

LONE STAR PROJECT

Fighting Back... with Facts



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Lessons from Tom DeLay - How to Rig A Texas Election

Chapter 1: Avoiding a Special Election and Hand Picking Your Candidate

Situation

You are a powerful but controversial incumbent politician who is embroiled in a bribery scandal and under indictment for money laundering. You must resign your seat to avoid an embarrassing defeat at the polls and to use your campaign funds to pay legal fees. However, you want to retain influence in order to hand pick a successor beholden to you. Follow the simple steps below.

Step 1

Remain a candidate until after your party primary has passed. If necessary, make bold statements declaring that you will win the race. This will protect your tough guy image and most importantly keeps campaign contributors on the hook and giving as long as possible.

"I plan to run a very vigorous campaign, and I plan to win it," he [DeLay] said. (Source: *The Associated Press* - March 4, 2006).

Step 2

Soon after the primary, announce that you are not going to run after all. This is tricky. You need to announce quickly following the primary, so you can protect as much campaign cash as possible for your legal bills. Don't announce too soon though, because you don't want to trigger a special election on May 13, a statutory election day in Texas. (Source: *Texas Election Code § 41.001*) An announcement during the first week of April is just about right.

Step 3

Exploit a loophole in the Texas election law that allows you to be replaced on the

ballot if you revoke your Texas residence and agree to move out of state. Be prepared to take some criticism.

Good Lord, are we Texans ever fortunate that Tom DeLay wasn't at the Alamo. If he had been, when Col. William B. Travis drew that line in the sand, Tom would have said, "Are you crazy? I'm moving to Northern Virginia." (Source: John Kelso – Austin American Statesman Friday, April 07, 2006)

Step 4

Direct the Governor to **not** use his authority under the Texas Election Code Section 41.0011 to call an emergency special election, even if it means voters will be without a Member of Congress for over four months while key votes on congressional appropriations will be taken.

(Tip for first-timers: This step goes smoother if you have a highly partisan, but very weak, Governor whom you have successfully bullied in the past).

Step 5

Now, pre-empt the Governor and announce that there will be no special election. It's important to make your announcement first. That way everyone knows who's really in charge. Ideally, make the announcement in a safe, far right wing venue so you won't get any tough questions. It is ok to ignore the widely reported provision that allows the Governor to call an emergency special election on non-uniform election days. (Source: Texas Election Code Section 41.0011, The Houston Chronicle April 7, 2006)

RUSH: But you are going to retire or resign in enough time for there to be a special election so that --

CONGRESSMAN DeLAY: No, there won't be a special election. Texas has a law that there's only two dates that you can have a special election, November and May, and this weekend the deadline for the May special election will have passed.

RUSH: So it's going to be an open seat election in November?

CONGRESSMAN DeLAY: Yes.

(Source: Rush Limbaugh Show, April 5, 2006)

Step 6

Finally, don't go soft or lose your edge. Keep your "dirty tricks team" in the district working and scheming. If your old opponent stages a news conference, send a team in to wreck it. You'll need them sharp when your hand picked candidate is ready to go.

"Let's give Lampson a parting shot that wrecks his press conference," read a mass e-mail to supporters by DeLay campaign manager Chris Homan. (Source: Fort Worth Star-Telegram, April 7, 2006) [Watch the Video](#)

Step 7 - Only for use by those under indictment

A State Legislature can be a useful tool to threaten a State prosecutor. You

bought the legislature, use it. Here is how it's done:

Transcript from Fox News Radio's Tony Snow Show:

SNOW: Okay, so at this point, you know — are you willing to let bygones be bygones?

DELAY: Absolutely not. **Texas should not allow a district attorney from Travis County have this kind of power. And they can take his power away from him because there was the Texas legislature that gave him this power. And I think that will happen in the next session of the Texas legislature.**

SNOW: Oh, really?

DELAY: Yes.

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