

ADVOCACY

“A wish is worthless unless action follows.”

Anonymous

- The action of advocating, pleading for, or supporting – Webster’s dictionary
- ...is after finding the way to help one family, establishing a system that will get the same kind of help to every family that needs it

Why advocate

Agitators are a set of interfering, meddling people, who come down to some perfectly contented class of the community and sow seeds of discontent amongst them. That is the reason why agitators are so absolutely necessary. Without them, in our incomplete state, there would be no advance toward civilization.

Oscar Wilde

What is advocacy?

- Changing the policies that affect our lives
- Individual vs. Policy advocacy
- On behalf of others
- Public policy advocacy is an outgrowth of individual advocacy
- Use many of the same principles, if different tools

Barriers, Challenges

- Scary – these are important people, I can't do this
- I may make someone mad
- They won't listen to me
- I don't know enough to advocate
- I don't have time

How to advocate

- Define the problem
- Find an answer
- Identify the target
- Create a plan, including resources
- Implement
- Evaluate
- Future plans

Legislative Advocacy

- Patience, Perspective
- Understand and respect the system
- Create relationships
- Offer solutions
- Recruit a champion, then do what they tell you to

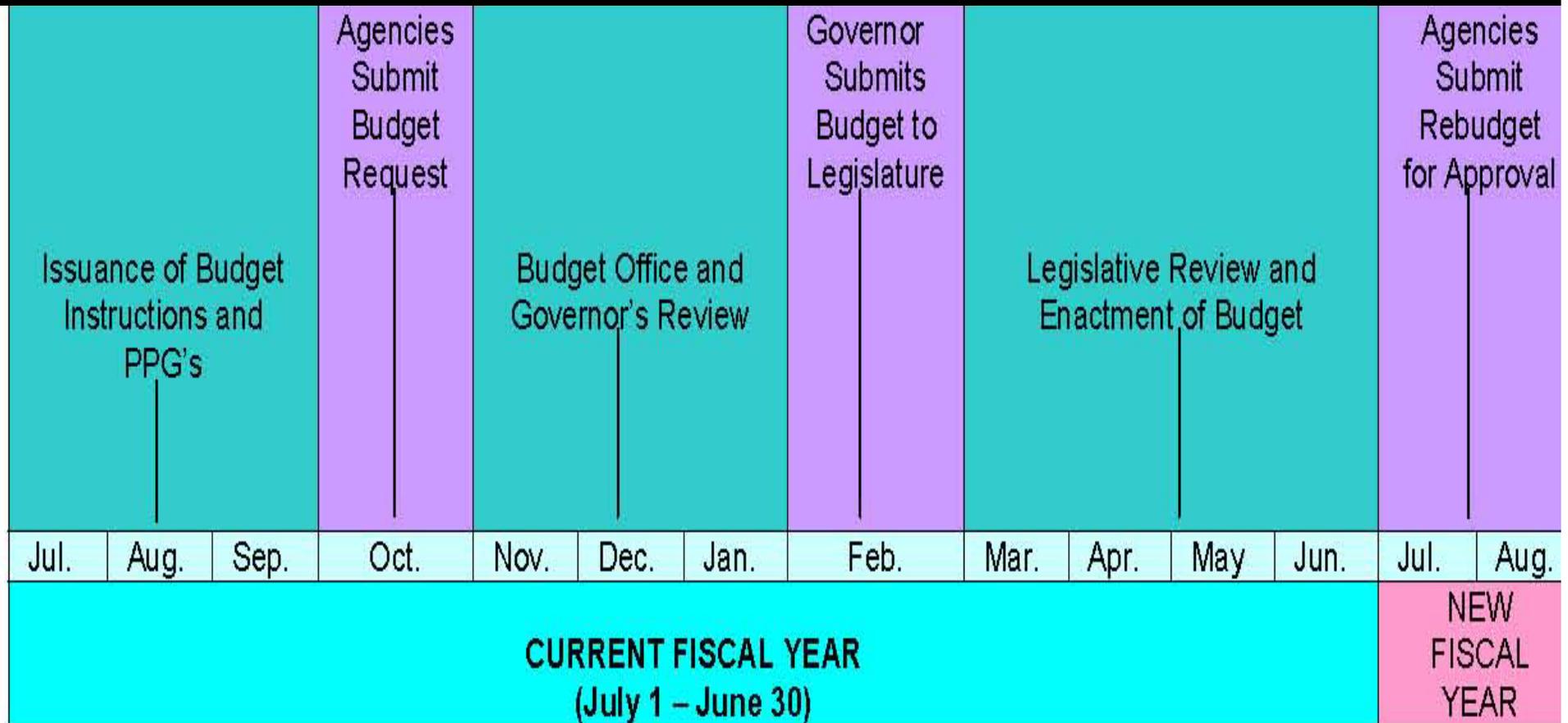
Legislative Tools

- Writing letters to policymakers
- How to call a legislator
- Visiting with policymakers
- Effective fact sheets
- How to testify at a hearing
- Legislators- who are they
- The importance of legislative staff
- Proper care & feeding of a champion
- How to work with a lobbyist
- How to work with campaigns
- Directions, rules and customs
- How a bill becomes a law

Budget

- Drives EVERYTHING
- Seems intimidating, but it's not
- Seems out of public view, but it's not
- Budgets are political documents, not scientific treatises, they respond to the same political pressures as other issues
- Classic mistake – “Unfunded Mandate” – to pass a bill without any money to implement it

BUDGET PROCESS IN PENNSYLVANIA



Administrative Advocacy

- Very powerful
- Include them early – both top and bottom of food chain
- Create relationships of trust -- can be champions and important sources of info
- They implement the laws – they are the details people
- They are not elected, they don't answer to you or to voters
- Appointed vs. civil service
- Agency turf issues
- Current climate – staff reductions, great anxiety, overworked

Gaining Trust

- Use your champion to gain access, to get a meeting
- Make their life easier
 - Write a grant
 - Invite them to a conference or event
 - Good press
 - Research for them, crunch numbers, answer your own questions
 - Give them a heads up when taking a shot
 - Testify on behalf of their initiatives/needs
- Thank them – they rarely get recognized

Being Useful

- Serve on an advisory board, task force (can be a carrot)
- Freedom of Information requests
- Oversight bodies, watchdogs
- Legislation they don't want
- Play on turf issues
- Bad press

Freedom of Information

- Powerful tool
- Agencies usually cooperative
- Right to obtain records
- Access to state and local records
- Fees must be reasonable
- Open to all residents of PA, there is no need for a lawyer

Sunshine Act

- Provides access to attend public meetings
- Some exceptions apply
- Participation in proceedings is limited
- Ability to comment may be limited but should be made available to guests
- Open to all residents of PA, there is no need for a lawyer

Regulations

- Statutes give guidance, regulations give detail
- How to find them, if they exist
- Process – Independent Regulatory Review Commission
- Under-appreciated by advocates, legislators

Administrative lobbying tools

- Sample letters
- Freedom of Information Act
- Sunshine Act
- Research – finding and using data
- Getting appointed to state boards, workgroups, and commissions

Collaborations

- Amplify your voice
- Gain from experience of others
- Share resources, information
- Can be very rewarding/comforting
- Can be very aggravating
- Important to find one that fits

Coalition building

- Organize early on the issue, continue building as you progress
- Start with generalities, create a set of principles, move to specifics
- Set up a process for decision making that everyone can agree upon
- Everyone gets a voice and is heard
- Allow for varying levels of involvement
- Allow for varying interests
- Critical – good, timely communications
- Someone needs to be assigned to coordinate and facilitate communications

Strength in Numbers

- Opportunity to meet and strategize with like minds, very comforting
- Share the work, resources, information
- Learn from others' experience, history
- Develop leadership for the future
- Build other partnerships beyond advocacy
- Media – often better with a crowd

More pro's

- Access to lobbyists, staff, other resources none could afford alone
- Unlikely partners – sometimes people will work with you for the good PR of joining a worthy cause
- Chance to move your agenda to other groups, public education
- Can link advocates with stories to people with data/research and people with advocacy skills

Things to Watch out for when working in Coalitions

- Make sure you know what will happen with information you share, particularly if it is proprietary
- Be concerned about politics, history of bad behavior, etc.
- Meetings and consensus are necessary, but should not take up all the time
- Strong personalities
- Resources are sufficient to the task
- Be sure you understand strategy and are comfortable with the intensity and the group's acceptable compromise point
- Is there a tolerance for partners pursuing other strategies?

More tips

- Be flexible about what is defined as “winning”
- Always consider the next move, next year
- Do not burn bridges
- The best coalitions have relationships that go beyond advocacy
- Debate is not only inevitable, it is healthy
- Be a “team player” and do not get mired in your own importance

More tips

- Read everything, try to go to all meetings – 90% of success is just showing up
- Help when you can, even if it's not something you would normally do
- If you do no work, you don't get to complain
- Spread your coalition's message everywhere you go and take advantage of opportunities
- Evaluate regularly whether participation is still worth it and if the benefits continue

How to Find a Good Coalition

- Search the Internet
- Find out who testifies on your issue
- Look for who else shows up everywhere you are – networking is key
- Check out the history of the group – are they successful?
- Reputation – ask legislators, policymakers, lobbyists
- Who else belongs? – be sure you are comfortable with all the partners
- Is there one strong personality? – not always a bad thing
- What will you be expected to contribute?
- Go to a few meetings, read their stuff

Legislative Advocacy

- Legislative process is far more open and responsive to the public than other branches
- Public input is a formal part of the process
- Patience – rare that a bill passes in its first year
- Have perspective – understand that your issues have to get in the queue
- Understand and respect the system – experience has value, seek it out
- Create relationships and if possible find a champion in the legislature – most important of all
- It is critical to offer solutions – all ideas are good ones, legislators need help in making your case particularly if funding is attached
- If appropriate, offer to assist in drafting legislation

Picking Your Fights

- Does the issue/position fit with your mission?
- Is there are unique role for your organization?
- Can you offer a solution?
- Consider: Timing? Controversy? Allies? Opponents?
- Relationship with the lobbying target
- National vs. state vs. local
- Politics and other baggage
- Review your issues regularly

How a bill becomes a law

- Sponsors (similar bills may be introduced concurrently in House and Senate)
- Assigned to a committee
- Hearings, Meetings, Changes
- Calendars, both houses, screening
- Amendments
- Vote by full body
- If a bill passes in the House and the Senate, there may be a continuing resolution to come up with a final statute
- If passed by both the House and the Senate, the Governor signs (or not)

How a bill becomes a law—really

- Choosing a champion/shepherd
- Backrooms, good intelligence/gossip
- Pet projects may be added to other passing legislation such as the budget bill
- Fiscal notes, is it in the budget?
- Agency support/resistance
- Attentiveness – 1000s of ways to kill a bill, millions of ways for a bill to just putter out
- Politics, old scores and other baggage

The Proper Care and Feeding of Your Champion

- Choose carefully
- Look for a record of success, commitment to your issue, willingness to work with you
- Thank them later regardless of the outcome
- Keep them involved even after the legislation is passed

Persuasion, Creating Relationships

- Know as much as you can about your target
- Meet them where they are
- Be friendly, helpful
- Be sure what you want to say, practice
- Get it down to an “elevator ride”
- **NEVER** make anything up – there is nothing wrong with saying “I’ll get back to you on that” and make sure you follow through
- Understand that sometimes the answer is no

Common advocate mistakes

- Fail to learn the system first
- Think that legislators have to “get religion” when they just have to vote yes (or no)
- Leave without closing the deal
- Fail to follow through
- Take things personally
- Lose patience
- Lack flexibility; unable to compromise

Changing Public Opinion

- May seem out of place, but it is vital to advocacy
- Larger than just media
- Word of mouth is the most powerful tool
- Letters to the editor, Op-Eds
- Call-in radio shows
- The internet is becoming invaluable; use Web sites, networking sites, etc.

Moving Public Opinion

- Set goals first
- Be sure media is a purposeful part of your plan
- Consider also
 - Public speaking opportunities
 - Social marketing
 - Power of small talk
- Do not stop there – media alone is rarely enough to move an issue – combine with other advocacy

Reaching out to the media

- Carefully prepare your message
- Create a media plan – otherwise your work could be ineffective for many reasons, more labor intensive than it looks
- Define target audience – media is NOT a target audience
- All about relationships – just like all advocacy
- Create a media list

Setting goals

- What are you trying to accomplish?
 - Advocacy with policymakers
 - Thanking supporters
 - Create visibility for your organization
 - Raise awareness of an issue
 - Change public opinion on an issue
- Be sure you know why you are reaching out to the media, or how you will know if you succeed?

Media planning

- Make media its own activity
 - Don't just invite the press to your events and expect that to be enough – if you do make media packets available and assign someone to communicate with the reporter at the event
- Define resources – consider:
 - Timing
 - Best outlets to reach your target audience
 - Have statistics, sources and stories at the ready
 - Someone has to be willing to drop everything to answer a reporter's call, have that person trained and prepared
 - Be ready for the spotlight – especially if controversial

Making a media list

- Read, listen or watch – find out what kinds of stories they report, which reporters cover your issue, what kinds of calls get through the screeners
- Call outlets until you contact someone who knows
- Find out the process for getting info to the right person for that outlet, do not assume it is the same for all
- What form is best? Email, FAX, US Mail, Media Wire
- Learn about deadlines, how much lead time do they need?
- Get a name and phone number even if they want you to send by email, you will have to follow up and be sure they got it, and they saw it, and ask when you will know if it gets printed/on the air

Becoming a source

- All about building relationships, trust
- NEVER make anything up
- What you send doesn't have to be perfect – they will format information
- Think through your quote – how will it sound? Can it be taken out of context?
- Don't take it personally if you don't get quoted
- Be very careful with humor
- When talking to the press, nothing is “off the record”
- Pitching a story – understand what they need, find a “hook”, something different/appealing

Using Real people

- People affected by policies are critical to the story
- Statistics are the easy part of any story, getting real people is more difficult
- Never allow consumers to be exploited and make sure they understand potential pitfalls by helping them decide what is private vs. public, and how to protect that
- Role play and be present for the interview if possible
- Press conferences and hearings are difficult, especially for working people – have a contact list, with phone numbers and times people are available
- Translation – it is important not to edit what people say

Press releases

- Least labor intensive mechanism
- Brief is better – who, what, when, where, why
- Most important information should be stated first; may cut from the bottom
- Each sentence should stand on its own since it may be used out of context
- Include one or two quotes from a noted person/consumer
- Avoid editorializing unless that is your point
- Use your media list, call to follow up

Press events/conferences

- Very labor intensive, risky
- But can be very effective
- Easier for reporters, especially in the Capitol
- Politicians get press, hero opportunity – you get an implied commitment to the issue
- Choose location, consider visuals, hook - ups/technology
- Prepare press packets include information helpful to reporting your issue but don't overwhelm
- Provide contact lists for important contacts coalition members, consumers, etc.

Message

- What are you trying to say? E.g. fix a myth
- KISS – keep it short and simple
- STICK to it – never vary
- Do not spend 30 seconds on the message and 10 minutes on the disclaimer
- Test it with your target audience
- Reframe the debate/question to make your message the answer
- Give a unique perspective to the issue that no one else is reporting
- Check with collaborators to be sure you aren't contradicting each other

Judicial Legal Advocacy

- Usually a last resort after other means have been exhausted
- By filing class action suits or working with law enforcement, you can be part of making things better and may have a role in defining a settlement
- It can look attractive to file a lawsuit to make officials do the right thing – but consider:
 - Expense
 - Time to resolution – it can take many years to see resolution
 - Can burn bridges and create bad feelings
 - Not predictable
 - Risky – You could lose and do more harm

Why Last Resort?

- Policy-makers refuse to deal with consumers or the issue
- You've tried everything else
- You need a judge to resolve an issue once and for all
- Only legal action will make Officials do the right thing
- You are being sued (or about to be)
- Officials are about to do something horrible and there is no other way to stop them
- To stall while you get legislation passed

Working with legal advocates

- Be realistic – understand that they are bound by the law, not the real world you and your client live in, they can only sue over what is illegal, and even if they do their job right, sometimes they lose
- Consider them your champion – get them what they need, when they need it
- Many legal services organizations are financially strapped and it is difficult to find pro bono help
- Be up front about why you are helping – what you want to see come out of it
- Be discrete – they should not tell you something you should not know, but be careful about what you volunteer, you never know who you are talking to
- Be patient – some suits drag on for decades

How you can help

- Link with legislative advocacy – after suits are generally brought because of failure of a law
- Research the issue – what is happening in other places?
- Get answers to questions (at public meetings, private discussions, etc.), get documents
- Find plaintiffs, provide support throughout the process
- Link to other resources, policymakers

Who is a Lobbyist in PA?

- Any individual, association, corporation, partnership, business trust or other entity that engages in lobbying on behalf of a principal for economic consideration. The term includes an attorney at law while engaged in lobbying

Lobbying in PA

- **House Bill 700 (PN4887)** was signed into law on November 1, 2006
 - Covers State House, Senate, and Executive Branch.
 - Provides a single place to register and disclose – PA Department of State.
 - Eliminates traditional lines between lobbying and advocacy
 - Requires public relations professionals to register as lobbyists
 - Charities are NOT excluded.; charities advocating for grant funding or on state budget issues are lobbying.
 - New \$2500 per quarter threshold, (\$10,000 per year
 - Registration began January 1, 2007

Lobbying on the Federal Level

- Insubstantial Part Test
 - Default Test
 - Lobbying must be an “insubstantial part” of overall activities
 - May include cost-free activities when determining if substantial
- 501(h) Expenditure Test
 - Elect by one-time filing IRS Form 5768
 - Clear dollar-based limits
 - Only expenditures count toward limits
 - Clear definition of lobbying

Presentation by Diane Menio, Executive
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Large parts adapted from the Advocacy Tool Kit
developed by the Connecticut Health Policy
Project www.cthealthpolicy.org