

NATIONAL CONSUMER SUPPORTER TECHNICAL ASSISTANCE CENTER

How to Conduct a Candidate Survey

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Introduction

NMHA launched the National Mental Health Voter Empowerment Project (VEP) in an effort to mobilize organizations to encourage people with psychiatric disabilities to register to vote. In addition to these registration efforts, the national VEP will be conducting a survey of candidates in order to educate these voters about candidates' positions on relevant issues. This survey of U.S. Presidential and U.S. Senatorial candidates will be published for voters to have an opportunity to evaluate fairly the candidates prior to going to the polls on Election Day 2000.

The national VEP is making this survey available to NMHA affiliates and to other participating groups in the hopes that these local groups will conduct their own surveys of candidates for the U.S. House of Representatives, as well as state and local office seekers.

Legal requirements for conducting a candidate survey

The candidate survey developed by the national voter empowerment project is attached in Appendix A. This survey can be used for all federal candidates. In addition, it can be tailored to distribute to candidates for state and local offices. While tailoring the survey may appear to be a simple endeavor, the following items must be kept in mind:

The Internal Revenue Service (IRS) and the Federal Elections Commission (FEC) provide specific guidelines for 501(c)(3) organizations who desire to conduct candidate surveys during an election year. Non profit organizations are allowed to conduct such surveys, but several guidelines **MUST** be adhered to, otherwise the organizations run the risk of jeopardizing their tax exempt status. The general rule is that non profit organizations are prohibited from participating in any activity which is deemed "electioneering," that is, attempting to influence the outcome of an election. To help understand "electioneering," it is worthwhile to review the following guidelines issued by the IRS and the FEC:

1. All candidates for that particular office whose name will appear on the ballot **MUST** be surveyed, and all must receive equal time in which to respond.
2. No greater prominence may be given to any one candidate's answer(s).
3. The report containing the candidates' answers may not contain any "electioneering" language, i.e. "Because of candidate Smith's response to question #5, we recommend that you not vote for him."
4. The report cannot contain any scoring or rating of candidates.
5. It is recommended that, to maintain as much neutrality as possible, candidates be listed in alphabetical order, without mention of their party affiliation.
6. Questions must be posed in such a way that they do not suggest an answer. For example: "Wouldn't you agree that people with mental illness should be allowed to exercise their Constitutional right to vote?" should instead be phrased: "Do you agree that people with mental illness should be allowed to exercise the right to vote?"

The most important thing to remember is that your organization's goal is to educate voters. To the IRS, this means unbiased education. Therefore, if you are careful to refrain from any hint of favoritism for any candidate, your survey should serve its educational purpose well and should not put your organization at risk of losing its tax exempt status.

Planning your survey: Preliminaries

Three items must be considered when deciding whether to conduct a candidate survey.

1. Whom will you survey?
2. What issues will you ask about?
3. What logistics will be required to conduct the survey?

Each of these questions is considered in detail below:

1. Whom will you survey?

This first question is the most important because it determines the answers for the second and third questions. When deciding whom to survey, consider candidates for any office which has budgetary or policy jurisdiction over your issues. A word of caution: This does NOT mean that you should only survey candidates running for the House Appropriations Committee. If you are surveying any candidates for your House of Representatives, you must survey ALL candidates for the House of Representatives. If you work only within a certain jurisdiction, for example, if your office and its constituents are located only within voting District 3, you can safely conduct your survey of only those candidates running for the House from District 3. However, if you are a state-wide organization, you must survey all candidates running for the House, not only those where the races are 'interesting' or 'hotly contested'. This type of selective surveying is strictly prohibited as electioneering activity.

2. What issues will you ask about?

Once you have decided whom you will survey, you must consider on what issues you will survey those candidates. This is probably the most challenging part of conducting the survey, especially given the vague guidance provided by IRS on this issue. (Their comments suggest that, while they are unable to define electioneering activities when it comes to how questions are posed, they know a violation when they see it.) Therefore, try to make your survey topics relatively wide-ranging. This is not to say that if your organization's mission is mental health that you need to survey candidates about the national debt. Rather, be sure to ask questions whose answers will not seem to be directly supporting or directly opposed to your known position on the issues. This may be difficult, especially around issues on which you have been particularly active. However, even for these 'hot button' issues, questions can be posed in such a way as not to suggest that a right or wrong answer exists.

3. What logistics will be required to conduct the survey?

The last consideration is how actually to conduct the survey. The answers to this question will vary from location to location, given the differences in geography as well as availability of technology. However, the availability of human resources, the time it takes to mail out the survey, the expected return time, and the time to tally answers should all be considered when deciding upon whom to survey. Remember, the more candidates surveyed, the more envelopes that need to be stuffed and stamped and the more results that need to be reviewed and reported.

Checklist

The following is a checklist of action-items to be performed by your staff when conducting a candidate survey.

1. Determine which candidates you will survey:
 - a. Contact your local elections board to determine whom will appear on the ballot. In some states, this information will be available by mid-summer. In other states, where primary elections are not held until the fall, this information will not be available until after the primaries.
 - b. The local elections board should provide you with the names as well as addresses of all candidates.
 - c. Make sure to find out the last date by which candidates can qualify to be included on the ballot. Do not send out your survey until all candidates have been qualified. However, also remember to allow yourself time in which to compile the information, draft the report, get it published and disseminated. You do not want your report to be released after election day, as that will not fulfill the mission of educating voters.
 - d. Develop a database with which to track information, such as candidate names, addresses, and phone numbers, as well as answers to the survey. This database will make generation of the report easier when all results are in and will aid you in tracking who has responded and who has not so that you may tactfully request action from candidates who are slow to respond. The national VEP will develop such a database which we will be happy to share upon request.
2. Determine the issues on which to survey:
 - a. If surveying candidates for a national office, you may simply use the national VEP candidate survey.
 - b. If surveying candidates for state and local offices, you may still use the VEP candidate survey. However, you may wish to add your own questions, or change some of the VEP questions to suit the needs of your state. For example, if your state has passed a comprehensive parity bill, you would want to delete questions related to parity that do not apply. Remember, you do not want to waste the candidates' time.
 - c. You may want to allow candidates to provide comments. If so, you may want to limit their responses to a certain word count. Make sure that you will have enough space in your final document to print all comments. To help ensure this, try to make the word limit low, such as ten to twenty words.

Laying out and mailing the survey:

1. Once you have determined whom will be surveyed, when is the best time to survey, and once you have written the survey, it needs to be sent to candidates.
 - a. You can consider having the document designed by a graphic designer. The most important thing about your survey is that it be easy to read, easy to understand, and easy to complete. Make the questions yes/no or agree/disagree, and provide a place for the candidate to circle his or her answer.
 - b. Supply a reasonable reply-by date. Give the candidates approximately three weeks from the time they receive the survey. Do not make this allowed response time too long, or your survey may get lost in a pile of paper.
 - c. Mail all the surveys at the same time. This will ensure all candidates receive equal time in which to respond.
 - d. Be sure to log all responses carefully. If possible, have one person in charge of receiving and logging all answers in the database.
 - e. Include a self-addressed, stamped envelope in which to return the survey, or provide a fax number to which the survey can be returned.
2. To encourage more people to complete and return the survey, consider asking the heads of the parties to urge their candidates to participate. (For instance, write letters to the state Chairperson of the Democratic National Committee, to the Republican National Committee and to the independent parties. Remember that if you contact representatives of one party, then you must contact representatives of all parties!)

Drafting and publishing the report:

1. If a candidate does not respond or return the survey within the time you have specified, and all reasonable attempts have been made to secure a response, you should include the name of the candidate in the final report, in alphabetical order, just like the others, and simply state, "Did not respond."
2. The report should be as easy as possible to read. Provide the questions as they were posed to the candidates, and then list the candidates and their responses. If you allowed candidates to provide comments, do not edit their comments in any way.
3. Timing is everything! Try to disseminate the final report at least a few days before the election to give voters a chance to review the report. Do not hand the survey out at the polls! This could be considered electioneering!

Additional resources

The following groups may be able to help you in planning, drafting and conducting your candidate survey.

Federal Election Commission

Office of Public Records
999 E Street, N.W.
Washington, D.C. 20463
Phone: (800) 424-9530
Fax: (202) 501-0693
Web site: <http://www.fec.gov>
E-mail: pubrec@fec.gov

The Alliance for Justice

2000 P Street, N.W., Suite 712
Washington, D.C. 20036
Phone: (202) 822-6070
E-mail: HN5866@handsnet.org

Independent Sector

1200 18th Street, N.W., Suite 200
Washington, D.C. 20036
Phone: (202) 467-6100
E-mail: info@independentsector.org

National Organization on Disability

910 16th Street, N.W. Suite 600
Washington, D.C. 20006
Phone: (202) 293-5968
Fax: (202) 293-7999

Will O'Brien, c/o Project H.O.M.E.

1515 Fairmount Avenue
Philadelphia, PA 19130
Phone: (215) 232-7272
Fax: (215) 232-7277
E-mail: HN5672@handsnet.org

You may also contact the Voter Empowerment Project staff for further technical support at 800/969-NMHA.

Thank you for your efforts to empower voters with mental illness! We look forward to working with you.