



Conducting Empty Chair Candidate Forums

A Virtual Workshop


August 23, 2022
7:00 pm

See Zoom invitation for connection details.

- Designed for local Leagues participating in Empty Chair Pilot.
- Open for LWVWV membership.

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Agenda

- Pilot
- Definitions
- Examples
- Legal basis
- Why?
- FAQs
- Strategies for success
- Audience Qs/As

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LWVWV State Council, May 2022

- Should LWVWV establish a uniform policy on Empty Chair Forums?
- Vigorous discussion of Empty Chair policy & practices among WV local Leagues.
- Workgroup approved by Council.

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LWVWV Policy on Empty Chair Candidate Events: Pilot Test for 2022 General Election

- Workgroup strategy:
 - ✓ Research & review other state/local Leagues' policies/practices.
 - ✓ Discuss & achieve consensus on next steps.
 - ✓ Draft & review policy for pilot test.
- Decision to proceed with pilot based on procedural limitations & timing.
- Draft policy written and distributed to local WV Leagues with invitation to participate in pilot, June 2022.
- Experience with pilot will guide further action.

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LWVWV Policy on Empty Chair Candidate Events: Pilot Test for 2022 General Election

- LWV Morgantown-Monongalia County BOD voted to participate in pilot, June 2022.
- Need for this workshop originated from:
 - ✓ Questions from LWVMM BOD during discussion of pilot.
 - ✓ LWV-NYS workshop example (2019).

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LWVWV Policy on Empty Chair Candidate Events: Summary

Policy:

Empty chair candidate events (debates or forums) for any elected position will not be conducted by any League participating in pilot test.

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Definitions

Candidate events

- Any League-sponsored public event that invites candidates for office.

Empty Chair events

- Candidate event for a race when only one candidate is present.

Example	Empty Chair?
3-candidate race, any 2 candidates participate	No
5-candidate race, any 2 candidates participate	No
2-candidate race, 2 candidates participate	No
2-candidate race, 1 candidate participates	YES

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Decision Examples

Example	Empty Chair?
3-candidate race, any 2 candidates participate	No
5-candidate race, any 2 candidates participate	No
2-candidate race, 2 candidates participate	No
2-candidate race, 1 candidates participates	YES

Note:

- Decisions specific to race (seat), not party.
- If an event covers more than one race, decision still made per race.
- For pilot, focus is on 2022 General Election.

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Legal Underpinnings of Empty Chair Policy

Federal law & LWVUS guidance are instructive, but inconsistent.

- For national offices (U.S. House or Senate), **FEC requires** debates/forums include at least 2 candidates.
- For state/local offices (House of Delegates, State Senate, any county/city/other local jurisdiction), **LWVUS recommends** debates/forums include at least 2 candidates.
- For commercial broadcasts (Federal, state, local races), **FCC requires** equal time, i.e., no empty chair debates/forums. So far, YouTube and social media platforms are not regulated as commercial broadcasters, but that could change.

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Why is an Empty Chair Policy Useful for Us?

- Current LWVUS guidance has led to variations in policy/practice across state & local Leagues.
- Variations deviate from League's usual approach of speaking with one voice.
- The League's #1 priority in sponsoring candidate events is nonpartisanship.
- League sponsorship of empty chair events:
 - ✓ Gives the perception of partisanship.
 - ✓ Likely to damage the League's reputation.
 - ✓ May benefit one candidate over another.

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FAQs on Empty Chair Events

- Decisions based on ballot race/seat, not party.
- For events covering more than one race, decision remains specific to race/seat.
- Pilot focuses on 2022 General Election only.
- Policy may be revised, based on pilot test, before next Primary.

What is a race/seat? Examples:

- County commission race
- HOD district (now single-member districts)
- Senate district

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Strategies for Success



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Strategies for Success (1) - Invitations

Contact local party officials early to coordinate & encourage participation. Emphasize:

- League's nonpartisanship.
- Value of public exposure for every candidate.

Accept that some candidates will use the empty chair policy to silence opponents.

For candidate invitation letters:

- Lock in dates on candidate calendars early.
- Be outspoken on value of public forums for all candidates.
- Highlight audience sizes from prior events.
- Be clear about empty chair policy & its rationale in all correspondence.

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Strategies for Success (2) - Publicity

Publicize, publicize, publicize:

- Advertise "Save the Date" early.
- Use press releases & social media to advertise date/time of event, who is invited, who has confirmed.
- Use multiple PRs/social media posts to apply pressure to candidates who haven't responded.
- Use social media early & often to encourage participation.

If an event must be cancelled:

- Publicize cancellation with names of candidates who responded & those who did not.
- If local media do not print PRs, write LTE (with LWV affiliation) after event to explain cancellation.

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Strategies for Success (3) - Cancellations

Fact: Last-minute no-shows can cause last-minute cancellations.

- Be prepared to cancel and be forthright about reason.
- Mitigate by giving candidates hard deadlines for accepting invitations.

For multi-race events, when forum for one race is cancelled:

- Moderator can recognize candidate in the audience who agreed to participate in the canceled portion. Candidate may stand but may not speak.
- Encourage candidate to speak with voters after forum is over.

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Questions?

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Thank you

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