	Accessibility Grade	Accessibility Rank	Usability Grade	Usability Rank
Alabama	F	47	F	47	F	39	F	42	C-	16
Alaska	C+	10	C	25	F	22	B	12	B+	3
Arizona	D+	23	C+	24	A+	1	D+	24	F	42
Arkansas	F	40	C	29	F	39	F	41	F	38
California	A-	2	A	1	B	14	A	4	B+	3
Colorado	C-	21	B-	17	F	37	B-	15	F	37
Connecticut	D	31	B-	20	D	20	D-	28	F	46
Delaware	D-	33	D	38	F	22	F	29	D	20
Florida	B+	3	B	10	A	11	A	5	B-	8
Georgia	B	4	B+	5	A	10	A-	7	C	12
Hawaii	C+	12	A-	4	D	20	A-	7	F	39
Idaho	C-	19	B-	23	F	39	C-	22	B	7
Illinois	B	5	C	29	A+	1	B+	10	A-	1
Indiana	C-	17	F	42	F	22	B+	10	B+	3
Iowa	F	38	C-	33	F	22	F	38	F	44
Kansas	F	37	D	37	F	39	F	29	D	20
Kentucky	C+	10	B	7	F	22	C+	20	C+	11
Louisiana	C+	14	B-	17	C	16	C+	18	D+	17
Maine	D+	23	C	32	F	22	B-	17	F	30
Maryland	C	16	F	41	A+	1	A-	6	D	20
Massachusetts	C+	12	D+	36	A+	1	B	14	B-	10
Michigan	B	6	C	29	A+	1	A	2	B-	9
Minnesota	D	28	B+	6	F	22	F	46	C	12
Mississippi	F	38	C-	33	F	39	F	38	D	25
Missouri	C-	17	B	10	C	16	C	21	F	40

Appendix IV — 2004 Grade and Ranking Chart (continued)

State	Grade	Rank	Law Grade	Law Rank	E-Filing Grade	E-Filing Rank	Accessibility Grade	Accessibility Rank	Usability Grade	Usability Rank
Montana	F	43	A-	3	F	39	F	48	F	49
Nebraska	F	36	B-	17	F	39	F	36	F	32
Nevada	F	41	F	46	F	22	F	42	D	23
New Hampshire	F	42	B-	20	F	38	F	47	F	50
New Jersey	C	15	B	8	F	36	C+	18	D	23
New Mexico	F	45	F	44	F	22	F	38	F	47
New York	D	30	D	38	A+	1	C-	22	F	41
North Carolina	D+	26	B	10	C	16	F	33	F	31
North Dakota	F	44	F	50	F	39	D	25	D	25
Ohio	B-	7	C	25	A+	1	A-	7	C	12
Oklahoma	C-	19	B	13	F	22	B	12	F	42
Oregon	D	32	B	15	B	14	F	45	F	35
Pennsylvania	D	28	B	15	F	22	F	32	D	25
Rhode Island	B-	7	C	25	A+	1	A	2	D+	18
South Carolina	F	49	C-	35	F	39	F	50	F	48
South Dakota	F	48	F	49	F	39	F	42	C	12
Tennessee	D	27	D-	40	F	35	D-	26	B	6
Texas	C+	9	B-	20	A-	12	B-	15	D+	18
Utah	F	35	F	43	F	22	D-	27	D	25
Vermont	F	45	F	45	F	39	F	33	F	35
Virginia	D+	22	B	8	C	16	F	31	D-	29
Washington	A	1	A-	2	A+	1	A+	1	A-	1
West Virginia	F	34	C	25	F	22	F	37	F	32
Wisconsin	D+	25	B	13	A-	12	F	33	F	32
Wyoming	F	50	F	48	F	39	F	49	F	45

Appendix V — 2003 Grade and Ranking Chart

State	Grade	Rank	Law Grade	Law Rank	E-Filing Grade	E-Filing Rank	Accessibility Grade	Accessibility Rank	Usability Grade	Usability Rank
Alabama	F	47	F	47	F	37	F	45	F	30
Alaska	C-	13	C+	23	F	31	D	20	B-	3
Arizona	C-	16	C+	22	A+	1	C-	17	F	36
Arkansas	F	41	C	28	F	37	F	39	F	47
California	C	9	A	2	B	9	F	28	D-	19
Colorado	D+	19	B-	15	F	35	C+	12	F	32
Connecticut	D+	23	B	12	F	20	D-	24	F	33
Delaware	D-	31	D-	37	F	21	C-	16	F	27
Florida	C	7	B-	15	D	17	B+	8	F	24
Georgia	D+	21	A-	3	D	17	F	27	F	41
Hawaii	C	6	B	8	C	10	A-	6	F	36
Idaho	D	24	C+	25	F	37	D-	23	C	5
Illinois	B	2	C	28	A+	1	B+	8	B+	1
Indiana	D-	32	F	43	F	31	C-	17	D-	19
Iowa	F	45	F	46	F	31	F	36	F	47
Kansas	F	39	D-	36	F	37	D-	25	F	45
Kentucky	C-	13	B+	5	F	21	C+	12	F	36
Louisiana	C-	17	B-	20	C	14	D-	25	D	15
Maine	D-	29	D+	34	F	28	C	14	F	41
Maryland	C	12	F	39	A+	1	B+	8	D+	12
Massachusetts	C+	3	D+	35	A+	1	A-	6	B-	4
Michigan	C	10	C-	32	F	21	A+	1	D	16
Minnesota	D-	28	B+	6	F	21	F	40	F	26
Mississippi	F	35	C+	25	F	37	F	36	C-	8
Missouri	D	26	B	8	C	10	F	32	F	41

Appendix V — 2003 Grade and Ranking Chart (continued)

State	Grade	Rank	Law Grade	Law Rank	E-File Grade	E-file Rank	Accessibility Grade	Access Rank	Usability Grade	Usability Rank
Montana	F	38	A-	4	F	37	F	47	F	40
Nebraska	F	36	B-	15	F	37	F	30	F	33
Nevada	D	27	F	44	F	21	D	22	C	7
New Hampshire	F	40	B-	18	F	36	F	44	F	49
New Jersey	C	8	B	12	F	21	C	14	C-	8
New Mexico	F	44	F	44	F	31	F	45	F	33
New York	D	25	F	39	A+	1	D+	19	F	27
North Carolina	D+	19	B	8	C	10	F	29	D-	22
North Dakota	F	48	F	50	F	37	F	43	C	5
Ohio	C+	4	C	27	A+	1	A+	3	F	24
Oklahoma	D+	18	B-	18	F	21	B	11	F	45
Oregon	D-	30	B+	6	C-	15	F	40	F	41
Pennsylvania	F	34	C	30	F	28	F	33	D-	22
Rhode Island	C	11	C	30	C	10	A-	4	F	27
South Carolina	F	49	C-	32	F	37	F	50	F	50
South Dakota	F	43	F	49	F	37	F	36	B-	2
Tennessee	F	46	F	39	F	37	F	48	D	16
Texas	C+	4	B-	20	C-	15	A-	4	D+	13
Utah	D-	33	F	39	F	28	D	20	D-	19
Vermont	F	42	D-	38	F	37	F	33	F	30
Virginia	D+	22	B	12	D	17	F	33	D+	13
Washington	A-	1	A	1	A+	1	A+	1	C-	8
West Virginia	F	37	C+	23	F	37	F	40	D-	18
Wisconsin	C-	15	B	11	A-	8	F	31	C-	11
Wyoming	F	50	F	48	F	37	F	48	F	39

Appendix V — Credits

The Campaign Disclosure Project thanks the following individuals and organizations for their assistance with the Grading State Disclosure Report:

The Pew Charitable Trusts

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Kathleen A. Welch, Program Officer

California Social Science Experimental Laboratory (CASSEL) at UCLA

William Zame, Director
Iris Javaherian
Patricia Wong
Walter Yuan
Raj Advani

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