



# **WORKING WITH THE MEDIA**

**(A Handbook For State Legislators)**

**By  
David B. Ogle  
The State Legislative Leaders Foundation**

## Foreword

The guiding principle of democracy is that government serves with the consent of those that it governs. For the governed to give their informed consent, they must have accurate and timely information on the actions, decisions, and performance of those that they elect to serve them. For most citizens, the primary source of such information is the news media—television, radio, newspapers, and magazines. A press that can report without interference or censorship on what it sees is therefore an essential element of every stable democracy.

Legislators are the governmental officials closest and most directly answerable to the people of their states. And the media plays a pivotal role in linking legislators and their constituents. It informs the public on what its representatives in the legislature have done and what they are considering doing. It also provides the members of the legislature with the best vehicle for communicating their thoughts and feelings to their constituents. The media, through the two-way information and communication link that it provides between the people and their legislators, is a critical component of the glue that holds democracy together.

More than thirty years of experience with our fifty state legislatures and, more recently, with developing parliamentary and legislative bodies in Europe and Asia have shown me that the media can be either an asset or a liability to a legislative body, and that it is largely in the hands of each legislature and its individual members to determine which will be the case. This handbook is intended as a tool to assist state legislatures and their members to make their relationship with the media an asset that will serve the best interests of the people of their states. It is particularly designed for use by leaders in the orientation of the 2,000 to 3,000 first-term legislators who arrive at our fifty state capitols during every two-year cycle and are usually unschooled in media relations, often taken aback by the media's intense scrutiny of the legislative institution, and sometimes intimidated by the aggressiveness of its coverage of legislative activities

It is hoped that this handbook will assist legislators in working with the journalists and reporters who cover them to establish a mutually beneficial relationship, a relationship in which each accepts and respects its respective role and responsibilities and its dependence on the other. This will help to assure that our American system of representative democracy will effectively respond to the needs and wishes of the American people and continue to serve as the beacon and symbol of freedom and hope for men and women in every corner of the globe.

Stephen G. Lakis  
President  
State Legislative Leaders Foundation  
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# **I.**

## **Basic Principles Governing The Legislative/Media Relationship**

American legislators--whether at the state, national or local level--often express frustration and even irritation at how they feel that both they personally and the legislature in which they serve are portrayed and treated by the news media. The most frequently voiced complaints are that television, radio, and print journalists assigned to cover and report on the legislature do not understand how the legislative process works and that the media's emphasis is on negative stories and bad news.

Despite these frustrations, few state legislators would deny that, for the vast majority of their constituents, the media provides their primary source of information about the activities of their legislature. It makes eminent sense, therefore, that legislatures as institutions and legislators as individuals work to develop an effective and positive relationship with the journalists and reporters who cover them.

Whatever the validity and merit of legislators' complaints about press coverage of both them personally and the legislative bodies in which they serve, the path to a good relationship with the media must begin with an understanding and acceptance of basic principles that govern the role that journalists play in the democratic legislative process, and the norms, considerations, and constraints that guide their work and their behavior.

### **•*The Media Is An Essential Element Of Democracy*•**

By definition, a democratic government serves with the consent of the people it governs. And that consent is based on the public's approval or disapproval, as expressed through the electoral process, of the policies and performance of its government. For the representative democratic process to work effectively, the people must be able to render informed and knowledgeable judgments about their elected representatives.

For the vast majority of the American public, the primary source of the information from which it renders judgments about those who govern is the mass media. Through its newspaper, television, and radio reports, the media serves as the prime conduit for the development of informed public opinion and for the formation and expression of the people's will. Reporters who cover the legislature report to the public on its actions in the daily newspapers and on television and radio. Their coverage of legislative activities provide a venue for legislators to explain their decisions and actions to their constituents. Editorial writers offer comments and criticism on which many citizens base their opinions. Newspapers, television, and radio also provide information about legislative sessions, committee meetings and hearings, and proposed legislation. All of this information contributes to the public's knowledge of, and its involvement in, the legislative process.

Without the media to inform and report to the public on the decisions and activities of its representatives, the people cannot hold their elected representatives accountable for their actions and the process of representative democracy breaks down.

***•It Is Not The Responsibility Of The Media To Make The Legislature Look Good•***

While the legislature and the media have a common commitment to the democratic process, it is not the responsibility of the media to make the legislature or any of its members look good in the eyes of their constituents.

The legislature's responsibility is to make policy decisions that will respond to the needs, interests, and wishes of the citizenry. The media's responsibility is to accurately inform the public on the details of those decisions, how they were made, the factors that entered into them, and the positions, statements, and votes of individual members. Because the legislative process is slow, contentious, and compromise-prone, news reports on the legislature will inevitably paint a picture that looks messy, inefficient, contentious, and argumentative.

The nature of the democracy makes the relationship between the legislature and the media somewhat adversarial. This does not mean that the relationship cannot also be cordial. The key to a good working relationship is an acceptance and understanding by each of the other's role and an acceptance that there is a common interest in making the process work for the people.

***•Reporters Assigned To Cover The Legislature Will Have Varying Levels Of Understanding Of The Legislative Process•***

Through its coverage of the legislature, the media plays a crucial role in helping to educate the public about how the legislative process and representative democracy work. Because the professional training of most reporters is in journalism rather in the specific activity that they cover, it can be expected that some reporters assigned to the legislature will lack an in-depth understanding of the intricacies and nuances of the legislative process.

A thorough understanding and appreciation of the innermost workings of the legislative process can only be truly realized through lengthy close observation and, even more, through direct and active participation. It is a wise use of time, therefore, to help legislative reporters to develop the fullest possible appreciation and understanding of the process. Take time to explain and illustrate to them, for example, the difference between efficiency and effectiveness in assessing the legislature's performance and the distinction between the principle of compromise and the compromise of principle in moving toward consensus in the resolution of complex and contentious issues.

***•Bad News Is More Newsworthy Than Good News•***

The media operates in a competitive environment. Newspapers compete with other newspapers for readers. Television stations compete with other television stations for viewers. Radio stations compete with other radio stations for listeners. And all of them compete with each other. The bottom-line goal of those who serve in managerial positions within the media is to produce a product that will bring more readers, more viewers, more listeners, increase income

and, in so doing, satisfy their owners and stockholders. It is really no different than a legislative candidate's bottom-line goal of getting elected or re-elected.

It is no secret that the vast majority of the public will be more attracted to a negative story than to one describing a good deed. Because reporters know that it is what their employers' want and expect, the delivery of a story that will have an appeal to the largest reading, viewing, or listening audience is usually one of their primary objectives.

With regard to coverage of the legislature, it is expected that a legislature and its individual members will do the job that they were elected to do. So, it is considered more newsworthy when legislators fail to their job when something goes awry. Much of the news about the legislature therefore tends to be negative and unflattering. All of this can be quite frustrating and irritating to legislators who may feel that media reports about them and their institution sometimes cast them and it in an unfair and misleading light.

### ***•The Media's Schedule And Deadlines Are Different Than Those Of The Legislature•***

Reporters are in competition with other reporters to produce the first story or the best story. And each newspaper, television station, and radio station has deadlines by which it must go to press or go on the air. If reporters fail to file their stories by their employers' deadlines, the stories will not get printed or broadcast until the following day by which time they may no longer be newsworthy.

The schedule under which the legislature operates will seldom coincide the deadlines of the newspaper, television, and radio reporters who cover it. Reporters understand that the legislature cannot be expected to change a scheduled meeting time or prematurely terminate debate to bring a matter to a vote to accommodate their deadlines. But legislators often have some control over the timing of meetings, press conferences or other events. Scheduling them to fit media deadlines will maximize the likelihood of desired coverage.

### ***•Reporters Will Always Want To Talk To The Person Or Persons Closest To The Story They Are Pursuing•***

A good journalist working on a story or news report will always want to speak to the individual or individuals closest to that story because they will figure to have greatest influence on its outcome. In the legislature, a reporter working on a story about an upcoming floor session will want to speak directly to the Senate President, the House Speaker, or the floor leader. If the story concerns a committee meeting or hearing, the reporter will want to speak to the committee chairman. If it concerns a proposed piece of legislation, interest will focus on the sponsor of the bill, the chairman of the committee to which the bill has been referred, and perhaps the top Senate or House leadership who will figure to have some influence on its ultimate fate. If the story concerns an allegation made by one member about another, the reporter will want to speak to both individuals directly.

Attempts to divert reporters away from those whom they consider the primary source or sources for a story on which they are working to individuals not as directly associated with the matter will be met with irritation and hostility, and with a suspicion that there is something relating to the matter that someone does not want the reporter to know.

***•Reporters' Personal Values Are An Inevitable  
And Necessary Element Of Every News Story•***

A good reporter will always feel a responsibility and obligation to report accurately on what she or he sees and hears. But each reporter is also an individual, and two individuals can, and often do, view the same situation or event in different ways.

Reporting the news is a craft, not a science. Reporters cannot report every word of a speech or every question and answer of a press conference. Each reporter must apply personal judgment concerning what is most newsworthy and of most interest and importance to the public. Because of this, separate completely accurate reports of the same event may offer quite different perspectives of what was said or what took place. Every decision about what to report--which facts are important, which portions of a speech to quote, which answers to include from an interview--requires personal value-laden judgment on the part of reporters and editors.

## **II.**

### **Some Keys To A Good Relationship With The Media**

The media can be a help or a hindrance to a legislature in its effort to represent its constituents and respond to their wishes and needs. A good legislative/media relationship benefits the legislature as a whole, legislators as individuals, and the people that they serve.

Understanding the basic principles of the legislative/media relationship and accepting the media as an integral and necessary part of the democratic process are the first steps toward establishment of a good working relationship with reporters. From there, there are some key things that legislatures and legislators can do to help build a positive relationship with the reporters who cover them. The following are among the most important.

***•Do Everything Possible To Encourage Media Coverage Of The Legislature•***

The media is the best vehicle for informing the public about the legislature as an institution and about issues under its consideration. To help the media in this job, do everything possible to encourage press coverage of the legislature. Live television and radio coverage and videotaping of floor sessions and committee hearings and meetings should be supported and encouraged. Seating should be set aside for journalists and reporters in the chambers and in committee meeting rooms. Reporters should be provided with decent working office space in the capitol or legislative building; and, if possible, a high-tech and otherwise suitable room should be set aside for press conferences.

Reporters expect--but also appreciate--reasonable advance notice of the dates and times of floor sessions and committee meetings and hearings. While the legislature cannot and should not be expected to set its schedule according to media deadline requirements, the surest way of getting desired media coverage of a floor session, committee meeting, public hearing, or press conference is to be as accommodating as possible to those requirements.

***•Show Respect For The Media And Its Representatives•***

It is important to let reporters who cover the legislature know that they are respected, both as professionals in their field and for the essential role that they play in the democratic process. Emphasize to them, first, an appreciation that their job, like the job of a legislator, is not an easy one and, second, an understanding that, just as legislators feel subjected to a myriad of conflicting pressures (from leaders, fellow legislators, party leaders, constituents, the Governor) reporters too are subject to pressure from their superiors to meet deadlines and file interesting, timely, and informative stories that will sell newspapers and attract television viewers and radio listeners.

***•Make An Effort To Establish A Cordial Relationship With Reporters•***

Make a real effort to develop a cordial personal relationship with journalists and reporters assigned to cover the legislature. Legislative reporters know that they are largely dependent on legislators for the news and information that they report. So, they will want to be friendly. It is necessary only to return the friendliness.

Taking time to stop in the halls of the capitol for an informal conversation with a reporter--even a conversation totally unrelated to the business of the legislature--can go a long way toward establishing a cordial working relationship with that reporter. Reporters appreciate invitations to visit legislators in their private offices. Sometimes the appreciation is returned with a favorable report or story.

Be mindful not to confuse a journalist's friendliness with friendship. Good journalists and reporters will want to be friendly with the members of the legislature because this will make it easier for them to approach the legislators with questions or for information. But the very different and often conflicting and even adversarial responsibilities and roles of the legislature and the media make it unlikely that close personal friendships will develop between reporters and members of the body they are covering .

### ***•Treat Journalists And Reporters As Individuals•***

A free press must include more than one independent news source to enable people to evaluate different perspectives of events in rendering their judgments on the performance of their representatives. Journalists and reporters have a degree of latitude in choosing what events or activities to cover and what to report about them. Bear in mind that each reporter assigned to cover the legislature is an individual with personal thoughts, feelings, ideas, perspectives, and responsibilities; and that the most important of those responsibilities usually involves employment by a newspaper or television or radio station that may have specific issues or matters on which it will want the reporter to focus.

Good reporters know that the more they can learn about individual legislators, the more effectively they will be able to question them and analyze their actions. The reverse is just as true. The more that a legislator can learn about individual reporters assigned to the legislature, the more effectively the legislator will be able to interact with and respond to those reporters when subjected to questioning by them. Just as importantly, the more familiar that a legislator is with the personal interests and views of individual reporters and the news organizations that they represent, the more certain the legislator will be of which reporters to approach to secure coverage on a matter or issue of concern.

### ***•Help Journalists And Reporters To Understand How The Legislature Works•***

The legislative process is perhaps the most complex and least understood aspect of American democracy. It should be assumed that journalists and reporters assigned to report on the legislature will have varying degrees of understanding of its complicated, sometimes cumbersome, and often confusing procedures and processes. As already noted in, reporters may mistakenly see the inherent slowness and inefficiency of the legislative process as indicating an ineffective legislature; and they may just as mistakenly view legislators' willingness to move toward resolution and consensus through compromise as selling out on principle.

It is in the interest of the legislature and, more importantly, vital to the effective working

of the democratic process for legislators to help journalists and reporters assigned to cover their institution to develop an in-depth understanding of the workings of the legislative process. Do not feel hesitant about seeking out journalists and reporters to explain why it was deemed necessary to make a significant change in a piece of proposed legislation, how a compromise was struck to break a stalemate, or why it was not possible to support the party leadership on a crucial vote. It can be expected that, as reporters develop an increased understanding and appreciation of the intricacies and nuances of the legislative process, their reports will improve in quality and will more thoroughly and more accurately explain how complex events are played out.

***•Provide Journalists And Reporters With As Much Information As Possible•***

The best chance for receiving desired reportage on an issue is to provide a reporter with as much information as possible on the matter. For presiding officers, it may mean giving as much advance notice as possible of exactly when during a floor session it can expect the final vote on a major bill. It may mean providing an interested reporter with detailed explanatory documents about a bill. Or, it may involve a committee chairman providing a reporter with an advance agenda and discussing expectations for an upcoming meeting or hearing, and then making sure that sufficient copies of all documents presented to the committee at the session are available for the media.

Lack of cooperation from a legislator will never deter an enterprising reporter from undertaking the required research on a story that he or she is pursuing. And, providing the press with as much information and assistance as possible will not mean that a good journalist will not still carefully review and examine every document and every statement provided by a helpful legislator. But reporters always appreciate assistance that makes their job easier by enabling them to avoid having to undertake time-consuming efforts to gather information. And such appreciation sometimes weaves its way into the reporter's newspaper, television, or radio report.

***•Assume That Everything Said To A Reporter Is “On The Record”•***

The vast majority of journalists and reporters have a strong respect for journalistic ethics and can be trusted to not quote or attribute a statement to an individual if they are first told that the words are “off the record” or “not for attribution”.

The possibility always exists that a reporter may not hear (or on rare occasions, may simply disregard or ignore) a legislator's stipulation that a comment or statement is “off the record”. It is not difficult to find legislators and other public officials who will attest to an unpleasant experience of opening a newspaper or turning on the television or radio and finding that something they said that they felt had been an off the record found its way into print or broadcast. The surest way to avoid such situations is to assume that anything and everything that is said to, or in the presence of, a member of the media is “on the record”.

***•Think Before Speaking To A Journalist Or Reporter•***

Following the rule that it should be assumed that everything said to a journalist or reporter is “on the record”, it is important to always take a moment to think before speaking.

Before answering any question posed by a member of the media, first quickly think: “How will what I am planning to say look in tomorrow’s newspaper or sound on tonight’s television or radio news?” If there is not a good feeling about how the statement would read or sound, quickly revise the wording or politely decline any comment until a later time.

It is particularly important to choose words with special care when responding to questions posed by television or radio reporters because television and radio reports are so brief. What is seen, heard, or reported on a television or radio broadcast will likely be only a few sentences, often selected by the reporter from a much longer statement. Television and radio are interested in short “sound bites” that will look and sound interesting and provocative. Their reporters will almost always select for broadcast that portion of a legislator’s statement that they feel most meets this requirement.

***•Consider If There Is A Specific Audience To Whom A Statement Is Targeted•***

Before speaking to a reporter or journalist, think about whether there is an audience or an individual to whom the statement or answer is targeted. The reporter conducting the interview or asking the question and that reporter’s readers, viewers or listeners will read, see or hear the statement or answer, and their reactions must, of course, be considered. But there may be a group or individual for whom the message is specifically intended. These targeted groups or individuals might include a legislative leader, other legislators, the Governor, or a lobbyist. If the primary purpose of a public pronouncement is to convey a message, take special care to tailor the wording to the intended audience.

***•Consider The Message You Want To Convey And Stay On It•***

When it is clear in mind what is going to be said to a journalist or reporter, that and only that is what should be said. The intent should be to stay strictly on that message. Resist efforts by journalists and reporters to divert focus from an intended message and make sure in responding to questions to address only those specific points .

At times, a reporter’s question may not directly address the issue or point that a legislator wants to make. In such instances, consider offering a brief response to the question and then gracefully shifting to the desired message for the remainder of the response. The more quickly and the more tactfully the shift can be made to the intended message, the greater the likelihood that it will find its way into the printed or broadcast report.

***•Do Not Overreact To A Critical Or Unfavorable Story•***

The immediate reaction upon feeling victimized or treated unfairly by a newspaper story or by a television or radio report is to respond strongly by issuing a press release, writing a letter to the editor, or requesting an opportunity to refute the report over television or radio. Some

legislators resort to all of these in an effort to repair damage that they feel has been unfairly inflicted on them. Sometimes such responses are necessary. Oftentimes they do more harm than good.

Before reacting with a strong response to a negative or critical news story, weigh the long-range benefits of such action. Thoughtful reflection may show that it will be better to say nothing. A press release, a letter to the editor, or a follow-up television or radio interview in response to a negative story will bring the story to the attention of more citizens and will assure that the story remains in the public spotlight. In addition, such responses, when printed or broadcast, will almost always be accompanied by a new description of the original story that has triggered the response. If a public response had been avoided, the reporter who wrote or broadcast the story would likely have moved on to another issue, there would have been no follow-up stories, and the matter would have disappeared from the news much more quickly.

If a news story is seen as so inaccurate, unfair, and personally damaging as to require a response, the most beneficial way to do so may be to quietly and politely approach the author of the story and show that individual where the story was inaccurate and why it was unfair. If this fails and it is felt that facts that refute or contradict the story are being ignored, consider approaching the management of the newspaper or television or radio station and presenting it with the documentation. If shown a persuasive and well-documented case that demonstrates the inaccuracy of a story, most media managers will feel a journalistic obligation to print or broadcast a retraction or clarification along with an apology.

### ***•Never Deceive Or Intentionally Mislead A Reporter•***

Perhaps the single most important thing that can be done to insure against a poor relationship with the media is to avoid any appearance of deceptiveness or intent to intentionally mislead a reporter.

Reporters who suspect that a member of the legislature is deceiving them or withholding information to divert attention from a matter under examination will become distrustful and suspicious of both the individual legislator and of the legislative institution. A reporter perceived as favorable and positive toward the legislature who feels that information that is sought is being withheld or selectively provided to throw the reporter off track can be expected to quickly become negative and skeptical. A reporter who already holds a negative impression of the institution will only find that attitude reinforced and may become openly hostile. In either case, any time that a reporter suspects the legislature or any of its members of being deceitful or untruthful, it can be expected that the suspicion will find itself into the reporter's story.

There may be times when it is deemed inappropriate or unwise to either answer a reporter's question or provide the reporter with information that is being sought. On such occasions, never give a misleading or inaccurate response. Say simply: "I have no comment at this time".

### ***•Do Not Rely Exclusively On The Media To Get Your Message Out•***

While newspapers, television, and radio are the primary means for communication with

the public, it is neither necessary nor advisable to rely exclusively on them. There are number of effective means that should be utilized to get messages and information directly to the public.

Newsletters mailed to constituents are a very effective means of direct communication. District-wide newsletters that go to every registered voter in the district are usually beyond the financial means of most legislators unless it is the policy of the legislature to pick up the cost. But newsletters selectively mailed to a targeted audience can be a highly effective and viable alternative.

For increasing numbers of state legislators, one of the most popular and effective means of direct communication with the public is through a personal internet website. A website is relatively inexpensive to set up and maintain, and it is possible to have complete control over its content. In terms of gauging public interest and concern, a personal website has an added benefit of being able to track how often the site is accessed and what specific parts of it generate the greatest interest.

Other effective low-cost means of direct communication with constituents include: A periodic newspaper column reporting on legislative activities; op-ed newspaper columns; local access television programs; district office hours (for legislators who do not have district offices, office hours might be held at the town hall); and, constituent meetings or hearings in the district (either open-ended in subject-matter or focused on a specific matters or issues).

## **Summary**

The media can be an asset or a liability to a legislature and its individual members in their efforts to represent and respond to the needs and wishes of their constituents. The

legislature will find it much easier to do a good job of serving the people if it does not view journalists and reporters as adversaries or, worse, enemies but, rather, as an essential element of the democratic process and the primary vehicle for informing the public about the legislature and its activities. The first step toward establishment of a positive relationship with the media is to understand and accept the following basic principles of the legislative/media relationship:

- The Media Is An Essential Element Of Democracy*•
- It Is Not The Responsibility Of The Media To Make The Legislature Look Good*•
- Reporters Assigned To Cover The Legislature Will Have Varying Levels Of Understanding Of The Legislative Process*•
- Bad News Is More Newsworthy Than Good News*•
- The Media's Schedule And Deadlines Are Different Than Those Of The Legislature*•
- Reporters Will Always Want To Talk To The Person Closest To The Story They Are Pursuing*•
- The Personal Judgments Of The Reporter Enter Into Every News Report*•

With an understanding and acceptance of these principles, there are specific things that legislatures and legislators can do to build a good working relationship with the journalists and reporters who cover them. The following are among the most important:

- Do Everything Possible To Encourage Media Coverage Of The Legislature*•
- Show Respect For The Media And Its Representatives*•
- Make An Effort To Establish A Cordial Relationship With Reporters*•
- Treat Journalists And Reporters As Individuals*•
- Help Journalists And Reporters To Understand How The Legislature Works*•
- Provide Journalists And Reporters With As Much Information As Possible*•
- Assume That Everything Said To A Reporter Is "On The Record"*•
- Think Before Speaking To A Journalist Or Reporter*•
- Consider If There Is A Specific Audience To Whom A Statement Is Targeted*•
- Consider The Message You Want To Convey And Stay On It*•
- Do Not Overreact To A Critical Or Unfavorable Story*•
- Never Deceive Or Intentionally Mislead A Reporter*•
- Do Not Rely Exclusively On The Media To Get Your Message Out*•

It is within the power of the legislature to determine, by its actions and by its treatment of the media, whether the legislative/media relationship will be positive and productive or negative and counterproductive. A relationship in which a representative and responsive legislature and a responsible media work cooperatively to fulfill their respective roles can be a major factor in assuring that representative democracy will work on behalf of the American people.

## Acknowledgments

The State Legislative Leaders Foundation (SLLF) has prepared this handbook for particular use by state legislative leaders as a tool in the orientation and training of newly elected legislators. Most of its suggestions and observations come from three decades of SLLF experience with the 50 American state legislatures and, more recently, with 25 European

parliaments, and from the personal experience and observations of the author over a 28-year involvement with several American state legislatures and six additional years of work with parliamentary bodies in developing democratic countries in Eastern Europe, Africa, Asia and the Middle East. All SLLF staff assisted in this effort, with substantive input furnished by President Stephen Lakis, Director of Curriculum and Research Dr. Thomas Little, and Director of SLLF European Operations Alfons Schöps. Dr. Little, in particular, provided a number of very helpful suggestions. Marty Linsky of Harvard University's John F. Kennedy School of Government graciously agreed to review and critique an early draft of the handbook. He brings a unique perspective to the subject matter, having been on both sides of the legislative/media relationship--as a leader of the Massachusetts House of Representatives and as a reporter and editorial writer. Some of the suggestions in the handbook have been drawn from the excellent media relations training seminars that Marty conducts for legislators and other public officials. Alan Rosenthal, professor of political science and public policy at the Eagleton Institute of Politics at Rutgers University and one of the leading academic authorities in the United States on state legislatures and representative democracy also provided valuable assistance, offering a number of extremely perceptive thoughts based on his extensive experience.

David B. Ogle  
Director, International Program Development and Research  
State Legislative Leaders Foundation