Navigating the Legislative Process

There are many things that people should do when it comes to creating and maintaining a fair atmosphere within our criminal justice system. But unfortunately what people should do and what they actually do are often two very different things. Hence, some of the criminal justice issues we face can only be fixed by enacting new laws and/or amending existing laws.

Many laws were enacted or amended because a few concerned, committed, and patient citizens worked the system to their advantage. It certainly isn’t easy (which is actually a good thing) and it may take years of effort, but if you have passion, desire, and information to back you up, it is 100% possible.

Things to Keep in Mind:

Be Patient

It takes time to change a law or to get a new one passed, and rightfully so. Any adoption of new law or changes to current law needs to be carefully and thoughtfully considered before being implemented. The law of unintended consequences is a powerful force that rarely works to anyone’s benefit and is merciless as to who it ensnares in its grip.

Government moves at its own pace. It generally moves quickly when we need time, and moves slowly when we need action. Unfortunately, that is the nature of the beast. For the vast majority of the time, it will feel like nothing is happening. In fact, sometimes it will feel like things are actually being undone. But rest assured that things are happening, just not at a pace the rest of us are afforded to emulate and still remain employed. And remember that bills very rarely pass in one session. It takes hard work and a great deal of effort to pass meaningful legislation, which is a good thing. If it were easy, everyone would be doing it!

Create Relationships

Having a solid relationship with your elected officials is by far the best and most successful way to influence policy. If your initial interactions with your legislator go well, it will be the beginning of a viable long-term relationship. You may have gotten a ‘Yes’ vote from your legislator this year on a particular issue, but don’t forget that you will most likely be back next year and other issues will arise. Having a relationship will make these return trips more fruitful and enjoyable for both you and your legislator. More importantly, after
proving yourself a trustworthy source legislators and staff will be eager to get your input on future issues. Be as helpful as possible and encourage legislative offices to use you as their go-to resource.

**Understand and Use Perspective to Your Advantage**

Everyone sees the world through the lens of his or her own experiences and biases, and legislators are certainly no exception. While your issue is your first priority, it most likely isn’t theirs. To be successful, you need to get your viewpoint across to your legislators in a way that they can easily understand and grasp onto in a personal way. In essence, they need to make your issue ‘theirs’ in order to become a champion for your cause.

Legislators generally ran for office because of a certain issue or problem they wanted to solve. Use this to your advantage, if you can, by framing your issue in a way that positively affects their priority issue, personal passion, or career prior to becoming a legislator. A ‘Yes’ vote is what matters, the reason is less important. If a legislator votes for your bill because it saves money (his or her reason), not because they prefer parole instead of prison for first-time non-violent offenders, then so be it. It’s a ‘Yes’ vote and that’s what you came for.

**Understand, Respect, and Anticipate How the System Works and What It Needs**

*History*

Most likely, this is not the first time your legislators are hearing about your issue(s) and what you are asking them to do. Learn the history of your issue. Be prepared and have a better game plan by knowing why previous attempts failed, who the opposition was, what the opposition’s talking points were, what the political make-up of the legislature was, etc. Once you know the history, be prepared to address it. In advocacy, there is no such thing as being too prepared.

*Climate*

Political and economic climates within a legislature, state, county, etc. have a dramatic effect on what passes, gets support, or dies unceremoniously on the drafting table. Is the budget being slashed across the board? New expenditures are highly unlikely to pass, meanwhile existed programs are fighting each other to and nail for an ever decreasing piece of the pie. Is the legislature overflowing with Rs or Ds that have traditionally been opposed to your position? Unfortunately your issue is unlikely to get legs. But don’t give up, the next election cycle may very well bring the changes you need to advance your cause.

*Experience*

If you are new to the advocacy game, seek that expertise, guidance, and advice of lobbyists and experienced advocates. Each legislature has nuances and processes that will not be
immediately noticeable to first-timers. In order to be as successful as possible, defer to the expertise of those with more experience as you learn the ropes. You may know the process of how a bill becomes law, but legislatures rarely work the way you learned in your high-school civics class.

**Choose Your Targets Wisely**

Is your bill stuck in committee? Advocating to legislators unrelated to the committee holding your bill is not an effective means of advancing your issue. Know where your bill is at all times and know who is overseeing its progression so that you can target the right folks at the right time.

In general, it’s good to know which legislators are supportive of your issue and which legislators are opposed. Don’t ignore the legislators that are onboard with your issue, but focus the bulk of your time educating and persuading those opposed to your position about why they should agree with you. Making your case to those opposed to your viewpoints can make for an uncomfortable situation, but this is how you advance your cause!

**Offer Solutions**

Nearly everyone who meets with their legislator has a problem they want resolved. Almost nobody offers possible solutions to that problem. Most people come in, complain, and expect the legislator to wave a magic wand that fixes everything and makes everyone happy. Legislators will listen intently and agree that something needs to be done. The constituent leaves feeling that something will happen, and the legislator is left confused as to what, exactly, needs to be done. By offering a solid solution, you are able to steer the issue to your preferred resolution. You also show the legislator that you take the issue very seriously, that you’ve taken the time to think about and develop a solution, and that you’re willing to work with the legislator on implementing your solution. In other words, you aren’t there for a handout, rather you are vested in the process. Your legislator sees you as a person of action and will respond to you as such.