

Faith in Texas Fights Preemption

Who: Faith in Texas is a multi-faith social justice movement that organizes people through local congregations to act on the issues that affect their lives. It mobilizes Texans of every race, class, and political ideology across the state—from faith leaders of color in progressive cities like Dallas and white leaders in more conservative places like Garland and Euless. Issues of interest are those that affect working families and their children, including affordable housing, predatory lending, healthy food financing, public education, pre-kindergarten, mass incarceration, and immigration.

Context: The Texas state legislature meets every other year for a regular session of up to 140 days. The 2015 and 2017 sessions saw an increasing number of attempts at “preemption” bills aimed at curtailing or even blocking the power of local governing bodies to make their own laws. For example, during the 2017 session, lawmakers approved a statewide ban on texting while driving that overrode tougher hands-free cellphone bans in at least 45 Texas cities; passed a bill making it illegal for municipalities to protect undocumented immigrants from deportation or prosecution in contravention of federal law; and enacted a statewide law on ride-hailing companies that nullified local ordinances requiring fingerprinting of drivers in Houston, Austin, and other cities.

Joe Swanson, lead organizer for Faith in Texas, says that a new “culture of preemption” in the state legislature could roll back local measures on a range of social justice issues, including payday lending, minimum wage increases, mandatory paid sick time, and protection of LGBTQ residents. Such action, he says, undermines the ability of people of faith to act in accordance with their values. “As people of faith with the convictions of assuring what is right and fair to be carried out in society and by our governments, we are called to serve God and each other by putting our faith into action through intentional deeds of selfless justice,” says minister-in-training Christian S. Watkins in a testimonial on the organization’s website.

Strategy in a Nutshell: Local faith leaders explain to lawmakers how preemption laws hurt their constituents and interfere with their ability to live out their faith in public life. They talk about preemption not as an abstract concept but based on their lived experiences and their deep understanding of the suffering in their communities and root the issues in their theology and values. Hearing these real-life stories and faith-driven observations from constituents across a range of political ideologies can have a powerful effect on lawmakers.

Faith in Texas Defends Local Predatory Lending Laws

Since its founding 2015, Faith in Texas has worked at the local level to end predatory lending practices that trick or coerce consumers into accepting unfair terms for loans they don’t need or can’t afford. Texas has long been a haven for predatory lenders who trap borrowers in unpayable cycles of debt with loans that carry punitive interest rates and sky-high late fees.

In 2011, Dallas became the first Texas city to pass an ordinance curbing these kinds of lending abuses. Since then, more than 40 Texas municipalities have followed suit with laws modeled on the Dallas ordinance. As part of the Texas Fair Lending Alliance, Faith in Texas worked to get eight of those local ordinances passed, including three in Hurst, Euless, and Bedford that all won approval on the same day in 2016.

“Ever since Dallas passed the first ordinance, there’s been a preemption effort to overturn those local laws, so now we have to defend them,” says Faith in Texas organizer Rev. Wes Helm. “The make-up of our state legislature has been such that we haven’t had the leverage to pass a lot of good bills, so we’re largely fighting to protect our local gains.”

Fast forward to March 2019, when Helm learned from Austin-based Texas Appleseed, a member of the Texas Fair Lending Alliance, that a new bill authored by a north Texas senator would overturn local predatory lending ordinances. Helm heard about the bill the day it was introduced.

Going Deeper

Faith in Texas builds, trains, and empowers small teams of local faith leaders who quickly mobilize their congregations. The group has developed a three-pronged advocacy strategy that 1) ensures rapid response to the introduction of or movement on preemption bills, 2) maintains a “constant drumbeat” of constituent calls and in-district meetings with key lawmakers and their staffs, and 3) brings 50 faith leaders to Austin for an advocacy day dedicated to stopping preemption bills.

Faith in Texas first tried this approach during the 2017 Texas legislative session to “destabilize preemption efforts,” with some success. For the 2019 session, the group has scaled the strategy to “go on offense against preemption.” Here’s how the organization has implemented that scaled-up effort.

Beginning by Listening. To fight preemption, Swanson and fellow organizer Rev. Wes Helm guided congregational “justice teams” in identifying the “deep pains and burdens” of their communities. They sought to pinpoint shared sufferings—such as homelessness, hunger, or fear of arrest or deportation—as a foundation for building local advocacy power. The process required “deep listening” not only to people inside their congregations but in the community at large.

Training Local Leaders. A year and a half before the 2019 session started, Faith in Texas conducted a three-day training with ordained clergy and engaged congregation members—the organization’s faith leaders—focused on understanding suffering in their communities as a path to advocacy. “Our theory of change is that those who are closest to the pain run the train,” Swanson says. Those people may not always be congregation members or even people of faith.

Instead of trying to train thousands, Helm and Swanson opted to “go deeper with fewer”—several hundred. “We end up developing more power with our leaders,” Helm explains. “They stay on longer and their capacity develops faster. It’s kind of a slower start but it allows us to be nimble and more successful.” Only a handful people in a given congregation are trained, but that small team is now equipped to mobilize an entire congregation of 200 members into action.

Toward the end of 2018, trained faith leaders came together to create local issue platforms tailored to the burdens and pain in their communities. “We wanted our faith leaders to be invested in the platform,” Helm says. “Otherwise, it’s not very effective.”

Finally, at a launch training in January 2019, 60 faith leaders learned everything they needed to know about preemption. “Everyone heard stories from someone directly affected by the issues we were addressing,” says Helm. “They have a face and a name attached to every issue that we work on. It’s personal for everyone.”

Immediately, Helm and his colleagues created an alert on the bill for Faith in Texas’s rapid action network. The alert provided background on the bill and explained why residents needed to contact the senator’s office to express their opposition. It provided a script for constituents to use for their calls and encouraged them to add their personal stories of how the bill could affect their community or violate their faith values.

Helm sent the alert to congregation captains, who shared it with their local faith leaders.

Within a few hours, the senator’s office had received more than a dozen calls from constituents expressing their concern and asking the senator to withdraw his bill, which, they noted, would negate predatory lending ordinances passed by five cities in his own district.

Helm had met with the senator and his staff several times over the previous few years to familiarize them with Faith in Texas and its platform. After activating the rapid action network, he reached out to the district director, who told him that overturning local predatory lending ordinances was not the bill’s intent. She invited him to work with their office to fix the language.

“The other thing the district director said was ‘can you please get the calls to stop?’” Helm says. “They got the message that we can give, and we can take away.”

From there, the senator’s office worked with Faith in Texas to re-write the bill so that it would not affect local predatory lending ordinances. “They ran all the new language by us,” Helm says. “It’s still not a bill we love, but they took out the parts that were bad for us.”

Activating the Advocacy Strategy.

During the legislative session, this is how the overarching three-pronged advocacy strategy works:

1. **A rapid action network generates constituent calls to legislators within minutes of issuing an alert.** “Big calls to action are not effective for us,” says Helm. But when a legislator’s office gets a dozen or so constituent calls almost immediately after filing a bill, that lawmaker tends to listen. The rapid action network is a “local phone tree” managed by a congregation captain, who receives an alert from Swanson or Helm when there is movement on a bill of interest and pressure needs to be applied to a key lawmaker. The alert includes brief background on the bill in question, who needs to be called and why, and a sample script. The congregation captain passes the alert on to his team. Soon, the office of the targeted lawmaker is fielding dozens of calls from concerned constituents, who record how many calls they make so that the team can adjust its tactics and targets strategically. “We can do 50 to 80 calls a day,” Helm says, “and right now we’re running at least one alert every day, without any drop-off. If anything, we’re ramping up and building up capacity, with more people going to work.” Because volunteers track their calls, Helm and Swanson can provide them with real-time feedback on the impact of their calls. “It motivates people because it lets them see that making calls matters—and making calls in an organized group matters,” Helm says.
2. **A constant drumbeat of constituent outreach keeps lawmakers on their toes.** Whereas the rapid action network is intense but limited, the “constant drumbeat” strategy is an ongoing reminder to lawmakers of their constituents’ concerns. In this way, “lawmakers are constantly receiving calls and in-district meetings from constituents who remind them of our moral platform with regard to preemption,” Swanson says. Constituents share stories about real people in their community suffering because of preemption, and they share the faith values underlying their position. “It’s almost like a theological education,” Swanson says. This strategy is being piloted in suburban congregations.
3. **A designated lobbying day in Austin puts human faces on the issue.** Texas is a big state and it is difficult to get from Dallas to Austin to lobby—people need to take time off from work and drive or arrange other transportation. So Faith in Texas organized a lobbying day, putting 50 people from strategic districts on a bus to Austin, where, wearing their Faith in Texas T-shirts, they met with lawmakers. “The lawmakers have seen us, they’ve met with us, they’ve talked with us, they’ve seen our tee shirts, and they know our brand,” Swanson says.

The payday lending battle in the Texas legislature is not over. Several bills introduced this session seek to preempt local predatory lending laws, but, as of the end of the 2019 Texas legislative session, none had passed. In April, Faith in Texas helped kill a damaging bill on the House floor with another rapid action network alert. In this case, a committee inserted broad preemption language into a licensing bill and Helm only found out the day before the bill went to the House floor. “We tend to get very worried about stopping anything on the floor, so it’s confidence-building to know we have more options than stopping it in committee,” Helm says.

Helm notes that Faith in Action does not issue “broad calls” to action by local faith leaders. Instead, requests for local action are strategic and focused. If targeting a committee with jurisdiction over a harmful bill, the group focuses on the three most influential members of that committee—not all of them. “Our strategy to is put a lot of pressure on a few folks, instead of a little pressure on a lot of them,” Helm says.

Overall, he is optimistic that Faith in Texas and its partners can hold the line on local predatory lending ordinances, though other issues—such as defending local laws mandating paid sick leave for workers—may be more challenging since the group doesn’t have as much history or as many relationships. With each passing day, however, the group gets more experience and builds its relationship base across a range of issues. “You can’t build this work overnight,” Helm notes. “It takes long, consistent work to develop local leaders, build strong coalitions, and to develop relationships with legislators.”

Working with Well-Positioned Partners. Faith in Texas does not have an office in Austin, but it partners with organizations that do, and their support is critical to the success of Faith in Texas. These onsite partners gather critical intelligence when a bill is filed, when a measure is sent to a committee, or when legislators vote on a bill in the dead of night. They alert Helm and Swanson, who funnel the information to their congregation captains, who then use it to inform local constituent calls. These organizations include the American Heart Association on issues related to nutrition and physical activity, the Coalition Against State Interference, the Center for Public Policy Priorities, the Faith in Action National Network, the Texas AFL-CIO, and Voices for Healthy Kids, who provided funding and technical assistance. “When we need somebody in the dome, they’re our people,” Swanson says.

Bottom Line for a Powerful Strategy. Says Swanson: “We believe that our approach will move us toward our goal of ensuring that the northern Texas delegation of representatives we send to the state legislature every two years is there to end a culture of preemption that is hurting our ability, within our faith tradition, to usher in the beloved community.”

Best Advice to Other Groups Fighting Preemption

- ▶ Take the time to build trust and relationships with the people in your community. That is probably the deepest and most critical investment of all.
- ▶ Hire organizers. Having people to do the grassroots work in the districts is essential to success.
- ▶ Invest in developing and training your community leaders.
- ▶ Don’t talk about preemption as an abstract concept. Talk about how preemption hurts real people and root the issue in their needs and values.
- ▶ Put the power in the hands of your volunteer leaders. Make sure they have the authority to engage with lawmakers and back that authority by giving them the skills they need.