



MEDIA TOOLKIT

FOR PRETRIAL JUSTICE PARTNERS

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This publication is intended for individuals and organizations engaged in the effort to improve pretrial justice in the United States—both locally and across the nation. It is a summary of suggestions and useful tools for interacting with the media to advance positive change.

Problem and Solution

The problem: The current system of bail in most U.S. jurisdictions is fundamentally incapable of doing the job we expect from it. It is outdated, unfair, expensive, and dangerous. It allows those with money, regardless of the danger they pose to individual and community safety, to purchase their freedom while poor and working class people—disproportionately people of color—remain in jail for want of financial resources.

The solution: Jurisdictions should conduct an evidence-based pretrial assessment of all arrested people who are taken into custody, which can facilitate rapid release of those who are likely to succeed pretrial and guide decisions about supervision and support, when appropriate. This system delivers on the purpose of our bail system—to protect public safety and assure appearance in court.

Evidence-based pretrial assessments use actuarial tools that calculate an objective score that reflects the success rates—court appearance and no new arrests during the pretrial period—of people with similar histories. Pretrial assessment instruments typically consist of 7 to 10 items, such as current offense, court appearance history, and criminal history.¹ The pretrial assessment score helps inform the court’s discretion about whether to release, and what supervision and supports, if any, may improve a person’s likelihood of success.

Individuals assessed as very likely to appear in court and not get arrested for a new charge can most often be released on their own promise to return to court. This group performs best when reminded of upcoming court dates and given little, if any, supervision. Research shows excessive conditioning produces poorer outcomes for these individuals.²

1. *PSA Risk Factors and Formula*. Report. Laura and John Arnold Foundation. 2016. <https://university.pretrial.org/viewdocument/psa-risk-factors-and>

2. Lowenkamp, Christopher T., and Edward J. Latessa. “Understanding the Risk Principle: How and Why Correctional Interventions Can Harm Low-Risk Offenders.” *Topics in Community Corrections*, 2004, 3-8. https://www.uc.edu/content/dam/uc/ccjr/docs/articles/ticco4_final_complete.pdf

Those who demonstrate a medium likelihood of pretrial success may benefit from targeted release conditions, such as travel/contact restrictions, checking in with a supervision agent, and in rare cases, electronic monitoring.

For those who demonstrate the lowest likelihood of pretrial success, jurisdictions should be able to seek detention without bail through statute—as opposed to the setting of high financial release conditions. However, the pretrial assessment score should merely trigger a system of due process in which the defense and prosecution provide additional evidence to inform the court’s decision. The score itself should not be part of these deliberations.

Moving from resource-based to assessment-based bail decision-making and allowing for more informed decisions at each phase in the pretrial process (from first contact with law enforcement through adjudication) will require the support of all those involved in the criminal justice system.

Three key points to reiterate about systems that incorporate pretrial assessment are that they:

- (1) increase public safety and confidence;
- (2) reduce costs; and
- (3) avoid the unnecessary human toll the current system inflicts on communities and families.

PJI Resources

A number of recently published resources are available from PJI that touch on the main points of system improvement and other key topics.

Where Pretrial Improvements are Happening (updated quarterly)—Improvements to pretrial justice systems are happening across the United States—at state, county, and local levels. Some jurisdictions active in this work have been leaders in pretrial justice for decades; others are just beginning to see the benefits of adopting evidence-based methods that are safer, fairer, and more effective. In almost every case, they enjoy strong support from community leaders, justice system stakeholders, and the general public.

[<https://university.pretrial.org/viewdocument/where-pretrial-improvements-are-hap-2>]

Questions About Pretrial Assessment—This publication answers the “what,” “why,” and “how” questions about pretrial assessment. It also provides a general history of pretrial assessment and explains how assessment benefits arrested individuals as they experience the justice system.

[<https://university.pretrial.org/viewdocument/questions-about-pretrial-assessment>]

What Pretrial Justice Looks Like Without Money Bail—It may be difficult for some to imagine pretrial justice systems without money bail. This publication describes how systems can provide safety, fairness, and efficiency without relying on money as a condition of pretrial release.

[<https://university.pretrial.org/viewdocument/what-pretrial-justice-looks-like-wi>]

Pretrial Justice: How Much Does It Cost?—This publication describes how improving pretrial systems does not have to be expensive, can save more than it costs, and highlights how current practices are unnecessarily expensive.

[<https://university.pretrial.org/viewdocument/pretrial-justice-how-much-does-it>]

Improving Pretrial Justice Using Existing Resources: A Case Study from St. Mary’s County, Maryland—This publication describes how one jurisdiction was able to improve their system with minimal initial costs and quickly realized savings and improved outcomes.

[<https://university.pretrial.org/viewdocument/improving-pretrial-justice-using-ex>]

Money-Based Pretrial Practices Face Constitutional Challenges—

This publication describes recent successful legal challenges to various aspects of money bail systems, particularly their inability to meet the constitutional promise of equal justice.

[<https://university.pretrial.org/viewdocument/money-based-pretrial-practices-face>]

Improving Pretrial Justice in New Jersey—This publication provides a lightly edited interview with Roseanne Scotti of the Drug Policy Alliance who describes New Jersey’s recent sweeping pretrial system changes and the strategies and work it took to make them a reality.

[<https://university.pretrial.org/viewdocument/improving-pretrial-justice-in-new-j-2>]

Have you asked them? Talking to defendants about money bond and pretrial release—

This publication gives an overview and context of surveys and interviews with individuals who have recently experienced the pretrial system; both detained and released. Key takeaways are that most people do not believe that money bail creates a great incentive to return to court or stay arrest-free and it is seen as another in a series of practices that are unfair to poor and working class people.

[<https://university.pretrial.org/viewdocument/have-you-asked-them-talking-to-def>]

Each of these publications is available through the University of Pretrial online library. [<https://university.pretrial.org/up-library>]

Real-life Examples

It can be helpful to have a case or two on hand that describe scenarios that pretrial justice improvements seek to avoid. In the example below, pretrial assessment may have enabled the court to apply meaningful release conditions, or even to argue for detention.

In late 2015 an Ohio man was arrested for allegedly ramming his wife’s car with his own. He paid \$10,000 to a bail bondsman (for a \$100,000 bond) and was released. A few days later he went to his wife’s place of work and shot her dead as she left.³

3. Miller, Michael E. “An Ohio man allegedly tried to kill his ex-wife. When he got out on bail, police say he finished his crime.” *Washington Post*, December 10, 2015. Accessed October 2, 2017.

Press Protocols

*“It is always a risk to speak to the press.
They are likely to report what you say.”*

–Hubert H. Humphrey

The media has the ability to shape narratives in ways that can promote your organization’s message in a manner that is beneficial to fulfilling your goals. To maximize the relationships you build with reporters, below you’ll find a list of suggested protocols to help manage a reporter and story.

If a reporter calls you directly, take the call if:

- You have the time to talk and if you are in a location which is conducive to a thoughtful conversation (i.e., not in a crowded space, on a cell phone with bad reception, etc.).
- You understand the goal of the interview.
- You feel confident on the subject matter and talking points.

If you decide you have time to talk to the reporter, you should:

- Ask about the reporter’s deadline and overall goal for the piece so you can answer his or her questions in a way that best supports your message.
- Confirm the ground rule at the top of the conversation—that this will be an “on-the-record” conversation—which means anything you say can be quoted in a story and attributed to your name. All reporter conversations are to be considered on-the-record, unless otherwise specified by the reporter that she/he is looking for background.
- When the interview is complete, alert your public relations (PR) team, if you have one, and other interested parties at your earliest convenience.
 - o Your PR team can help determine if additional follow-up is needed, connect third-party validators with the reporter, and monitor for media coverage.

Reschedule:

- If you do not feel comfortable taking the interview immediately or your schedule does not permit, you can either say you will have someone from your PR team reach out to set something up with the reporter or you can offer a time that is best for you and allows time for you to consult with your PR team and relevant partners. Alert your PR team immediately.
- If needed, your PR team will help you develop talking points; reach out to relevant parties, and can staff the call if necessary.

Public Relations Support

Transparency between all involved parties is key. Let your PR team know when you've been contacted by a member of the media at your earliest convenience with important notes including:

- Reporter's name and outlet
- Nature of the call
- Conversation tone: Did you feel the reporter will successfully convey your message or will the story need additional managing?
- Is the reporter looking for any third-party validations? Is there anyone you can help connect them to?
- Is there a need for additional follow-up?

An informed PR team can help make sure the organization's message is clearly conveyed and work to mitigate negative coverage.

Helpful Hints

Here are a few tips on how to successfully engage with the press and ensure a positive experience for all parties.

Interviews

Your Goals

- See your messages in the media
- Support your organization's mission and business
- Garner positive relationships with reporters

Reporter Goals

- Write a newsworthy and unique story
- Appeal to the paper's audience
- Establish credibility with reliable sources
- Meet deadlines

Interactive Tips

Do

- Tell the truth.
- Predetermine interview length, do in a quiet location.
- Be prepared, have talking points and quotes on hand with easy to understand language.
- Offer evidence and examples to support your claims.
- Keep the conversation positive.
- Stay on message; be concise.
- It's OK to say "I don't know."
- Use the opportunity to add anything at the end.
- Honor deadlines; ask when they expect to run the story.

Don't

- "No comment."
- Ask the reporter what the angle or headline will be.
- Use negations, jargon, or ramble. Avoid this by staying on message.
- Thank the reporter for benefiting your organization.
- "I'll tell you off the record."
- "To be honest..."

Op-Eds

What is an Op-Ed?

An op-ed is an opportunity which editors allow for non-journalists to publish an article in a section of their publication that advocates for a specific viewpoint. It is printed on the page opposite the editorial page in a newspaper (hence the shortened term, “op-ed”). Editors look for timely, newsy items that come from credible sources to offer their readership a chance to learn from the voice of an expert on a topic that is captivating and relevant.

Why submit an Op-Ed?

We want to make the argument for commonsense pretrial solutions in as many outlets as possible to reach the target audience who are in a position to take action on the issue. That is, publications that are widely read by state legislative officials, parties involved in the criminal justice process (judges, prosecutors, public defenders, elected officials and policy makers, and law enforcement, etc.) and the broader public. An op-ed is a platform to make an argument succinctly with the most relevant and compelling points and signed by a notable figure with an expertise in this area.

When to submit an Op-Ed?

It is important to pick the most strategic opportunity to pitch an op-ed. That is, when a major piece of legislation is moving, when a major news story is dominating coverage (i.e., an individual released on bail commits a high-profile crime), or some other catalyst that invites a call to action. Most publications will only consider an op-ed once a year, so if you pitch it at an inopportune time you will likely have to wait a year to be reconsidered for publication.

How to write an Op-Ed?

Below we offer a template with some general guidance. You should also reference the message guide for points which have been tested and refined that best make the argument for reform. It is important that you do not copy this exactly, but rather put into your own words and use personalized examples in making the argument. Localize your piece and make it as passionate as possible. Also, check with the outlet you are considering for submission. Most have word limits (approximately 600-850 words, it varies) or may have other parameters to which you should adhere.

Where to submit an Op-Ed?

Your top target should be the largest daily print newspaper in your media market. If you go to the newspaper’s website, you should be able to type “how to submit an op-ed” in their search bar and find guidelines on how. Otherwise, you should call the main number and ask for the editorial department and seek

instructions on submitting. Explain that you are writing on a criminal justice issue and they may direct you to a specific individual to address. (Some editorial departments have specific editors handling specific issues whereas others have just one general editor.)

If your market also has other widely read outlets that reach your intended audience (judges, prosecutors, public defenders, elected officials and policy makers, and law enforcement, etc.), you should research their website to identify submission parameters.

You should submit your op-ed to one publication at a time. If an outlet declines to publish it and/or you don't hear back in a timely manner (after about a week) you should inform them that you have decided to move on to another publication and only then submit to another outlet.

How to submit an Op-Ed?

Many outlets will only consider submissions made to their online platform via their website. So understand the guidelines offered and follow those. If you are able to email it directly to an editor, the protocol for how to email an editor is included below.

Anatomy of an Op-Ed

Lead with your message

You have 2-3 sentences to grab the attention of a reader and convince them to continue reading. So be clear and concise about what you are going to spend the next several paragraphs explaining and give the reader a reason to want to learn more.

Cite specific examples and recommendations

This is an opportunity to explain why change is needed, why it is critical that it happens now, and how your expertise and background arms you with the know-how to speak credibly on this issue. Provide colorful analogies and paint the picture in the reader's mind.

Write clearly

Use short sentences and paragraphs, and a declarative, active voice. Read other published op-eds in the publication you are targeting to get a feel for the kind of writing they accept and publish. And avoid jargon and acronyms—the general public is unlikely to understand the alphabet soup of organizational names or government agencies, so spell them out.

Acknowledge opposing arguments - gently

This is an opportunity to get your viewpoint out there, but some acceptance of the common ground you share with the “other side” is worthwhile. There is a need for system improvements—on that we can all agree—but how we do it pragmatically is the issue. A quick nod to that will make the piece more reasonable yet not devolve into a back-and-forth on rebutting their arguments.

End strongly

Summing up your arguments in the final paragraph is important—as well as the call to action. The piece will lay out the issue and why you are advocating your point of view. This is the last chance to make the call to action.

EXAMPLE OF A PUBLISHED OP-ED

Reform Maryland’s cash-bail practices

November 4, 2016

By Cherise Fanno Burdeen and Marc Schindler

https://www.washingtonpost.com/opinions/reform-marylands-cash-bail-practices/2016/11/04/e7660fa-a05b-11e6-a44d-cc2898cfab06_story.html?utm_term=.a98c4b891725

Cherise Fanno Burdeen is chief executive of the Pretrial Justice Institute. Marc Schindler is executive director of the Justice Policy Institute.

Maryland Attorney General Brian E. Frosh (D) last month concluded that two key aspects of Maryland’s money-bail practices—the failure to assess a person’s ability to pay before setting money bail and the failure to assess one’s inability to pay resulting in pretrial detention—would not stand up to constitutional scrutiny.

And a legal challenge seems likely. Nearly a dozen localities—places in Alabama, Mississippi, Missouri and more—through civil rights litigation have been forced to change pretrial practices. These lawsuits have resulted in the immediate release of people held on bonds they could not meet and in changes to court policies. The Justice Department even took the rare step of weighing in on one of these cases, echoing Frosh’s assertion: Pretrial detention or release that hinges on an individual’s ability to pay is bad practice and almost certainly unconstitutional.

The attorney general’s opinion offers lawmakers a path to avoid similar litigation. Unless state leaders take action, Maryland could join the

jurisdictions that have had changes to bail practice imposed on them. Instead, Maryland legislators should replace the money-based pretrial system with a more effective, less expensive evidence-based approach that results in the nonfinancial release of most people and risk-based detention for the few who are a threat to public safety or of flight.

If one's liberty is dependent upon the payment of money bail, it is clear that courts have a duty to meaningfully assess the individual's ability to pay. But looking into every arrested person's financial assets would be a challenge for a system already stretched thin.

Instead, we should move toward taking money out of the process altogether and use science-based, actuarial risk-assessment tools to better understand the pretrial risks each person poses, like those used in other states and localities. In Maryland, they would show that most people who are arrested are low- or medium-risk and should be released without unnecessary conditions. Some Maryland jurisdictions, including Baltimore City and Harford and Montgomery counties, already incorporate these tools into the pretrial process, but they still assign money bail as a condition of release, rendering the risk-finding essentially moot.

The attorney general also voiced concern about the legality of detaining those who cannot afford the bail amount assigned to them. From the thousands of jailed defendants who cannot pay small bail amounts to the few who make headlines with million-dollar bonds meant to keep them behind bars, this practice is counter to constitutional protections.

The attorney general described the problem simply: "You can't imprison someone for poverty. For one guy, \$1,000 bail is no big deal. For somebody else, they might not have 100 bucks, much less \$1,000."

Again, risk-based pretrial justice provides a solution. Legally, only those for whom no court-ordered condition or set of conditions can ensure compliance upon release should be held. The best way to know who fits this small set of high-risk individuals—typically about 8 percent of defendants—is through risk assessment, combined with judicial discretion. Places such as the District and New Jersey have changed their laws to allow for outright risk-based detention—with due process and transparency—and Maryland should do the same, solving the money-based detention issue.

The attorney general's office submitted a letter to the judiciary's rules committee asking for changes to the state's bail system, bringing pretrial practices more in line with constitutional requirements. This is a step in the

right direction, and legislators should follow suit and finally remove money from the process once and for all.

If there's one lesson Maryland—and other states—can take from the recent bail-related civil rights litigation, it's that it is better to voluntarily design reform rather than be forced into immediate and costly actions by court rulings. Maryland has a chance to build on several years of state-level work to preemptively improve the state's pretrial systems. The attorney general's opinion gives policymakers yet another reason to maintain the momentum to make pretrial justice safer, fairer and more effective in Maryland.

Op-Ed Cover Note Email to an Editor

If you are provided an email for an editor to send the piece directly, use this format. Send it as a plain text email (not as an attachment, in the body of the message). Also, if you are submitting this as the author, take out the third-person references and put it in first-person.

Subject Line: Op-Ed Submission for Consideration to [INSERT PUBLICATION NAME]

Mr/s. [EDITOR FIRST NAME AND LAST NAME]

[TITLE]

[PUBLICATION NAME]

Via email: [EMAIL ADDRESS]

Dear Mr/s. [LAST NAME],

Below please find a bylined article by [AUTHOR'S FIRST AND LAST NAME], [TITLE, ORGANIZATION], voicing support for pretrial justice reform to the bail bond system in [STATE NAME]. I am submitting this op-ed for your consideration to publish exclusively in [PUBLICATION NAME].

[INSERT TWO–THREE SENTENCES DESCRIBING THE ARGUMENT]: Ms. Burdeen shares new research as evidence that secured bonds are no more effective than non-financial bonds at achieving public safety or in ensuring that those charged will appear in court. She also outlines the innovative approaches several states have taken in response to the dysfunction and inefficiencies in the current system.

We believe your readership at [PUBLICATION NAME] will find these ideas on pretrial policies significant as Ms. Burdeen advocates in this article for data-

driven system improvements that are relevant to your audience.
Thank you in advance for your consideration. Please let me know if you have any questions.

Sincerely,
[NAME]
[EMAIL]
[PHONE]
[CITY, STATE]

Special to [PUBLICATION]
[DATE]

[TITLE]: Reform Maryland's Cash Bail System

Maryland Attorney General Brian E. Frosh (D) last month concluded that two key aspects of Maryland's money-bail practices—the failure to assess a person's ability to pay before setting money bail and the failure to assess one's inability to pay resulting in pretrial detention—would not stand up to constitutional scrutiny.

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Letter-to-the-Editor

What is a Letter to the Editor?

A Letter to the Editor (LtE) is an opportunity for readers to provide comment or feedback to a publication's recent news coverage, an opinion piece, or other content. It is primarily a platform used in newspapers and magazines which is a very short (usually 150-200 words, so approximately 6 sentences) response directed to a previously published piece.

Why submit a Letter to the Editor?

The point of an LtE is to direct an editor's attention to a point that was either very important to or left out of coverage on a story. While many LtEs are written to contradict a fact, tone, or other inconsistency in a story, one should not neglect an opportunity to point out what a story got right. If published, the LtE offers a chance for readers to gain more information. But at the very least, editors are made aware of a reader following their coverage and the reporter is often sent the LtE when it pertains to their story.

When to submit an LtE?

Being timely in response is crucial. Ideally, a response should be sent the same day as the article came out. However, some publications may allow review of an LtE as late as a week. Guidelines differ by publication, and you should consult the outlet's website to understand the deadlines.

How to write an LtE?

The brief nature of an LtE (150-200 words, approximately 6 sentences) requires that you adhere to one message and make your point succinctly. Review previous LtEs in the outlet you are targeting to understand the tone and structure which ultimately gets published.

How to submit an LtE?

Visit the publication's website or masthead for guidelines. Many outlets will only consider submissions made to their online platform via their website. So review the guidance offered and follow those protocols.

Anatomy of an LtE

Lead directly with the article you are referencing

The first sentence should include the article's title, the date it was published and the author's name. For example:

Re: "US criminal justice system: Turning a profit on prison reform?" by Charlotte Silver, Sept. 27, 2013: [Then offer your response]

Cite specific examples and recommendations and why you are credible

Your personal expertise as a credible contrarian or champion for an article is a reason for an editor to publish your point of view. So use it, but be brief and specific.

Write clearly

Use short sentences and paragraphs, and a declarative, active voice. And avoid jargon and acronyms—the general public is unlikely to understand the alphabet soup of organizational names or government agencies, so spell them out.

Other logistical pieces

Editors will sometimes include a brief bio descriptor for the writer (such as title and organization) in addition to the city in which the writer is living. Finally, you should provide a phone number where you can be reached, as editors will call to verify your identity prior to publication and they need an immediate response. They won't publish the number, but will ask you to provide it. So be sure to include those items as well.

EXAMPLE OF A LETTER TO THE EDITOR**Setting Bail and Assessing Risk to Public Safety**

New York State's policy of not allowing judges to consider danger to the community in making pretrial release decisions originated from the desire to remove bias from the justice system, but it still allows these decisions to come down to an inherently biased factor: money. The only way to ensure that release decisions help community safety is to move away from using money bail and instead adopt risk assessments.

The undue influence of money bail results in too many lower-risk people behind bars, simply because they cannot afford to buy their freedom. A \$500 bail for a minor, nonviolent infraction can be just as out of reach as a million-dollar bail for many working-class New Yorkers and their families.

Research shows that money bail increases guilty pleas and causes even innocent people to go to jail and become more likely to commit a crime in the future, probably because of the destabilizing impact that jail can have on their jobs, housing and families. Meanwhile, wealthy people who pose a higher risk to public safety are able to buy their way out.

Money bail makes us all less safe and wastes millions of tax dollars on the unnecessary incarceration of people who can be safely supervised in the community before trial.

We should replace money bail with evidence-based risk assessments, based on the data that best predicts court appearance and likelihood of rearrest before trial.

CHERISE FANNO BURDEEN

WASHINGTON

(The example above was printed in the New York Times on April 3, 2017.)

Expert Availability Advisory

What is the difference between an Advisory and a Release?

An advisory is slightly different than a release. An advisory is correspondence with the media which is meant to inform them of background facts, i.e. “advise” them of pertinent information to be later used in their reporting or an event that you want them to attend and report on. A release, by contrast, is material and information which the sender deems appropriate for a reporter to publish in their writing or use in their on-air comments.

It is important to note that a reporter reserves the right to use any correspondence sent to them as they wish, so even information in an advisory should be sent only if it would do no harm to be published.

What is an Expert Availability Advisory?

Journalists need experts to provide comment in their stories, give context to their story angle and generally help them either confirm or act as a contrarian on various viewpoints. But first one needs to build credibility with a reporter if they are not otherwise known.

An expert availability advisory is a way to signal to a reporter that an individual with subject matter expertise is available to speak on-the-record (i.e., is willing to be directly quoted) and gives the reporter a few basic facts on the expert. Most reporters will do their own research to find sources, but this tactic offers a way to get your name in front of them for consideration.

Where does an Expert Availability get sent?

The kinds of members of the media who are most interested in this kind of communication are beat reporters who need a quick comment and television and radio producers who work with reporters and news hosts to put together segments. Some television/radio stations have guest bookers who are also the appropriate people to direct this correspondence.

When should an Expert Availability be sent?

As you read the news or watch/listen to news stories, you should pay attention to the reporter or program where you see coverage on pretrial justice issues happening. Reporters consistently covering these issues are likely state house reporters—covering legislative issues moving through the legislative process or the governor’s priorities—or courthouse reporters.

And public affairs programs (whether on television or on radio shows) pick up on issues that are making news through wide scale print coverage or online news sources. If there are issues of relevance to pretrial justice that are garnering media attention, you should consider sending an Expert Availability

Advisory: i.e., legislation is being introduced/moving, a new study on the effort has been released, there is a major news story of someone who commits a crime while out on bail who may have been considered for detention after a pretrial assessment, etc.

Being opportunistic about sending the advisory will flag your name for the reporter, but for serious consideration you should be able to speak directly on the angle and details the reporter is writing on. So be specific about your areas of expertise and why that reporter's readers/listeners/viewers need to hear your point of view.

What should go into an Expert Availability Advisory?

Reporters are extremely busy and receive large volumes of incoming, unsolicited emails daily. So be tight and simple with your language and quickly convey that (1) you pay attention to them and their writing; (2) you have something important to contribute; and, (3) will be available and flexible to respond quickly and on point to what they are covering.

Anatomy of an Expert Availability

Format

An example of the kind of formatting normally used is provided below. The point of contact can be the person who is being promoted within the advisory, or a deputy member of staff who can quickly get ahold of the principal if a reporter calls. We use the nomenclature "For Planning Purposes" to distinguish between a release that is "For Immediate Release."

Headline

Keep it to one line and make it relevant to what is happening within the news cycle. The sub-headline (second line) can offer slightly more information to expand on the headline.

Dateline

Always include the city, state from which you are sending the advisory as well as a date.

Opening Paragraphs

Keep it very short and quickly explain why the expert is relevant to the issue.

Top Points the Expert Can Speak To

Offer concise points on expertise and how the expert can be helpful to an article/news package.

Biography/About the Organization

“Boilerplate” language is a term for text that comes at the end of any advisory or release. It gives a brief explanation about the subject or organization for additional background. In an expert availability, you should include a short bio and something about the organization the individual is affiliated with.

EXAMPLE OF AN EXPERT AVAILABILITY ADVISORY

SUBJ: Name, Interview with crim jus expert? | CA Bail Reform bill

Hi TK–

Have you been tracking the money bail reform bill moving through the Assembly this summer? If you’re planning any coverage of that bill, I flag a national expert available for Skype interviews on how this bill could impact the state’s criminal justice system: Cherise Fanno Burdeen, leads the Pretrial Justice Institute.

She can give a macro-perspective on how problems in California are representative of systemic flaws in our local pretrial justice systems.

Specifically, Cherise can speak to:

- the hidden story behind our broken money bail system, including how the bail bondsmen industry has lobbied to keep a status quo that doesn’t advance public safety
- the success of similar reforms outside of California and evidence-based alternatives to money bail
- how the push for reform in California fits into the quietly growing movement to upend counter-productive pretrial practices across the country

Cherise is one of the country’s leading advocates on this issue, but has a really accessible way of talking about complex policy. Her analysis has been featured on MSNBC, and in The New York Times, The New Yorker, and The Washington Post. Check out Cherise’s latest op-eds in USA Today and The Atlantic to get sense of her voice.

I'd love to arrange an interview with Cherise, if you're interested!

Best,

Name

The Pretrial Justice Institute's core purpose is to advance safe, fair, and effective juvenile and adult pretrial justice practices and policies that honor and protect all people. We work to achieve our core purpose by moving policymakers and justice system stakeholder to adopt and implement practices and policies through:

- Educating key stakeholders
- Moving stakeholders to action
- Working in key states to advocate for change
- Developing messages, stories, and media coverage in support of change
- Connecting local jurisdictions to assistance

For more information visit www.pretrial.org.

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Press Release

What is a Press Release?

A press release (also called a media release) is a document issued to journalists used to announce information. The goal of a press release is to get a reporter interested to cover and publish a story based on the information you provide.

Why issue a Press Release?

There are a number of reasons, but the most important is that it is relevant to the readers, viewers or listeners of the journalist you are sending it to. To make it into the news, a reporter has to understand why the information is germane and to whom, how much of their audience is affected by reporting the information and if there is some larger trend or recent news hook that makes the information worth sharing.

When to issue a Press Release?

Sending a press release should be a deliberated decision and relevant to the reporters you are sending it to. You should not overwhelm a reporter's email inbox with every bit of information you send out about your organization, unless they have specifically requested to be kept informed. Below are some examples of when and to whom to issue a release—though this is not a comprehensive list. This is meant to give you an understanding on how circumstance might differ and therefore the targets.

- **Legislative Movements:** Statehouse reporters, political reporters covering legislation or the Governor, crime and court beat reporters
- **Research Studies:** Sociology/trend reporters, statehouse reporters, political reporters covering legislation or the governor, crime and court beat reporters
- **Before, During or After an Event or Conference:** Statehouse reporters, political reporters covering legislation or the governor, crime and court beat reporters
- **Senior Staff or Leadership Change Announcements:** Reporters who cover criminal justice issues informing them of the new leadership, but also sections of the newspaper that cover “recent appointments or job moves”
- **Statements of Support/Dissent:** If a prominent figure in your state/locality has made news on the pretrial issue (i.e., governor has come out to support a helpful bill, a bail bondsman has testified at a hearing and it received press coverage, a set of guidelines has been issued that is helpful/hurtful) you can put out a statement that is 2-3 sentences

- **Letters to Legislators:** If your organization has issued a letter to state house or senate members, you can put the fact that you called on your elected officials to be responsive in a press release and alert the media that you are awaiting a response (to put pressure on the elected official to respond to you)

How to send Press Releases?

Below are some specific points on drafting the actual release. In sending the release, it is best to send individual emails to each reporter with a cover note that is personalized. Even just using their first name is enough personalization to be more effective than blasting the release and hoping to get pick-up. It's not important that you send to hundreds of reporters—it is more important you send to the top handful that are most closely following the pretrial justice issue.

What goes into a Cover Note?

Keep it very simple and brief. If the reporter has recently written on the issue or you have some other background about the particular reporter you are addressing in the email, this is your chance to write it to him. Such as: “Hi Mark, I caught your article on Sunday about the costs associated with prolonged jail detention and thought it was well reported. Flagging the press release below from my organization that has been doing extensive work in this area and thought you might find it useful. Let me know if you have any questions or if I can connect you with someone to speak with. Thanks!”

Anatomy of a Press Release

Grab attention with a good headline

The beginning of a press release is the most important. A strong headline (as well as the email subject line when you send out the pitch) will pull in journalists seeking good stories. Your headline should be as engaging as it is accurate.

Get right to the point

Reporters are busy people so you should assume they will only read the first sentence and then scan the rest. So how the release is laid out optically (short graphs with 1-2 sentences versus dense text of several lines) is critical to get your release read. Overburdening the reporter with a lot of copy will guarantee they will not read your release—even if the information would be valuable to them. The point is to communicate concisely to get them to bite. The subsequent paragraphs should be for supporting information, but also very concise. If they have questions, they will pick up the phone and call you or send you an email.

Include hard numbers

Hard numbers and data points which support your points lend credibility to your arguments. Proof is more compelling than anecdotes or rhetoric.

Make it grammatically flawless

Proofread your press release very carefully before sending it out. Even a single mistake can dissuade a reporter from taking you seriously.

Include quotes whenever possible

Quotes help to personalize the release as well as offers your experts a chance to say something thoughtful on the issue—just make sure it stays on message to what you are trying to accomplish with the release.

One page is best—and two is the maximum

As with most good writing, shorter is usually better. Limit yourself to one page, though two pages are acceptable. This will also force you to condense your most salient information into a more readable document and that is appreciated by reporters.

EXAMPLE OF A PRESS RELEASE**Six Jurisdictions Named to Receive Pretrial Justice Technical Assistance**

FOR IMMEDIATE RELEASE: July 24, 2017

Contact: Fiona Druge, Fiona.Druge@berlinrosen.com, (646) 755-6126

Cities & Counties Work To Address Longstanding Barriers to Justice

The Pretrial Justice Institute (PJI) has selected six local jurisdictions to receive targeted technical assistance from PJI funded by the U.S. Department of Justice's Bureau of Justice Assistance. Each of the sites will focus on a specific topic designed to help the jurisdiction improve the performance of its pretrial justice system—the portion of the criminal justice system that extends from a person's first contact with law enforcement until any resulting charges are resolved, usually through a trial, dismissal or a plea.

The six sites and their chosen topics are:

- Alachua County, FL—Enhancing and Ensuring Racial and Ethnic Equality
- Lucas County, OH—Minimizing Technical Violations and Re-Admission

- Marion County, IN—Detention Hearings
- Mecklenburg County, NC—Minimizing Technical Violations and Re-Admission
- San Francisco, CA—Procedural Justice at First Sight
- Santa Clara County, CA—Enhancing and Ensuring Racial and Ethnic Equality

“Current pretrial practices in most of the United States result in unnecessary pretrial detention, increase crime, and exacerbate racial and economic disparities in our criminal justice system. These six competitively chosen sites have shown the will and capacity to tackle long-standing challenges that are faced by nearly every city, county, and state in the nation. PJI’s previous work has demonstrated that it is possible to improve outcomes and efficiency while also maintaining public safety and legal standards. We look forward to helping our new partner sites become the next set of pretrial leaders as they work to make their local justice systems even smarter, safer, and fairer.” said Cherise Fanno Burdeen, PJI’s chief executive officer.

PJI’s technical assistance to the sites will build upon their prior work supported by key national initiatives, including the Laura and John Arnold Foundation, the John D. Catherine T. MacArthur Foundation’s Safety and Justice Challenge, and the National Institute of Corrections’ Evidence-Based Decision Making initiative.

PJI’s technical assistance will also build upon lessons learned and successes of Institute’s prior work, which saw proven, evidence-based pretrial justice solutions applied in three jurisdictions over the past two years. Funding for this new initiative will be available for work through September 30, 2018.

Facts about pretrial justice in America:

- Most people in American jails—more than 6 in 10—have not yet been to trial; the vast majority are there because they can’t afford cash bail.
- More than 80% of those arrested qualify for indigent defense based on poverty.
- Even three days in jail can result in loss of wages, jobs, housing, and family connections, leaving some people 40% more likely to commit future crime.
- Nearly half of people who score highest on a pretrial assessment are able to use the money bail system to get out.

- The tools exist to replace the outdated money bail system with a risk-based system that is safe, fair, and effective, and many jurisdictions have demonstrated it is possible.

The Pretrial Justice Institute (PJI) is a national organization working to advance safe, fair, and effective pretrial justice that honors and protects all people. To learn more about PJI or their 3DaysCount campaign, which will support commonsense solutions to longstanding pretrial justice challenges in 20 states, visit www.pretrial.org.

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Press Advisory

What is a Press Advisory?

A press advisory is designed to attract media to attend an event, most often a press conference, but also for meetings that are open to the public, policy conferences and meetings, etc. The details you decide to include should persuade the reporter to attend the event and participants who are speaking at any event where you are inviting media coverage should be made aware that press may potentially attend and quote them if they do.

When to issue a Press Advisory?

Sending the advisory approximately a week prior to an event is ample time to get on most reporters' radar. Many will not know what they are doing from one day to the next—and often when they do respond that they are interested in attending, other events of the day will take over and they may not be able to make it. Still, it is good to send a reminder on the event the day before—being mindful that too much outreach can turn a reporter off of you and your organization for good.

PRESS ADVISORY TEMPLATE

FOR PLANNING PURPOSES

[Date]

Contact

[Name]

[Email]

[Phone]

Media Advisory

[Headline with Basic Event Description]

WHAT: [Write two short paragraphs describing the event. The first paragraph should grab the reporter's attention and provide context for why they should cover the event and why it is newsworthy]

WHO: [Name, Role, Organization]

[Name, Role, Organization]

WHEN: Date and Time

[If there is a speaking program or agenda, include that so reporters can understand the timing and flow]

WHERE: Location
 Address

[If there are special instructions to enter the facility, i.e., security protocols or a specific door they should use, include that here]

[Boilerplate language: this is the “about organization” section which is a short paragraph describing the organization, its mission and a website on where one can find more information]

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Potential Reporter Questions

1. Does pretrial justice really need improved?

Yes, and improvements are long overdue. The current money-based system in place throughout most of the country is outdated, unjust, and expensive. By using evidenced-based pretrial assessment tools, as well as limited and target supervision and supports for people who may benefit from them, we can identify the individuals who can be safely released pending trial and keep potentially dangerous individuals in jail - protecting public safety at a lower cost than we do now. Improvements are well underway in a number of states and localities.

2. What improvements do you want to see implemented?

By using evidenced-based pretrial assessment to help transform the system, we can do a better job of keeping potentially dangerous individuals in jail and protect public safety—all at a lower cost than we do now. Pretrial assessment (1) increases public safety and confidence; (2) reduces costs; and (3) avoids the unnecessary human toll the current system inflicts on families and communities.

3. Where have you seen these improvements work?

These improvements have been introduced in a diverse set of states across the country including New Jersey, Kentucky, Virginia, and in the District of Columbia, among others.

4. Have there been any studies on how these improvements worked?

There is considerable research to support the need for improvement as well as overwhelming support from the public—70% of Americans believe in using pretrial assessment over money bail. Even the biggest stakeholders within the justice ecosystem—IACP, CCJ, ABA, NACo, etc., have issued public calls for reform. The Pretrial Justice Institute, for instance, published a study concluding that unsecured bonds are as effective as secured bonds at achieving public safety and ensuring court appearance. The Laura and John Arnold Foundation has published the findings from its two-year study on the role that data and analytics can play in helping judges determine the likelihood that individuals will show up for court and not get arrested on new charges if released.

5. What was the ultimate savings to taxpayer?

In the end, the amount of cost savings will depend on how comprehensive the improvement effort is. The more committed a particular jurisdiction is to broad-based reform, the more savings (or cost avoidance) they will enjoy. Short-term savings come from jail bed use, long-term comes from less crime and not disrupting a person's life.

6. What do you see is the biggest flaw in the bail bond industry's argument?

The notion that money makes a difference in achieving public safety or in ensuring that a person appears in court is wrong. It doesn't. Requiring people to put up money for release not only leads to unnecessary detention and expensive jail bed use with taxpayers picking up the tab, it also allows potentially dangerous individuals with access to cash to buy their way out of jail.

7. How have you been able to build your coalition of support?

The diverse coalition supporting pretrial improvements has grown organically in response to the undeniable flaws in the system and the broad-based desire to fix it. In addition, we have focused on public safety and risks to the community under the current system.

8. Who are your biggest detractors?

The for-profit bail bonding industry has a vested interest in keeping the current system in place—regardless of the cost to taxpayers, inequity, or true contribution to public welfare.

9. Why do you think this issue is important?

When a system recklessly—and at taxpayer expense—allows dangerous people to bond out unsupervised, while needlessly detaining people who are very likely to comply with pretrial release orders and who could otherwise contribute to their family and earn an income, it should be important to us all.

10. How long would it take to implement this change in a single state?

A national tool for pretrial assessment already exists, and has already been implemented in dozens of jurisdictions and several states. If there is the will to change and resources to train individuals on new processes, pretrial assessment can be implemented within one year.

11. Explain to me how the pretrial assessment tool works? Is it computer program, a chart, some other kind of algorithm?

An assessment tool is typically a 7-9-item questionnaire where the answers are weighted based on their predictive influence on someone's likelihood to return to court or be arrested for a new charge pending trial. It's much like the science car insurance carriers use to determine your likelihood of getting into an accident. One example of a pretrial assessment tool is the Public Safety Assessment (PSA). It's a tool used by judges to reliably predict the likelihood that a given individual will commit a new offense, commit a violent offense, or fail to come back to court. It uses nine readily available data points to determine the likelihood of success of an individual, and is successfully being used in all of Kentucky's 120 counties.

12. What are the costs to implementing the tool? Are there IT set up needs, how is it maintained, who manages it and updates it?

Our goal is to see the recommendations implemented and work with the state on what kind of tool works best for the communities where it is being implemented. We have proven research tested throughout the country that can either be directly implemented or some hybrid model could be developed to ensure it is tailored to each community's needs. The items for the pretrial assessment tool already exist in many criminal justice databases and the IT system could be retrofitted to produce the assessment score. Or, in places that would rather, someone could hand score it on a piece of paper.

13. Aren't you just asking for government takeover of a private industry?

No, we are asking local officials to replace an inefficient system with one that's cost-effective, safe and appropriate for the families and communities of each individual jurisdiction. Public safety is an inherently governmental function.

14. So you really believe that cash is not an incentive for someone to appear for court?

Our belief is irrelevant. Science does not support the assertion that money is an incentive for people to return to court.

15. Do you know of any examples when use of the pretrial assessment tool has not worked?

Pretrial assessment tools work better than intuition or the arresting charge alone at predicting someone's behavior, but it is still that—a prediction. The tool cannot completely eliminate unknowns, but it can significantly aid you in measuring it. Once you measure it, you can address it.

16. What kind of monitoring do you expect would be implemented?

Judges need options that provide supervision and supports for people less likely to comply with release orders. Courts can remind them of their upcoming court dates and alert them of other court orders. This has been proven to lower failure-to-appear rates and maintain public safety.

17. You tout this as a cost saving measure – but the initial investments are pretty great and so those long-term costs savings are probably not going to be seen for years, right?

This is not a new program, it's a policy and process change. There will be a shifting of resources, and possibly some start-up costs associated with implementing a statewide pretrial assessment tool and supervision assets where they do not already exist as either pretrial or probation supervision agencies. There will be significant cost-savings if it is implemented as part of a statewide effort, rather than a county-by-county one. The current system ultimately makes inefficient use of taxpayer money and does little to protect public safety. Implementing pretrial assessment solves those two issues. The faster it is implemented the sooner those savings may be seen.

18. What is wrong with mixing some cash-based system with the pretrial assessment system?

The idea of mixing cash and pretrial assessment is misguided. What is the point in measuring likelihood of success if you intend to use the same ineffective strategy you're using now—money—to ultimately determine who gets released? Those with access to cash will get out and those without will stay in, regardless of whether they are likely or unlikely to come back to court and stay out of trouble. We have a chance to make a real difference in the system that is based on fact and research and we should work to implement the most efficient process possible.

For more information, contact the Pretrial Justice Institute www.pretrial.org

