

TO: Interested parties
FROM: Kurt Fritts and Sandeep Kaushik, Defend Washington
RE: The State of Play with the Let's Go Washington Ballot Measures
Date: April 10, 2024

During the 2024 legislative session, Democratic leadership made a strategic decision to allow three of the six initiatives to the state Legislature—all sponsored by MAGA Republican Party Chair Jim Walsh and bankrolled by hedge fund manager Brian Heywood—to be adopted by bipartisan majorities. By removing those three measures (which were largely culture war distractions intended to drive up conservative turnout), Democrats in the legislature substantially altered the playing field and left the proponents of the remaining three ballot measures fighting on hostile political terrain, facing difficult and expensive campaigns to eliminate popular public investments.

Each of these three remaining measures—wiping out Washington state's limited capital gains tax, our innovative cap-and-invest system, and our long-term care benefit program—would cause massive harm to our state if passed by voters in November. It is little wonder then that Let's Go Washington (LGW) starts far behind in both public opinion polling and financial resources. They are also dragged down by their own extreme leadership and self-aggrandizing spokespeople.

Publicly released polling all shows the initiatives deeply under water

While LGW insiders claim that their initiatives have broad public support, publicly available polling consistently shows that the opposite is true; these measures are deeply unpopular. Here, for example, are the results of polling conducted last October testing these three measures:

Initiative Measure No. 2109

● Yes ● Not sure ● Would not vote ● No

[SPLIT A] Washington State may be voting on initiative I-2109, which reads:

Ballot Title: Initiative Measure No. 2109 concerns taxes.

This measure would repeal an excise tax imposed on the sale or exchange of certain long-term capital assets by individuals who have annual capital gains of over \$250,000.

This measure would decrease funding for education, early learning and childcare, and school construction.

Should this measure be enacted into law?

How would you vote if I-2109 were on the ballot and the election were held today?



Initiative Measure No. 2117

● Yes ● Not sure ● Would not vote ● No

[SPLIT A] Washington State may be voting on initiative I-2117, which reads:

Ballot Title: Initiative Measure No. 2117 concerns carbon tax credit trading.
This measure would prohibit state agencies from imposing any type of carbon tax credit trading, and repeal legislation establishing a cap and invest program to reduce greenhouse gas emissions.
This measure would decrease funding for carbon emissions reduction and air quality improvement programs.
Should this measure be enacted into law?

How would you vote if I-2117 were on the ballot and the election were held today?



Initiative Measure No. 2124

● Yes ● Not sure ● Would not vote ● No

[SPLIT A] Washington State may be voting on initiative I-2124, which reads:

Ballot Title: Initiative Measure No. 2124 concerns state long term care insurance.
This measure would provide that employees and self-employed people must elect to keep coverage under RCW 50B.04 and could opt-out any time. It would also repeal a law governing an exemption for employees.
This measure would decrease funding for long-term care services.
Should this measure be enacted into law?

How would you vote if I-2124 were on the ballot and the election were held today?



Note that these surveys tested **the actual ballot titles** that will be printed on ballots, along with a fair approximation of the public impact investment disclosure language (seen here in bold for easier reading) that will also be included **on the ballot for the first time ever** in 2024.

As this polling demonstrates, each of these measures starts out well below 50 percent support, and the proponents' pathway to victory will require them to convince large numbers of undecided and no voters to switch to "yes." In a crowded and expensive political year with so many candidates and issues competing for both earned and paid media views, and in an election that includes many infrequent and less attentive voters, this task will undoubtedly require mounting a well-resourced and well-organized campaign. Historically it has been considered conventional wisdom that ballot measures need to start at over 60% to succeed, as "NO" campaigns have a natural advantage in persuasion through the introduction of doubt and uncertainty. There is no history of ballot measures that start off below 50 percent succeeding, and yet all three of these measures start below that mark and significantly underwater.¹

¹ This is not the only polling data showing all three measures starting with well below 50 percent support. A December 2023 poll by Civiqs found 32% yes and 56% no for I-2117. That poll found 39% yes and 55% no on I-2109, and 36% yes and 39% no for I-2124.

It is worth noting that LGW has recently begun shopping around a March survey funded by Citizens for Concerned Taxpayers as evidence of their claims of strong support for their measures. And yet even that survey—a laughable one given the obvious strong Republican tilt that appears in the Governor’s race and in the generic legislative question—shows support well below the mark needed at the outset to succeed, and they once again **fail to test the actual ballot titles and do not include the public investment impact disclosure language.**

LGW has no money and millions in debt; meanwhile, opponents have already raised millions

Let’s Go Washington ended 2023 with less than \$20,000 in the bank and an outstanding \$4,848,000 loan due to Brian Heywood. In the first two months of 2024, the committee spent more than it raised and had to be loaned additional money by Heywood. Currently, the committee owes vendors several hundred thousand dollars in addition to its over \$5 million debt to Heywood. How much of the contributions given to LGW over the next seven months will go to paying back Heywood for his initial investment versus funding actual campaign expenditures? This unanswered question is a huge disincentive for potential donors to Let’s Go Washington; just as Trump is having trouble pulling in donations nationally because donors are understandably reluctant to give funds that may be diverted to pay Trump’s mounting legal bills, potential donors to LGW are not going to want to donate in order to pay Brian Heywood back for the costs of the signature gathering phase of the campaign.

While LGW is deep in debt, the opponents of the three initiatives have motivated donors. The No on 2117 campaign has already raised nearly \$5 million in just a couple of months and is growing a large base of support. Meanwhile in just one example of available NO campaign resources, the SEIU 775 Ballot Fund and the SEIU Initiative Fund—which can only be used for ballot measures, not candidates—have a combined total of more than \$7.5 million dollars on hand that can be invested in the “NO” campaigns. And the No on 2109 ballot committee is made up of many of the largest sources of political funding—not just SEIU, but also the Washington Education Association, Progress Alliance, Civic Ventures (Nick Hanauer) and the Washington Federation of State Employees.

In short, the opposition campaigns are mounting forces rapidly with significant resources, while Let’s Go Washington is in a deep hole with nothing but smoke to blow at potential donors.

Bad Year to Run Partisan Republican and Conservative Causes

Presidential years in Washington state mean high turnout, with the electorate likely to be younger, more urban and more progressive overall than in other, lower turnout election years. In the last presidential election in 2020, turnout in Washington hit 84.14 percent, with 4,116,184 ballots counted statewide. When you combine this with Trump at the top of the

ticket, who is deeply unpopular in Washington state,² this promises to be a difficult electorate for Republican and conservative causes. And make no mistake, these three ballot measures are partisan Republican initiatives, sponsored by the MAGA Republican Party chair and enthusiastically back by the Republican Party.

History Shows that Voters Are Skeptical of Initiative Slates, and the People Behind Them: “Tim Eyman with a gigantic bank account”

Voters may like direct democracy and the power the initiative process puts in their hands, but they are also aware that far too often powerful and deep-pocketed special interests use ballot measures to try to pursue covert agendas that may not be immediately apparent from the subject matter of any given initiative. This is particularly the case when voters are faced with a slate of measures, especially if they originate from a single person or source.

Defend Washington has already conducted some research of voter opinions, and the results show high levels of suspicion about Brian Heywood’s motives, particularly in light of all of his personal spending to qualify these six measures. The line from a recent profile of Heywood in *The Seattle Times*—“Tim Eyman with a gigantic bank account”—really registered with swing voters, and not in a good way.³ The bottom line is that Heywood’s personal agenda ties these measures together in a way that is easy for voters to understand, as captured succinctly in this David Horsey cartoon from *The Seattle Times*:⁴



² A Feb. 2024 Public Policy Polling survey showed Biden leading Trump in Washington by a 54-38 margin among likely voters: <https://www.nwprogressive.org/weblog/2024/02/joe-bidens-2024-lead-over-donald-trump-in-washington-state-rebounds-to-sixteen-points.html>.

³ Jim Brunner, “Six initiatives head to the WA ballot with the support of Brian Heywood,” Jan. 27, 2024, *The Seattle Times*: <https://www.seattletimes.com/seattle-news/politics/6-initiatives-head-to-wa-ballot-with-6m-support-of-brian-heywood/>

⁴ David Horsey, “Heywood Shrugs,” Feb. 9, 2024, *The Seattle Times*: <https://www.seattletimes.com/opinion/heywood-shrugs/>

To make matters worse for LGW, Heywood has teamed up with one of the most extreme politicians in Olympia, Rep. Jim Walsh, the MAGA Republican Party Chair, who has [indulged](#) conspiracy theories that the 2020 election was stolen and received [international](#) criticism for donning a Star of David badge to equate COVID vaccination efforts to the Holocaust.

Recent history in other states where voters have been faced with multiple linked ballot measures provides further evidence for the difficult path faced by this LGW effort. The closest analogy to what is happening in Washington state this year is the effort in 2008 in Oregon, where seven conservative measures were on the ballot, five of them pushed by Bill Sizemore, an Eyman-like figure who harbored ambitions to run for governor (a direct parallel to Heywood's own poorly-hidden political aspirations). Two other measures in Oregon were authored by Kevin Mannix, a former Republican Party chair.

The measures would have required all public-school teaching in English (Sizemore), enacted state and local income tax deductions (Sizemore), created merit pay for teachers (Sizemore), implemented mandatory minimum sentences (Mannix), dedicated 15 percent of lottery funds to public safety (Mannix), exempted property owners from permit requirements (Sizemore), and prohibited use of public resources to raise money for political purposes (Sizemore). After a Defend Oregon coalition (similar to Defend Washington) came together to oppose this conservative slate, all failed with the voters.

Somewhat similarly, in Michigan in 2012, six mostly progressive ballot measures – one was a referendum and the other five were constitutional amendments – went before the voters. The measures were sponsored and backed by different organizations, but all failed after Republicans ran a “Just Say No” global campaign against them. Local media reported at the time that the most effective messaging against the measures was a slate message.⁵

The complete failure experienced by the YES campaigns in both of these examples points to some obvious conclusions that will no doubt become evident in our state this year. The NO side has an inherent advantage with skeptical voters, a slate offers up a rich target for persuasion as they all can be weighed down by the most unpopular aspects of each one, and the sponsors themselves are a major part of the narrative that draws the public ire.

Conclusion

Let's Go Washington used the initiative process to send six right-wing ballot measures to the Legislature in January, and they earned a small optics victory when Democrats made the smart strategic decision to pass three of them. But that was the easy part for Heywood and Walsh.

⁵ WKAR Public Media, “Election 2012: Ballot Props Cover Wide Range of Issues,” <https://www.wkar.org/newsroom/2012-11-05/election-2012-ballot-props-cover-wide-range-of-issues>; CBS News Detroit, “All Six Michigan Ballot Proposals Go Down in Defeat,” <https://www.cbsnews.com/detroit/news/all-six-michigan-ballot-proposals-go-down-in-defeat/>

Now, they face the daunting challenge of passing the three remaining conservative measures in a presidential election year in a strongly blue state like Washington. And they do so with three measures that all come out of the entry gate polling well below 50 percent, needing to win over a public opposed to deep spending and programmatic cuts and primed to be skeptical of Heywood and Walsh's self-promoting and partisan motives. Moreover, while the Defend Washington coalition and the individual NO campaigns are well organized and already raising substantial resources to make the case to voters, Let's Go Washington remains mired in millions of dollars of debt and is having obvious difficulties drawing new donors to give to the yes side of this ballot fight.

Given these baseline realities, Defend Washington believes that if we continue to execute our game plan and pull in sufficient support from supportive organizations and individual donors, our prospects for defeating all three of these destructive measures remains strong, and in so doing will allow us to expose this entire Heywood/Walsh effort as the hyper partisan vanity project that we know it to be.