
Advocating for Better Policies

Praxis Project
<http://www.thepraxisproject.org>

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POLICY IS NOT OUT OF REACH

Local policy work deserves more attention, not only for its local impact but because *it is now the primary form in which social policy is developed*. Policy development, previously the domain of experts and lobbyists, is increasingly being used as a tool for community change. Grassroots groups are taking their own agendas to city hall and the state house and proactively transforming them into progressive, meaningful policies.

Policy is more than law. It is any agreement (formal or informal) on how an institution, governing body or community will address shared problems or attain shared goals. It spells out the terms and the consequences of these agreements and is the codification of the body's values—as represented by those present in the policymaking process. Given who's usually present, most policies reflect the political agenda of the powerful and are usually concerned with the support and protection of private enterprise.

Since the goal of this section is to demonstrate just how powerful local groups can be in getting policy changed, below are several examples of successful campaigns.

Policy in Action

A group of organizations representing a diverse group of Los Angeles public transportation patrons successfully brought suit against the Los Angeles MTA, charging them for violating the 1964 Civil Rights Act, which prohibits government agencies that receive any federal funds from distributing them in a discriminatory manner. The plaintiffs charged that MTA fostered a separate and unequal public transit system for riders of color. In January 2004 the order for MTA to increase their fleet to stop overcrowding was a direct result of the Bus Rider's Union/Los Angeles County Metropolitan Transportation Authority Consent Decree Compliance Campaign. <http://www.busridersunion.org/engli/Campaigns/consentdecree/consentdecreehistory.htm>

IDENTIFYING POLICIES THAT WORK FOR YOUR COMMUNITY

Efforts that engage community residents and give them a sense of their own power can make a real difference in a community's ability to solve problems as well as strengthen individual community members' sense of "community". This type of organizing offers greater representation and more opportunities for participation. Anyone can get involved from new residents to those who have deep roots in their community; all it takes are folks willing to advocate to make it safer for themselves and their families. What distinguishes them is how they do this. Instead of simply reacting to and fighting policymakers in a defensive mode, the key is to go on the offensive and approach legislators with carefully drawn legislation.

EXAMPLES OF MODEL POLICIES

The following model policies fall into different categories of social determinants, and can be useful to help shape policy specific to your community as your group moves forward. These

examples are housed in the Progressive Policies Database Collection at the Praxis Project (<http://thepraxisproject.org/libdb/index.php>), which is an annotated and multidisciplinary collection of model local policies, programs, and initiatives on topics related to health and social justice. The database contains policies reflecting realities from urban communities to Native lands, as well as international policies on these issues. Database collection emphasis is placed on topics related to health and social justice including education, health care, resource management, government policy development and reform, inter-governmental relations, environmental policies, housing, and economic, social, and cultural programs.

Temporary Workers' Bill of Rights 2003

Abstract: NY AB 8219 would regulate temporary agencies and the employers who utilize them. The bill strengthens the rights of temporary workers by providing, amongst other things, notices and disclosures any work site hazards on a job placement, banning fees for equipment required by the job, banning check cashing fees, regulating transportation fees, and requiring annual earnings statements. (from National Employment Law Project website)

Minimum wage ordinance November 2003

Abstract: Enacted through a local initiative campaign in November 2003 by a 60% YES vote, this ordinance created a local minimum wage of \$8.50 per hour, indexed to inflation, for all workers in San Francisco. Currently, the minimum wage for all workers in San Francisco (only exceptions are through some labor agreements) is \$8.82 per hour. As a result of the Minimum Wage Ordinance, an estimated 54,000 low-wage workers received a combined annual increase in income of \$100 million.

Limiting Tobacco Access by Youth 2004

Abstract: The ordinance increased tobacco permit fees from \$50 to \$100. Additionally, the ordinance addresses repeated violators of youth sales by enabling the Boston Public Health Commission to revoke licenses of repeated merchants after three strikes. The three strikes rule also requires community input before the reissuing the license to merchants whom have lost their permits due to youth sales. As a result, Boston increased its budget for tobacco control directly from the increase in permit fees to be used for enforcement and community education issues. Most importantly, sales rates to youth dropped from the average non-compliance rate of 15% to 6%.

Blackfeet Clean Air Ordinance Policy

Abstract: In July 2005, the Blackfeet Tribal Business Council passed the Blackfeet Tobacco Free Act, which states that all public places will be smoke-free and spit-tobacco-free on the Blackfeet Reservation. The passage of the Tobacco-Free Act is part of many tribal health initiatives to address commercial tobacco health related diseases and deaths on the reservation.

Worker health care security ordinance Feb 2006

Abstract: Ordinance amending the San Francisco Administrative Code by adding Sections 14.1 through 14.12, to require that employers operating within San Francisco make health expenditures on behalf of employees, set penalties and provide for enforcement. In addition, a health security task force was created to analyze, among other related issues, the desirability and feasibility of imposing a fee on employers to provide health care for employees.

ADVOCATING FOR POLICY CHANGE

All policy initiatives must operate within the framework of your organization's purpose and long range goals. It's important to compare your organization's goals with the goal for your issue. In your assessment you should ask yourself: what constitutes victory? How will this policy address the problem/have an impact on the quality of life of your clients/members and/or community?

COMMON STAGES IN THE DEVELOPMENT A POLICY INITIATIVE

Most initiatives go through a development process characterized by seven stages. These stages are not sequential per se, but tend to overlap -- more like a gradual spectrum than a straight line. Often, groups are working at more than one stage at a time once an initiative is underway. For example, groups will continually "test the waters" throughout the life of an initiative and use that feedback to refine and improve their work. Effective initiatives rarely miss any of these stages in development. Poor initiatives often do. Groups often say that they went ahead without much preparation because of some unique opportunity that just wouldn't wait. It's true that the right timing can provide important levers for an initiative's success, but usually groups wish they had waited and were better prepared. In any case, there's nothing like good preparation and solid organizing to help a group take better advantage of the opportunities that exist—as well as create new ones.

Before undertaking any initiative, it is important to ascertain which policy approach is best to address the issue at hand. Policy isn't always legislation. Sometimes, it just isn't practical to get legislation enacted. It may be too soon to try to address the problem directly so other actions are needed to set the groundwork for regulation down the line. Advocates have a number of tools they can choose from that can be used instead of legislation—or as a complement to legislative strategies.

The four most common policy actions (in addition to legislation) are:

- Voluntary agreements,
- Lawsuits,
- Moratoriums, and
- Mandated studies.

If you choose the legislation route, it's important to recognize that policy is a *process* of negotiation and compromise. When working on a policy, for which there is little precedence, remember that local governments are often afraid to be the first jurisdiction to adopt a new, untested ordinance. First ordinances are usually more conservatively written and less comprehensive than those that follow it. It's always helpful to know about similar policy initiatives that have been enacted without legal challenge or, at least, upheld in court. Without some precedence, making a case for a new policy can be tough—but not impossible. In any case, it helps to decide early on what you can give up and what's non-negotiable. Remember that you can go back and make changes later but it's a lot easier to get it "right" the first time.

Stage 1: Testing the Waters

At this stage, most groups are focused on the problem and are just beginning to develop ideas for solutions. It is that first sense that something concrete can be done about an issue but no

one is sure exactly what. Often, a number of approaches are "tested" and screened for community support, legality and likelihood of success. When a San Diego community group organized in the wake of a shooting death of a local youth, their first target was gun control. After conducting research on the legislative remedies available to them, they focused on a ban of junk guns -- and ways to locally regulate bullets. A key lesson: the coalition was flexible and moved where residents wanted to go.

Stage 2: Defining the Initiative

Once the primary issue is defined, it must be *refined* into a clear, practical policy initiative. The best initiatives come out of residents articulating their "ideal" policy and then looking for the best mechanisms for bringing *their* vision into reality. The Coalition on Alcohol Outlet Issues wanted less liquor stores in Oakland and wanted better regulation of those in operation. In their ideal policy, they wanted storeowners, not public funds, to pay for enforcement. They took their idea to city council who then instructed staff to find a way. They did. The ordinance requires merchants to pay higher conditional use permit fees to support an augmented regulatory structure.

Stage 3: Strategy and Analysis

Once the initiative has been identified, groups will conduct what is known as a power analysis to identify targets, allies, opponents and other important factors in the campaign. Often, the initiative is refined further in light of this information. Living wage coalitions omitted construction work from their initiatives as a strategic and political consideration.

Stage 4: Direct Issue Organizing

Informed by the power analysis and strategic planning, the organizing begins. In city or countywide campaigns without a neighborhood focus, organizing is usually done through outreach to other organizations. For example, much of the organizing for living wage campaigns focused on unions, advocacy organizations and affected (unorganized) employees. Neighborhood oriented campaigns tend to conduct more canvassing operations. In Los Angeles, the Community Coalition for Substance Abuse Prevention and Treatment had organizers go door-to-door and hosts house parties as neighborhood meetings. They focus on neighborhoods with problem liquor stores in order to build a solid base of support among those most affected by the issue. When developing your campaign it is important to think through the multiple levels of influence you need to build. See Pyramid of Power pg 16. Once you identify those levels, you can create a clear and concise workplan. See Campaign Planning Template pg 17 It is during this stage that media work begins in earnest.

Stage 5: In the Belly of "The Beast"

At some point in every initiative, advocates must meet with policymakers and begin the long process of getting the policy enacted. This stage is characterized by intensive work with city or county staff, negotiations and accountability sessions. It is important to stay focused on the group's initial goals during this phase, as it is easy to get caught up in the politics of the bureaucracy. Working with policymakers is an "inside" game but it need not mean getting

disconnected from grassroots support. As veteran organizer Greg Akili often says, "Don't start to talk like them or take on their ways. If you do you'll confuse the people you're working with and you become untrustworthy. Stay connected. Always go in groups and rotate the people who attend the meetings so that you build leadership and confidence."

Stage 6: Victory and Defense

If an initiative is lucky enough to get enacted, celebration and evaluation is definitely in order. However, for most ordinances, soon after the partying is over, the litigation begins. Prepare for the possibility of litigation at the beginning of the initiative and be ready to play an active role in any legal action even if the local government (and not your group) is the defendant. Some organizations like the Community Coalition and the Coalition on Alcohol Outlet Issues got intervenor status in litigation directed toward their city government. Baltimore's Citywide Liquor Coalition made sure their attorney worked closely with the City Attorney throughout the process making sure to carefully craft public testimony with an eye toward building a strong public record in preparation for the inevitable litigation.

Stage 7: Enforcement

After the policy is enacted and clear of court hurdles, the work begins to get the new law enforced. For initiatives with powerful opposition, negotiation continues around issues like the timeline for implementing the policy, interpretation of particular clauses, and fitting the new policy in with other staffing priorities. It is important to maintain grassroots involvement throughout this process.

For planning tools on how to develop a policy initiative go to <http://thepraxisproject.org/tools/developinitiative.pdf>

All Phases Are Important

One common mistake is to launch policy initiatives without any preparation or prior analysis as required in the first three stages of development, before direct advocacy begins. Numerous policy initiatives skip stage four and therefore suffer from inadequate grassroots support because not enough attention was paid to community organizing. Advocates in this case often go directly to stage five, working with policymakers, without grassroots support or even public awareness of their efforts in hopes that policymakers will be swayed by the "sensitivity" of their initiative. However, policy is not about sensitivity as much as it is about interests. Advocates must never assume support based on the logic of their argument or the strength of a personal relationship.

One coalition in a small town in the Midwest did just that. They took their initiative directly to a local policymaker without building support, identifying allies or even working through the details of their initiative. Their idea seemed straightforward and simple: to have their local hospital keep track of alcohol related gun trauma. They were completely caught by surprise when the hospital administrator did not agree to simply enact the policy at their request. It was an honest mistake. The group had a warm relationship with the administrator but had not thought through the implications of such a policy on staff resources. By doing the necessary preparation, groups can effectively manage these issues and plan accordingly.

WORKING WITH OTHERS TO PLAN A STRATEGY

Once an initiative is developed, it's time to identify who is likely to support it. Rarely can one group get an initiative enacted working alone so building broad support is critical to success. Oftentimes, building broad support requires building a coalition or group of organizations that come together temporarily for a specific reason. Coalitions are meant to be short term and are usually developed with a specific target in mind.

When assessing whether to put together a coalition, groups must identify what kind of support is needed to win, who is most likely to support the initiative, and who can influence the target.

To determine the amount of support needed to win, advocates usually start with how the target will make its decision. How many votes (if applicable) are needed to win? Who will review and approve the decision? Who will make recommendations concerning the decision? After a careful review of the decision making process (and any relevant deadlines), identify appropriate levels of support (i.e., minimum number of letters generated, attendance at public hearings, phone calls, etc.) for each step of the process.

Identifying likely supporters requires some knowledge of the community as well as an analysis of each potential partner's interests. It is important to start with a detailed and specific list of prospective allies. Do not, for example, list "the faith community" as one ally. Faith institutions are generally concerned with the community's welfare but they are also a diverse and busy group. Identify *specific* groups and institutions and why they are likely to get involved.

A likely supporter has strong **self interest** and deep **concern** about the issue your group is trying to address. They will also have **low risk** in joining you. Remember, it is often "leaders" who have little self interest and high risk (i.e., more to lose) in joining advocacy initiatives. Try to identify grassroots and other organizations with strong ties to the issue. Allies need not be formal organizations. For example, a group focused on passing a clean indoor air ordinance might identify an ally in parents of children with asthma.

Using the community resources See Assessing community resources pg 18 charts identify at least three supporters that likely have high self interest and concern and low risk in joining the initiative.

CONNECTING WITH OTHER ADVOCACY GROUPS AROUND THE COUNTRY

As you begin to move forward in your process, it will be important, encouraging and helpful to know about the work others are doing around the country. It is never recommended that one reinvents the wheel, and often someone has dealt with a similar issue somewhere, and has insight to share. If nothing else, there is value in the sense that "we are all in this together." Below are groups who have been working in the advocacy arena on significant issues and have years of experience.

- Miami Workers Center—helps working class people build grassroots organizations and develop their leadership capacity through aggressive community organizing campaigns and education programs www.theworkerscenter.org.
- Padres Unidos—a multi-generational organization led by people of color who work for

equality and justice in education, racial justice for youth, immigrant rights and the right to quality healthcare for all www.padresunidos.org

- Jobs With Justice—a national campaign for workers’ rights www.jwj.org
- Labor and Community Strategy Center—A multiracial anticorporate "think tank/act tank" and national school for organizers, committed to building democratic internationalist social movements. www.thestrategycenter.org
- Youth Education Alliance—brings youth together to identify the problems in schools and solve them collectively. Through direct action and community education, they work to hold city leaders and school officials accountable to young people in Washington, DC. www.youtheducationalalliance.org/
- Inner City Struggle—promotes safe, healthy and non-violent communities by organizing youth and families in Boyle Heights and East Los Angeles to work toward economic and social justice www.innercitystruggle.org
- Asian Pacific Environmental Network—empowers low-income Asian Pacific Islander (API) communities to achieve environmental and social justice <http://www.apen4ej.org/index.htm>
- Center for Community Change Helping low-income people, especially people of color, build powerful, effective organizations through which they can change their communities and public policies for the better <http://www.communitychange.org/>
- Corporation for Enterprise Development (CFED)—expands economic opportunity by helping Americans start and grow businesses, go to college, own a home, and save for their children’s and own economic futures <http://www.cfed.org/>
- Highlander Research and Education Center—provide education and support to poor and working people fighting economic injustice, poverty, prejudice, and environmental destruction <http://www.highlandercenter.org/about.asp>
- Poverty & Race Research Action Council—help connect social scientists with advocates working on race and poverty issues, and to promote a research-based advocacy strategy on issues of structural racial inequality <http://www.prrac.org/>
- United for a Fair Economy—raises awareness that concentrated wealth and power undermine the economy, corrupt democracy, deepen the racial divide, and tear communities apart. <http://www.faireconomy.org/>
- Center for Health, Environment and Justice has compiled a database of local environmental health policies that have passed from Copenhagen to Oakland, and increase monitoring and transparency on the transport and dumping of toxics. www.chej.org

CONTACTING PUBLIC OFFICIALS

WHY IT’S IMPORTANT?

Public policy makers are people who work at local, state and federal levels of government. They establish the rights and standards for entire communities. Our votes place public officials in office and it is their duty to serve all citizens. It is our responsibility to actively engage in the

governing of our cities and states so we can hold policy makers accountable to address the issues impacting our communities.

WHAT'S YOUR ASK

When approaching elected officials, it is important to be clear about what you want. This does not need to be as detailed as a drafted piece of legislation. A simple, straightforward sense of what's wrong and what you would like to see changed will do for a start. Try to become familiar with budget and revenue mechanisms so you will have a sense of how your proposal might be funded

At the meeting, be sure to have at least three people with you—preferably at least one living in the policymakers jurisdiction. Be familiar with his/her record and issues of concern so that you can link your proposal to their agenda whenever possible. Don't get caught up in chit chat. Thank the representative (and/or staffer) for their time and any related work they have done on the issue. Then proceed to a brief description of the issue and the action you'd like the official to take. Plan roles and what meeting participants will say in advance so the information flows. Stress impact on the policymaker's district whenever possible and any support you have for the initiative.

When leaving, thank the official for their time even if they did not agree and leave them with a short summary of the issue and proposal (one page is great but a little more is OK, too). Larger documents, like reports or studies are best left with the staff member charged with policy work on the issue.

The Accountability Session

When campaigning for policy change, one of the first steps in making a demand is holding an *accountability session* or meeting with your target (or a representative or portion of the group) to make clear your demand and to assess the target's level of support. Ideally, the group would work to get a commitment of support at the meeting.

Accountability sessions can range in tone and setting from a friendly, small meeting at the target's office to a large community hearing where the target is put "on the spot." The setting and tone will be shaped by the group's history with the target and how the session supports their overall strategy.

Tips for Accountability Sessions

Although there are no hard and fast rules for holding an accountability session experienced advocates recommend the following:

1. Never make idle threats
2. Always represent the group ethically and professionally regardless how "tough" the session gets
3. Never meet with the target alone. Negotiations are tricky and always require at least one witness. Having others in the meeting also sends the message that this is a *group* action (not an individual one) and that you are accountable to the group for any session outcomes

WHAT LEVEL OF GOVERNMENT DOES WHAT?

The U.S. government consists of three branches: the executive branch, the legislative branch and the judicial branch. Each branch has a different set of responsibilities which "counterbalance" the power of the other two branches. This is known as the system of checks and balances.

The Executive/Administrative Branch

The executive branch implements the laws enacted by the legislature. At the national level, the head of the executive branch is the president. His role is similar to that of the elected governor, who serves as the chief executive officer of the state government level. Mayors or city managers perform a similar CEO role at the city level. County commissioners either select one commissioner to act as a CEO or they hire a professional manager who reports to the county commission or board. The executive branch is usually organized into a cabinet or series of departments administered by people appointed by and accountable to the governor, head commissioner, manager or mayor.

The Legislative Branch

The legislative branch is responsible for enacting laws. This branch is made up of individuals elected to represent a certain geographic district. Forty-nine states have a bicameral (two house) legislature like the U.S. Congress; a large House of Representatives and a smaller Senate. Nebraska is the only state with a unicameral legislature -- a single body of elected senators. County commissions and city councils are unicameral legislative bodies.

The Judicial Branch

The judicial branch is responsible for ruling on disputes regarding the interpretation of law. Each state's judicial branch is split into civil and criminal court systems. These are further divided into district courts by county. Cases move up on appeal to the state's highest court.

POWER IN NUMBERS

Too often, not enough care is taken to develop a broad base of support for policy initiatives. In developing your base, consider what the benefits will be to those you want to join in the effort. Always ask yourself, "What am I offering?" Long time organizer Greg Akili developed the following tool to build a solid base of people capable of achieving your goals.

Tips on Base Building: there are no shortcuts!

I. Why Have an Identifiable Base?

People make a difference if you go to them; it is not enough to have a good idea or a good issue. An organization must have a base of people that can be counted on to achieve the goals. More can be accomplished with people who feel part of an organized group. The level of comfort is increased and people will participate and be involved in public actions when there is an identifiable base.

II. Why should people get involved? What do they get for it?

People get involved based on their personal interest or because of a crisis, not because America encourages involvement. Many people believe that their vote or voice will not

count, and many are made to feel powerless, especially people of color and women because of racism, white supremacy and sexism. The people are not to blame. They are not obligated to participate or work on an issue.

III. *Appreciate the total; don't just focus on the core*

Too often people complain because there are not more people involved. The outer circle of support is dismissed because involvement is measured by how many people come to the monthly meeting. The key is working to get each level of supporter to move to the core by asking more from people at each level and showing appreciation for the core while displaying gratitude at each level.

Levels of supporters:

- Core supporters of (5-7) key volunteers can always be counted on.
- Active supporters (20-25) will support most of the activities and will attend some meetings.
- General supporters (50-70) will do one thing, one time, rarely come to meetings.
- The public.

Appreciate the total; don't just focus on the core

IV. *The Science of Numbers*

The essence of base building is numbers and volume. In order to get 50 people to show up when the issue is not hot, 150-200 names are needed. If the names are cold and the people are not familiar with the group or issue, more names will be needed.

The following statistics may be helpful:

- Thirty percent or more of the people called will not be at home
- 15-20% of the numbers will not be good numbers
- 25-30% will be no's
- 25-30% will say yes
- Of those who say yes, only a small percent will actually show.
- Out of the 20 people talked to, 9 will say yes and 3-4 will show.

V. *Methods for Mobilizing*

House meeting: A key volunteer/staff/supporter will visit new people and give them the rap, and asks them to invite 8-10 of their friends over so key volunteers can talk with them to get them involved. The host is asked to make up a list and call their friends right then. This approach is the hardest and takes the most time, but offers the best results. Time is spent with the individual and a relationship is developed.

Keys:

- Strong rap; tracking system
- Getting the person to make a list and call their friends
- Consistent follow-up calling, regular check-ins and reinforcement
- Getting the host to call their friends the day of the house meeting

Phone banks: 4-5 phoners calling at least 4 nights a week.

Keys:

- Strong rap and tally
- Dedicated phoning for at least 2-1/2 hours a night
- Large pool of names to call, at least 3 times the number of names for the number of people expected to turn out
- Volunteer phone bank to recruit phoners to staff the phone banks

V. *The need to build and rebuild*

Every 3-4 months there will be a need to rebuild with a new group of people. People will move on to another level involved in something else or become inactive. Develop ways to assist people to move from level to level. Core supporters need to work with new people; conduct orientation, plan parties for new supporters

VI. *The importance of knowing what to say, tracking, follow-up and accountability using raps, tallies, reminder calls and no-show calls.*

The rap is like a map. All rap/scripts should have the same elements:

- Introduction: who you are and identify the group
- Statement of conditions and the need to take immediate action
- There is hope because people can make a difference and we need people's help because we can't do it alone.
- What you can do: Come to the meeting....
- Get a commitment: Will you join us, yes or no; maybes cannot be counted or measured. Tell the person, we are counting on you.

Know how many people are expected by keeping tallies:

- Number of yes's
- Number of no's
- Total number of people talked with (add yes's and no's)
- Total number of attempts

People will forget; they must be reinforced and reminded often and regularly. A reminder call should be made at least three times before the event and twice the day of the event.

No-show calls: if people say yes and they do not show, they must be called to find out why. If the person keeps saying yes but never shows, they should be written off.

We have provided sample forms to support your base building work. Use the forms as a starting point for developing new forms that are tailored to your current work. Forms start on page 16.

POLICY OPTIONS BEYOND LEGISLATION

Before undertaking any initiative, it is important ascertain which policy approach is best to

address the issue at hand. Policy isn't always legislation. Sometimes, it just isn't practical to get legislation enacted. It may be too soon to try to address the problem directly so other actions are needed to set the groundwork for regulation down the line. Advocates have a number of tools they can choose from that can be used instead of legislation -- or as a complement to legislative strategies. The four most common policy actions (in addition to legislation) are voluntary agreements, lawsuits, moratoriums and mandated studies.

Voluntary Agreements

Voluntary agreements are pacts between a community and institutions that outline conditions, expectations, or obligations without the force of law. This is a good option in places where there isn't support for more formal regulations. Voluntary agreements need not be limited to cordial words and a handshake. Communities can still negotiate written memoranda of understanding that clearly spells out the conditions of the agreement.

Getting a solid agreement still requires research and organizing. It helps to start by identifying all of the institutional actors that have an impact on the issue. Once these actors are identified, research their role in, and possible actions they could take to reduce harm in the community. Then, develop a "wish list" of actions you'd like the institution(s) to undertake. It's especially important (since this agreement will not have the force of law) to identify both "sticks" and "carrots" for institutional participation as well as any community power to back up any agreement. Of course, it will take some negotiating and community pressure to actually reach an agreement. Make sure no one ever negotiates alone. At least two members of your coalition should be present at all times.

Lawsuits and Other Complaints

Lawsuits and other court actions can be tedious and expensive. Therefore, groups should carefully consider all options before deciding to take on a lawsuit. If an organization has the resources (in staff, money or pro bono legal support), a well-framed legal intervention can accomplish much in both the short term and long term -- even if it simply gets the other side to the table. The framing of any action is important. Care should be taken to name the right defendants including parent companies and others who profit from the action that the group wants stopped.

Activists can also learn much from the skillful use of interrogatories -- requests for information and documents from the opponents. In some cases, groups will consult with other activists to identify useful information for regulation beyond the current legal action. For example, one group engaged in a lawsuit against an alcohol company for copyright infringement solicited items for their interrogatory from alcohol policy activists nationwide. The documents yielded from that single lawsuit provided the foundation for years of policymaking -- even though the case was eventually settled out of court.

Other legal actions commonly pursued by groups include injunctions against the implementation of laws before they have had a chance to take effect; organizing victims with standing to sue polluters or other institutions causing damage to a community; and civil suits when an institutional action has a pattern of discrimination or damage to certain populations (i.e., people of color, women, people with disabilities).

Sometimes, an organization has no choice but to get into the legal fray. It's simply a matter of defending their legal rights. Also, companies are increasingly suing local governments, groups

and individual activists for their efforts to hold industries accountable.

Lawsuits can be scary and distracting if not properly integrated into the organization's overall organizing strategy. The first, most important rule is to never keep a lawsuit or a company's threat of one a secret. Make sure to publicize the company's action widely. If the target of the lawsuit is the local jurisdiction that enacted the policy, your organization may be able to intervene with an attorney to ensure community interests are addressed. Intervener status enables a community group to participate in a lawsuit and argue its case almost as if it were a defendant. This kind of participation can make a real difference when a local jurisdiction is not strongly committed to defending an ordinance in court.

In addition to lawsuits, it also helps to simply file complaints about bad or illegal practices with the appropriate regulatory agencies. For example, alcohol ads that appeal to children are violations in many states. Pollution, labor practices and fair trade are other areas of regulation that can be pursued. If one regulatory agency is notoriously slow to act, try redefining the issue so it fits under the purview of a more active regulator. For example, redefining a violation from a bad business practice to a health concern often brings a whole new set of actors into play. In any case, find out who enforces what relevant regulations and work accordingly.

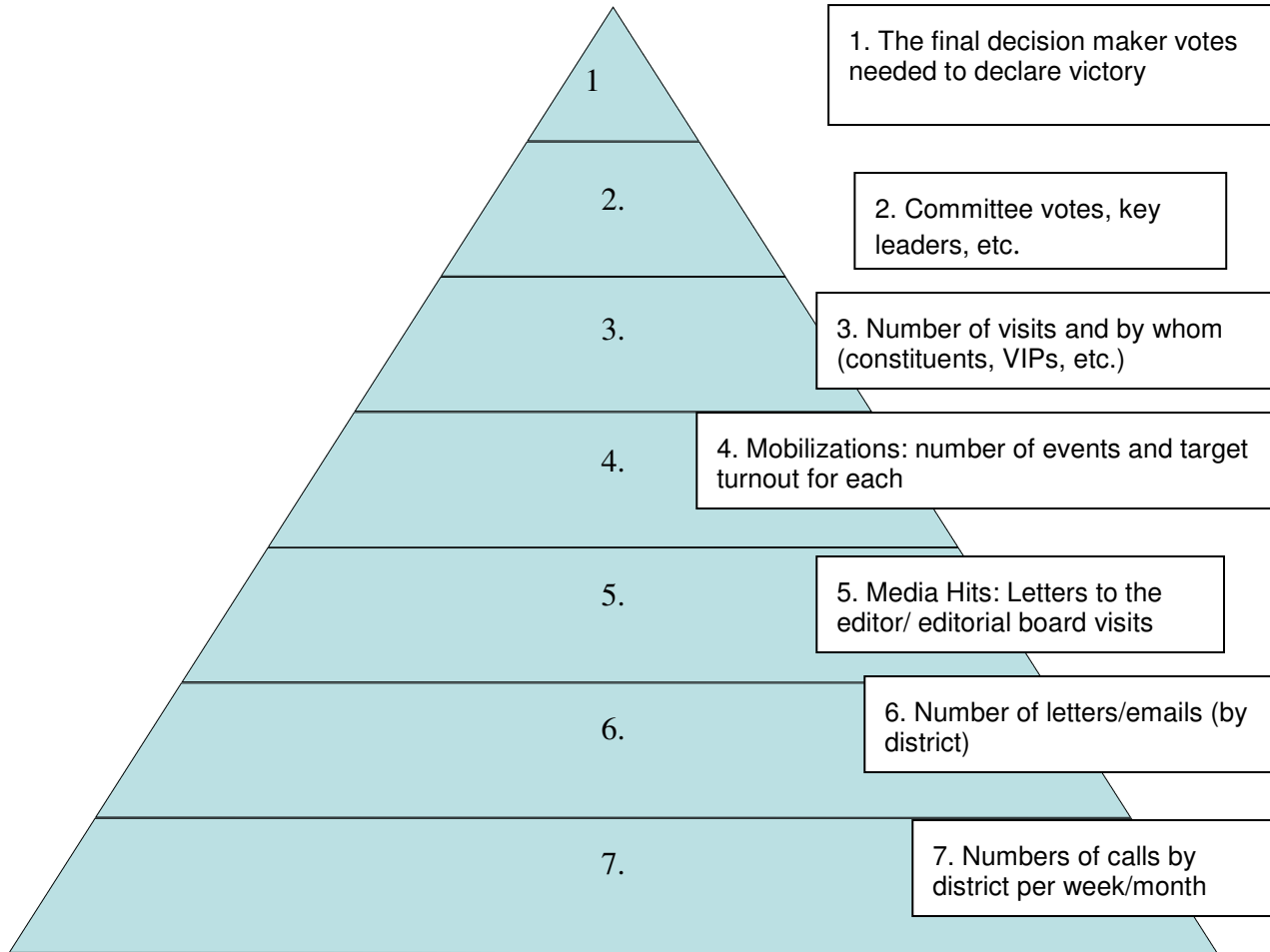
Moratoriums

Sometimes you just need to stop policy activity until there can be further study of its impact and any possible alternatives. Common moratoriums include bans on new alcohol outlets, billboards, dumpsites or office construction. It isn't enough to enact a time-limited ban, any moratorium policy should use the time to gather more information and assess policy options.

Mandated Study

Research can be costly and time consuming. If time and support allows, why not get local government to do the research? Through policy that mandates a study or data collection, resources can be set aside to do a thorough job of information gathering. The policy can set parameters for the kind of group or institution that can conduct the study; key questions framing the study; resident involvement and monitoring of the study; and the plan for dissemination and use of the results. A Los Angeles, California coalition got the city to conduct its study on living wage. The resulting data was hard to dispute when it came time to discuss the need for the living wage law. It was the city's own.

PYRAMID OF POWER



Consider your target and how many votes you will need to win: a “simple” legislative majority? More? How much will you need in order to safely declare victory? What it will take to move them to yes. What will you need to do to build the power/influence you need?

Make your own pyramid using the boxes as a guide. Your targets may require additional tactics though most targets require calls, emails and visits at minimum. Once you set your goals in this area, use the Campaign Planning Template to create a weekly plan. Remember, start with the target decision date and work backward through committee hearings, preliminary votes, mark ups, etc.

SAMPLE FORMS

CAMPAIGN PLANNING TEMPLATE FOR (BEGINNING DATE) TO (END DATE)

Name:

List overall campaign goals:

Activity (e.g., recruit local groups to council committee, letters etc.)	Target Date	Contacts Goal (Number Only)	Contacts Achieved (Number Only)	Notes/Follow Up

ASSESSING COMMUNITY RESOURCES

List who shares this problem:	What would they get out of joining you?	Who else would they bring in?	Who would their presence alienate?	What resources would they bring to the table?

Assessing Community Resources (Continued)

Rank each group named above from 1 to 5 (with 5 being the highest) with regard to your issue taking into account the following factors: self-interest, depth of concern, risk in joining you, and level of difficulty to reach/organize.

Group	Self-interest	Depth of concern	Risk in joining you	Difficult to reach/organize

For each group named above, list the specific power they have over your targets:

Group	Target	Power

This is a sample script: When developing your own script, pay particular attention to the clarity of sentences, conveying the issues concisely, intentionally placing pauses to allow the listener to respond, and when to thank and encourage. Each volunteer will benefit from their own copy of what you develop.

RECRUITMENT SCRIPT

Hello, is Ms/Mr _____ home? My name is _____.

I'm calling from Campaign to Ban Handguns.

We have come together with other groups to help make Milwaukee safe.

Don't you think there have been too many killings in the city? **[pause]**

We are collecting signatures to ban the possession of handguns in Milwaukee.

~~We have to collect 30,000 signatures in the next 10 days, and we need your help.~~

We're calling all our supporters and asking them to join us this Saturday for our weekly mobilization.

We meet for a few minutes at the Jobs with Peace office; then we go out in teams for a couple of hours and collect signatures.

Will you join us? **[pause]** (If yes) Great! We meet at 9:30 AM at the Jobs with Peace office at 750 North 18th Street, between Wells and Wisconsin.

(If no, can't come Saturday) Will you come by our office and pick up some petitions, get them signed and return them? [We would rather not mail the petitions: it takes too much time; we have less than 15 days.] Will you stop by the office? **[pause]**

What's a good time for you to stop by the Jobs with Peace office at 750 North 18th Street, between Wells and Wisconsin?

We look forward to seeing you [write down the day & date & time].

PHONING INSTRUCTIONS

1. Don't put down the receiver.
2. Don't leave messages.
3. Only mark **YES, NO** or **DISCONNECTED** [DISC] and the **DAY & DATE & TIME**. [Please do not mark anything else.]
4. Fill out a tally sheet after calling.

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WHAT TO SAY: "THE RAP"

Hello is Ms/Mr _____ home? My name is _____ and this is _____. We're volunteers from _____ school. The schools are starting a very exciting program for our children and parents next week.

You know, our children are falling behind other children. We're falling behind in ~~reading~~, we're behind in ~~math~~, we're behind in everything except dropping out.

That is going to **hurt** your child and the other children when they get older. [pause]

Don't you think we need to start now to turn this condition around? [pause]

(If yes) Great!

We know that our children do better when we as parents get directly involved.

The Center for Parent Involvement and Education and _____ school have started **parent education sessions** to help you and other parents understand how you can assist your child and improve education...

We're getting together for our first session _____. We meet at ___ AM and ___ PM. Which one can I sign you up for?

(If yes) Great! There are a couple of questions I need to ask you

- Is your phone number still _____? Yes No New #
- Is there a need for childcare? Yes No # of children
- How many adults will be attending?

(If no or don't know) We can't overemphasize the value of family participation.

You sure you can't make one session? (If no)

Is there another adult who can join us, an aunt, uncle, older brother/sister, friend?

[Ask the person for the other adult's name and phone number.]

Thank you very much for your time. We look forward to working with you.

DAILY PHONE TALLY
Please fill out tally sheet after calling.

Date: _____

Name: _____

ONLY COUNT THE PEOPLE YOU TALK WITH.
DO NOT LEAVE A MESSAGE.

Number of Yes's will pick up _____

Number of Yes's for Saturday _____

Number of No's _____

Total number of contacts _____
(add yes's and no's)

Comments:

VOLUNTEERS RECRUITMENT TALLY

Date: _____

Name: _____

Number of Yes's for Phone Bank _____

Number of No's _____

Number of Captains _____

Total number of contacts _____

(Add yes's and no's)

Write in the space below name, phone number, day and date of the Yes's

Volunteer Name	Phone #	Day/Date
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____

AGENDA FOR VOLUNTEER ORIENTATION

1. Introductions

2. What we are doing and why it is important

- Each of you is important and valuable and we thank you.
- We want you to feel **comfortable, capable and confident.**
- We are going door-to-door and telling people about (Our action...)
- Asking the people in this neighborhood to get involved and to join us.
- Because we know that when people like you get involved and take action, that is how we improve our community.

3. Don't's and Do's

~~DON'T'S~~

- Don't be judgmental and make assumptions.
- Don't argue with people and preach to them.
- Don't spend too much time with one person.

DO'S

- Do smile and sound urgent.
- Do look people in the eyes, make eye contact.
- Do be polite.

4. Review what to say, the "Rap," and what is in the packet.

- Read rap aloud; ask people to read with you.
- Introduction
- Statement of conditions
- Get an agreement.
- Believe that people want to get involved and take action.
- Get a commitment, **will you join us? (then PAUSE)** yes or no.

5. Role play

- Divide into pairs, each person take turns demonstrating the rap

6. Wrap-up

- Volunteers return and fill out tally sheet.
- Review what happen, what were the comments the low's and high points
- Ask everyone to come back for the next action.

SAMPLE

Follow-up with Petitioners

Hello, is _____ home? My name is _____. I'm a volunteer with Neighbor to Neighbor.

Thank you for helping put a single payer health care plan on the ballot.

We have kicked off our campaign and we collected over _____ signatures. I'm calling to follow up with you; we have to report to the state operation daily.

How many signatures have you collected?

(If they have not started yet) We have to collect 677 signatures a day to make our goal of 50,000 signatures in San Diego. When will you start? [Make sure to get a date.]

Will you bring in your completed petitions this Saturday, and will you join us this Saturday and Sunday for one shift? The shifts are on Saturday at 10 AM and 12 noon; and Sunday at 12 noon and 2 PM. Which shift is good for you? [Write down day and shift.]

(If no) Is there a Saturday or Sunday shift that you will join us? We need your help!