

Presentation of Stuart Showalter at the Libertarian Party of Indiana
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Good morning! I am not much of the technology type or one for fluff and fancy presentations so I haven't done a Power Point and I don't even have a handout for you. But I have knowledge and experience in affecting public policy. Does anyone here want to sit through a one hour lecture on the process about how laws come into being? I didn't think so although I do have that information prepared. So instead let's have an informal discussion about influencing public policy and how we can or have impacted the rules that govern our society.

Feel free to speak up or ask questions at any time. I will certainly cover the areas and methods of influencing public policy but I can play the role of moderator if that is the course that our time together today takes us. But before getting formally started in this let see by show of hands anyone who is willing to step forward and share with us a story about the first time as a young child you had an accident in your pants out in public or some other similarly personal experience. That's okay I am not even going to call on anyone to do that. What I actually want to hear is the name of any member of the hotel staff here and that person's position.

The reason I ask for those contributions is because effective influencers have no fear of sharing their opinions or about themselves – in front of large groups of strangers. Likewise, they also pay attention to and get to know those around them. A receptionist or host in this building could be the connection to the person you want to hear you.

As average adults we spend most of our work day engaged in political activity. Most of that is rote, habitual action without deliberation that may amount to 1000 hours a year. Most people would be thinking that they have not been engaged in political activity for anywhere near 10 hours in a year let alone 100 times that or more. I contend otherwise. Every dollar you pay in taxes be it income tax, sales tax, excise taxes, or various fees and surcharges such as those which are included in phone bills or airline tickets is a political activity. It is all used to carry out a political agenda.

For some people their employment is a political activity. Those who work in government, tax accountants, and many attorneys are carrying out a political agenda established in our state house or other policy making centers. At times during the past three years numerous citizens have been at the state house testifying about the state instructional standards for school curriculum. Clearly a political activity. Just as the school teachers who *instruct* students using a curriculum based upon those standards are not *teaching* children but are actually

carrying out a political agenda.

Likewise the road crews who are laying asphalt are engaged in a political action supporting the proliferation of personal vehicles using internal combustion engines that pollute the air and induce the spread of asthma in children. People who pump gas into cars and pay the sales and excise taxes are making the same political decision to oppose light rail commuter systems that are less harmful to our environment and children in particular.

Now that you can see how you may have been lulled into ongoing political activity I want to speak more to direct political activity. If you are inclined to do more than pay into, work for, or vote in a political machine then I want to arm you with a few tips to be more effective.

The process of public policy is about influence.

Influence - The primary goal of politics is establishing public policy. That is achieved through influence. Persuading others to accept your position. For us that position is liberty. There are various ways of creating influence. Something is appropriate for every type of personality or level of commitment. Our postings and comments on Facebook are clearly one. Today I want to give you some information on the very specific methods of achieving influence among elected officials and shaping our state policies and laws.

Being there - It may seem so simple, almost to the point of absurdity but the key to influence is being there. You may hear others lament the influence of political insiders, lobbyist and the behind the scenes deals. But those are the people who are there. I am one of them. Being there provides opportunities. Mere presence does not transform itself to influence though.

Being seen - If you are there but aren't being seen then it is unlikely that it is known that you are there. Thus, it is important to not only attend the locations in which policy is formally adopted but also the various community events, symposiums and input sessions where policy makers are present. These are opportunities to express your voice.

Being heard - Your voice can be presented just as introducing yourself to policy makers or go so far as to take the public stage. At each opportunity you must express your view. It doesn't need to be in exhaustive detail. It doesn't need to relate to a specific policy or law. Our goal as freedom loving people is liberty. Our voice should then always be uniformly reflecting *the pursuit of liberty*. Simple comments such as, *that seems to be depriving people of choice and responsibility* reflects the pursuit of liberty. Pound home that message.

So let's look at where policy is made.

The Indiana State House

Legislature - The primary driver of state policy is our legislature. There, 150 members from a wide variety of walks of life represent an equally diverse community with differing needs while at the same time representing all of us.

Governor - The executive branch is led by our governor who espouses broad policy goals and carries the handle of the ax that can veto the bills passed by the legislature. Under the governor are the vast administrative officers that implement the objectives as set forth by the legislature.

Judiciary - Finally we have the judiciary. The reviewing courts interpret the laws and provide guidance in fulfilling public policy objectives. They are not writers of policy, per se, but can have a great influence upon it and ultimately control its execution.

Among the three branches of government the judiciary is that in which as ordinary citizens we are least likely to have influence. The Indiana Supreme Court approves the various rules of court of which some include the language that I wrote. That takes an extreme amount of effort but also carries a greater impact. The area in which we all can have the greatest impact is in our legislature. So, to do this we must understand the process of how our legislature creates law and policy.

Bill - Statutory law begins with a bill that has a variety of ways of coming into being. Those of us who are old enough may recall the rather simplistic explanation provided between the breaks in Saturday morning television programming. I want to go beyond that with you now and provide some further guidance on the process and methods of getting a bill to the floor. Usually nearly 1000 bills are introduced each year yet a small fraction get hearings, less of those go to the full assembly for a vote, and fewer become law.

By the time that the legislature convenes on the first Tuesday of the year there is only about one week left to get bills for that session submitted. So it is important to begin expressing your objectives long before that. This is what the so-called insiders do and why they seem to have a disproportional impact. However, it is not exclusive and you may do the same just as I have done.

Interim Study Committees - Interim Study Committees are groups of legislators from either chamber who are joined by a collective interest such as the temporary committees like Impact of Criminal Sentencing on Prison Population or continuing committees such as the Child Custody and Support

Advisory Committee. Bills that originate in these committees have a much greater likelihood of being passed into law. These sessions, occurring in late summer and early autumn, while formal allow for a greater investigation into the topics that come before them. A vast difference between these hearings and those during the regular session is the degree of public input.

Public Input - At the interim session level members of the public may come to the committee and present an idea for consideration. While it is best to have a draft proposal including a bill sometimes a simple anecdote is all is needed to get a committee to take action.

Authors - The author of a bill is the legislator who sponsors and introduces it. Getting to understand who and why bills are introduced helps to advance your position. When you get to know who may support your position then you can focus your attention on that legislator.

The L.A.s - Before going to the legislators see the L.A.s who are the legislative assistants to the legislators. They assist with scheduling, contact with constituents, and in general just doing the grunt work that an assistant performs. They know who likes or dislikes certain issues and can lobby on your behalf. Most assistants serve about 3 legislators. They are valuable resources to get to know. When legislation I support goes to the floor for a vote I send an email to the LA's explaining why their legislators should vote in favour. I contact them to let them devise the synopsis and pass along my message. My name is recognized, my friendly demeanor and politeness recalled, and my basis for my request is heard.

Committee Chairs - The committee chair decides which bills get a hearing before his or her committee. This is where the greatest effort must be put forth, to convince the chair of the viability of your legislation or why some other piece shouldn't be heard. All bills must pass through a committee before going to the full assembly.

Committee hearings - The committees are comprised of usually around a dozen legislators who hear bills grouped around a particular subject such as transportation or children and families. These members are more likely to have a better understanding of the issues related to their committee and are more often responsible for introducing the legislation that their committee would hear. When seeking to introduce legislation members of the committee to which it is likely to be assigned should be contacted first. At the hearing is where you can actually testify.

Public Input - When a bill is set for committee hearing the public may

attend and testify. Those testifying may have been selected by legislators to support or oppose the bill or they could be advocates representing an organization. Equally entitled to speak are members of the general public who often do so. Those who choose to do that must be aptly prepared or they can do damage to their cause. Show up 10 minutes or so before the scheduled start and fill out an appearance form which identifies you, the bill you wish to speak upon and your position.

Vote - At the conclusion of the hearing the members vote. If the bill receives a favourable majority then it passes out of committee and goes to the full chamber. I could go into exhaustive detail about how bills progress through the legislature but that would well exceed what you need to and what I have time to present today.

The General Assembly

- Originating chamber

- Readings

 - Debate

 - Amendments

 - Floor Vote

- Other Chamber

 - Sponsor

 - Committee assignment

 - Committee hearings

 - Amendments

- Readings

 - Debate

 - Amendments

 - Floor Vote

Conference Committee

- Conferees

- Language

- Vote

The Governor

- Public Input

That is just an outline of the process a bill can take. Now I will take you through our next policy making branch.

The Judiciary - When most people think of making laws they think of what I have just spoke about; legislation and getting the governor's signature. There

are other ways to make law though. Particular actions, omissions or laws can be challenge in court by filing a lawsuit. The results of which can be challenged on appeal. The rules under which the courts operate are crafted by committees and then adopted by the supreme court.

Lawsuits - The government, a corporate entity, or a private individual may be named as a party in a lawsuit. These disagreements can elucidate matters of public policy that can come to the attention of legislators, especially high profile cases. In the child custody arena much of the law originates from examining actual court cases.

Appeals - Parties dissatisfied with a trial court's ruling can appeal the decision to be reviewed by a panel of judges who can interpret a law, it's application or the procedures the trial court observed. If the panel of judges feels that their decision interprets a law or establishes public policy then they can publish the opinion. This is what becomes known as case-law which carries the same weight as statutory law. Case law in which everyone is likely to be familiar is *Miranda v Arizona*, commonly known as the right to remain silent is subsequently passed into statutory law.

Committees - The Indiana Supreme Court has established various rule making committees by subject matter. These committees hear and consider proposals regulating the judiciary as well as the rules of court. Opportunities for public input are infrequent but are accessed by few people which allows those providing the input to have a much greater voice than in the legislature.

Public Opinion

Just like putting out candidate signs in your yard or sharing a posting on Facebook public policy is shaped by the groundswell of popular support. Attention to Marijuana by our legislature is a testament to that. No corporate lobby is pushing for legalization. In fact the medical and pharmacological lobbies both oppose it because of its healing capabilities and the ease by which users can “manufacture” and administer it themselves. Financially, self healing is devastating to the medical industry.

Petitions - One thing I caution against and a personal policy that I firmly adhere to is not to sign on-line petitions. For the most part policy makers ignore petitions, particularly those which do not provide sufficient information to match the petitioner to voter registration roles. Petitions may be counter-productive on two bases: First, they divert time and resources from effective advocacy efforts; and secondly they can give supporters a sense of having taken an active role when, in fact, that act is ignored by policy makers.

So regardless of time available, proximity to policy makers, or your comfort level in the public arena there is a method and forum that you can use to promote liberty in our public policy. I invite you to take a look at the public policy section of my website and get more involved.

While voice is important simply being seen and known is the key to getting those initial meetings with policy makers. This involves personality, attitude, manners and being distinctive. I don't spend money on legislators but I wield influence. I can have my voice heard by any elected official in the Indiana State House or my county. I became known for my waist length hair which got me recognized. I sat near the entrance from the legislator's parking lot at the state house and greeted members by name as they walked in. I mingle with them there or at other events while rarely broaching policy topics. I *always* send a thank you card following a meeting.

My political activity is mostly the *non*-political activity that is effective in shaping public policy. You already spend most of your time involved in politics but likely have little effect while doing so. If you want to be effective in politics then *don't* start with politics.

Engage yourself in some more direct actions and lets promote liberty together.