

# Media Toolkit for Partners

Updated October 2014



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# Pretrial Justice Reform Message Guide

## 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 It is **dangerous, outdated, unfair and expensive**, costing taxpayers more than \$9 billion each year without doing enough to protect public safety. Those with money, regardless of the danger they pose to the community or to individuals, can purchase their freedom while poor, often low-risk, defendants remain in jail, an experience that research shows **actually increases their likelihood to offend** in the future.

### The solution:

Jurisdictions must conduct a **risk assessment** of all defendants in custody awaiting their initial appearance in court and provide **supervision and monitoring** of defendants released by the court, when appropriate. This system delivers on the purpose of our bail system – to protect public safety and assure appearance in court.

Jurisdictions can conduct pretrial risk assessments using actuarial tools that calculate a score showing a defendant’s likelihood of pretrial success—court appearance and no arrests—during the pretrial period. Risk assessment instruments typically consist of 7 to 10 items, including current offense, court appearance history, criminal history, employment, residency and drug abuse history. The resulting score places each defendant in a risk category—typically, low, medium, or high—that helps inform the court’s discretion about whether to release, and what supervision and monitoring, if any, are needed to keep the community and victims safe.

Defendants found to pose the lowest risk of failing to appear or being rearrested can most often be released on their own promise to return to court with a substantial probability of staying out of trouble. This group performs best when reminded of upcoming court dates, without excessive supervision or monitoring which research shows produces poor outcomes and wastes resources.

Those who demonstrate a medium risk of failing to appear or being rearrested may be released with conditions of supervision such as travel/contact restrictions, electronic monitoring, drug testing, and checking in with a supervision agent. Basing the pretrial release decision on risk rather than financial means allows low and medium-risk individuals, presumed innocent, to return their families, jobs and communities while awaiting the outcome of their case without undue risk to public safety.

For those who pose the highest risk of pretrial failure, jurisdictions should maintain the ability to detain them without bail through statute—as opposed to the setting of high financial release conditions that they many defendants in this category are able to meet.

**Moving from resource-based to risk-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 risk assessment are that it:

- (1) increases public safety and confidence;
- (2) reduces costs; and
- (3) avoids the unnecessary human toll the current system inflicts on communities and families.

**Risk-based vs. Resource-based Release**

- **Risk assessment that includes someone’s criminal history is far more effective** than relying only on the charge for which they were arrested in determining whether that person is a threat to public safety or poses a risk of flight. Using effective supervision and monitoring is far more effective than having someone pay money in mitigating those risks.
- **The public assumes that risk assessment is currently part of the release decision**, yet the vast majority of jurisdictions do not currently use a pretrial risk assessment tool.
- **The use of actuarial risk assessments can result in higher pretrial release rates and higher pretrial success rates.** For example, in Kentucky where pretrial releases are 70%, court appearance rates are 90% and public safety rates are 92%.
- Likewise, the **District of Columbia**, where there is a presumption of pretrial release and where money may not be used by the court to detain people, releases 85% of arrestees after assessing their risk. In DC, the court appearance rate is 88% and the public safety rate is 88%. Of the 12% rearrested, only 2% were for violent charges.
- **Incarcerating low-risk defendants**, even for relatively short periods of time, **ultimately reduces public safety** by increasing the likelihood they will engage in future criminal activity.
- Currently, **half of the highest-risk defendants are released pretrial.** They are *not* kept off the streets by the setting of high bond amounts.
- **Those who could otherwise safely be released are spending time in a criminogenic environment** and are susceptible to the influences of convicted populations in jail. Over the course of their needless pretrial detention, recent research shows that these low-risk defendants evolve into high-risk defendants when they lose the stabilizing effects of employment and family connections.

**Reduces Cost**

- **Risk assessment greatly reduces costs** by identifying low-risk, non-violent defendants and diverting them from expensive and unnecessary detention.
- **Pretrial detention costs American taxpayers more than \$9 billion per year. One day in jail costs from about \$60 to \$160 per person**, when compared with the \$6 per person cost of risk assessment and supervision. Pretrial system reform saves money and improves outcomes.
- **Introducing risk assessment will not lead to more taxes and government spending.** Research and analysis have proven that risk assessment and supervision will save money while allowing justice professionals to focus on those most likely to commit new crimes and create new victims.
- **For defendants with children or other dependents, the cost-benefit is astounding.** For every individual who is detained and unable to contribute to the family economy and care for family members, costs skyrocket for them, their families and communities far beyond jail-bed use calculations.

While it is not recommended that arguments are made directly against the bail bond industry, if needed, the best positioning is to frame it as a cost-based issue.

- **The for-profit bail bond industry collects billions of dollars in profits through the existing, failing pretrial justice systems.** Their payday comes at the taxpayer’s expense and at a cost to public safety because low-risk defendants remain jailed while high-risk defendants are set free. High bond amounts are more attractive for the bail bond industry as they yield higher profits.
- **Pretrial detention plays a crucial role in the mass incarceration crisis.** The increased use of financial release conditions has led to an increase in the number of defendants detained pretrial. Studies show that defendants detained in jail while awaiting trial plead guilty more often, are convicted more often, are sentenced to prison more often, and receive harsher prison sentences than those with the same charges who are released during the pretrial period.
- **The bail bond industry is neither responsible nor liable for public safety** outcomes and actually benefit from increased crime. The more arrests there are in the country, the more bonds are set. The more serious the crime, the higher the bond and the profit for the bail industry.

Anecdotal points also provide good descriptions of what risk-based pretrial systems seek to avoid.

- Leslie Chew, a handyman who lived in his car, stole four blankets from a grocery store on a cold night. Unable to pay his \$3,500 bond, Chew ended up spending more than eight months in jail at a cost of almost \$10,000. Without a validated risk assessment tool, low-risk defendants like Leslie Chew are unnecessarily detained at a high cost to taxpayers.

- In 2009, Maurice Clemmons was arrested for assaulting and threatening two sheriff's deputies. He was released the next day after a bail bondsman posted his bail for pennies on the dollar. After failing to appear in court as required, he was taken into custody and subsequently released on another, higher bond. Two days later he was arrested on charges that he raped a 12-year old girl, but made bail yet again. Once out of jail, he murdered four police officers. Had a valid risk assessment been in place, Clemmons would most likely have been detained based on his high risk for violence.

# 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 company goals. To maximize the relationships PJI is building with reporters, below you’ll find a list of suggested protocols to help manage a reporter and story.

## Press Protocols

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 organization’s 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 PR team and other interested parties at your earliest convenience.
  - 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 PJI members. 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 we 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.

By working together, we can ensure the media does not cause a headache, but is an asset to your organization.

### 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-ed Template

## 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 and Op-Ed?

We want to make the argument for smart pretrial reform 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., a defendant released on bail commits a high-profile crime), or some other catalyst that invites a call to action for reform. 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 our 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 reform 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 readers mind.

**Write clearly**

Use short sentences, paragraphs and declarative, active-voice sentences. 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 bail bondsmen is worthwhile. There is a need for reform – which all can 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**

**Why the Bail Bond System Needs Reform**

November 19, 2013 09:51:02 am

By Timothy Murray

<http://www.thecrimereport.org/viewpoints/2013-11-why-the-bail-bond-system-needs-reform>

Two principles should underpin our approach to the development of public policy: fairness and effectiveness. Tragically, the cash-based bail bond system used throughout much of the United States fails on both counts.

Not only are secured bonds (where one must pay in order to be released) inherently unfair to those who cannot afford the cost, but the data show that they are no more effective than non-financial bonds at achieving public safety, or in ensuring that those charged will appear in court.

The cash-based model represents a tiered system of justice based on personal wealth, rather than risk, and is in desperate need of reform.

Although some are quick to lay blame to the for-profit commercial surety industry for this phenomenon, they are simply deriving income from a broken system. Ultimately, those who seek to reform a broken system such as this should target the system's engineers, not its profiteers.

An op-ed [published](#) last month in *The Crime Report* correctly pointed out that debates about pretrial policies are decades-old. Relatively new, however, is research showing conclusively that jailing low-risk defendants— often those who cannot afford to pay their bond— actually *increases* their likelihood to reoffend in the future.

Additionally, evidence suggests that an alarming percentage of those classified as the most dangerous are simply purchasing their release under the current system. As a result, low-risk individuals become high-risk after being unnecessarily detained—while high-risk offenders often walk free.

There is no shortage of data to support the need for substantive reform, including the proven effectiveness of incorporating empirically derived risk assessment tools within pretrial decision-making.

A comprehensive study by the Pretrial Justice Institute (PJI) of nearly 2,000 arrests in Colorado found that unsecured bonds are as effective as secured bonds at achieving public safety and ensuring that the defendant appears in court.

Secured bonds also lead to significantly higher pretrial detention rates at taxpayer expense. Thus there is a massive cost differential between pretrial risk assessment and the status quo. In addition to the human toll the current system takes by destroying families and communities without means, it unnecessarily turns taxpayers into tax-takers.

In response to the dysfunction and inefficiencies in the current pretrial justice system, several states across the country have taken the lead in implementing creative solutions to the broken, cash-based model.

Kentucky, Ohio, and Virginia, among others, have deployed validated pretrial risk assessment in the courts. These tools, developed and refined from large data sets and tested for their ability to predict pretrial misconduct, provide a rational alternative to arbitrary decision-making in the release process.

Oregon and Nebraska are among the states that have successfully enacted protocols to provide supervision and monitoring of defendants released by the court, remind them of their upcoming court dates, and alert them of other court orders.

These efforts have reduced the rate of defendants failing to appear in court, leading to significant cost savings for courts and law enforcement.

Further, Maryland and Wisconsin are part a growing number of states that have passed laws to expand the use of citation releases by law enforcement in lieu of custodial arrests for non-violent offenses. Custodial arrests are enormously expensive and too often result in the unnecessary detention of low-risk individuals.

The public overwhelmingly supports reforming our pretrial systems.

In addition, the weak economy and budgetary pressure on local and state governments demand that we make the best use possible of our tax dollars. According to a recent survey commissioned by the Public Welfare Foundation, seven in ten voters nationwide support replacing cash bonds with risk assessment and supervision, including nearly half (47 percent) who strongly back the proposal. This support traverses partisan, regional, racial, and other demographic lines.

Important stakeholders such as police chiefs, judges and elected county officials have also been vocal in their support for fixing this broken model.

We have an outdated pretrial justice system in the U.S. that places excessive burdens on taxpayers, and fails in its most basic responsibility to be fair and effective. Worse, it is actually increasing crime by turning low-risk defendants into high-risk offenders.

In the interests of justice, public safety, and cost efficiency, it is imperative that we come together and work to improve it, now.

*Timothy Murray is the Executive Director of the Pretrial Justice Institute. He welcomes comments from readers.*

**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]: Mr. Murray 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. He 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 Mr. Murray advocates in this article for a data-driven reform effort that is 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]: Unfair and Ineffective: Why the Bail Bond System Needs Reform**

There are two main principles that must underpin our approach to the development of public policy: fairness and effectiveness. Tragically, the cash-based bail bond system used throughout much of the United States fails on both counts. Not only are secured bonds (where one must pay in order to be released) inherently unfair to those who cannot afford the cost, but the data show that they are no more effective than non-financial bonds at achieving public safety or in ensuring that those charged will appear in court. The cash-based model represents a tiered system of justice based on personal wealth, rather than risk, and is in desperate need of reform.

Although some are quick to lay blame to the for-profit commercial surety industry for this phenomenon, they are simply deriving income from a broken system. Ultimately, those who seek to reform a broken system such as this should target the system's engineers, not its profiteers....

# Letter-to-the-Editor Template

### 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, paragraphs and declarative, active-voice sentences. 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**

*To provide you an example of the brevity of an LtE, the limit for this response was 500 characters, and this comes to 491. Ultimately, we decided a response to the original article below was not a prudent effort, therefore it was not submitted. But to give you a general guide, we include it here.*

Re: [US Criminal Justice System](#) by Charlotte Silver, Sept. 27, 2013: The Pretrial Justice Institute (PJI) has undertaken extensive research on which kinds of bonds are the most cost-effective and consistent with the most important pretrial outcomes: (1) public safety; (2) court appearance; and (3) jail bed use. We overwhelmingly support judicial officers changing their practices to use many more personal recognizance bonds with a financial condition instead of surety or cash bonds. PJI welcomes other organizations including ALEC that are fully committed to fixing the broken bail system that creates a more fair system with better outcomes.

Tim Murray, Executive Director, Pretrial Justice Institute, a non-profit advocacy group based in Washington D.C.

# Story Bank Form

## What Is a Story Bank?

The Pretrial Justice Story Bank is a collection of stories from people all across the country with experiences that demonstrate the need for pretrial justice reform.

We want to capture the first-hand accounts and impacts through anecdotes and interviews that provide examples of what is working and what is not. This puts a human face on the pretrial crisis – beyond the research, data points and jargon. Personal stories resonate and show how the policies and laws currently in practice affect individuals.

## How Does the Story Bank Work?

Once you fill out the form below, we will keep it on file in our office. Organizations working on pretrial justice reform efforts regularly receive requests from reporters, lawmakers, advocates and others who need real people to highlight complex issues.

If we find a story bank participant who matches a story request, we then ask that participant for consent to pass along his or her personal contact information. While most story bank participants are usually eager to share their stories to help make a difference, nonetheless, participants always have the right to refuse any interview or any question during an interview. We want all participants to feel comfortable sharing their stories because we understand that people are volunteering their stories and, at times, giving up their privacy to help educate the public about a particular issue.

If you have further questions, please contact PJI’s Spike Bradford at [spike@pretrial.org](mailto:spike@pretrial.org).

Your Name	
Today’s Date	
City and State Where You Currently Live	
City and State Where Events Took Place (if different)	
Date of When Events Took Place	
Your Current Age	
Do you give permission for your story to be used with reporters, lawmakers, in speeches and other public venues to help describe pretrial justice impacts?	
Contact Information (phone or email): <i>Note: we will not release this information publically nor will we distribute this to any third party (lawmaker, reporter, etc.) without your prior expressed permission.</i>	

<p>Your Story:</p> <ul style="list-style-type: none"><li>• Describe the circumstances of what happened to you.</li><li>• Provide an update of where the situation currently stands, as of today.</li><li>• Give your best understanding of next steps you are taking or which you believe will transpire in your case.</li><li>• Include any other additional details on the impact this has had on you, your family, livelihood, or other consequences.</li></ul>	
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## Expert Availability Advisory Template

### 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.

Though, 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 a defendant who commits a crime while out on bail but who would have been otherwise detained through a risk 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 and Expert Availability Advisory

### FOR PLANNING PURPOSES

Contact: [NAME] | [EMAIL] | [PHONE]

#### EXPERT AVAILABILITY

### As Pretrial Justice Legislation Moves in Annapolis, Expert Available to Comment on Reform Effort

*Cherise Fanno Burdeen, COO of The Pretrial Justice Institute, is Playing Key Role in Getting New Laws Passed*

Washington D.C., [DATE] – Gov. Martin O’Malley and the Maryland General Assembly’s leadership are reshaping the state’s pretrial justice program which is the system that decides who is eligible for release from custody while awaiting trial and who is remanded.

This reassessment of Maryland’s current pretrial confinement protocols follows a state Supreme Court decision in 2013 and is being designed after a series of recommendations offered by a state task force charged to study the issue. Cherise Fanno Burdeen chaired the subcommittee task force that penned those recommendations, guided by research conducted by her organization, The Pretrial Justice Institute.

In minutes, Cherise can offer your audience:

- An explanation of how the Maryland effort reinforces public safety, is cost-efficient for taxpayers and promotes justice
- Data-driven facts on the need for pretrial justice reform
- A concise description on the use of risk assessment in determining defendant release

**To schedule an interview with Cherise, please contact [NAME] at [EMAIL] or [PHONE]**

**Cherise Fanno Burdeen:** Ms. Burdeen earned her Master’s in Criminal Justice from Indiana University and began her career with the research office of the Department of Justice. After federal service that included time with the Department of Homeland Security, Ms. Burdeen joined PJI in 2006. Since then, Ms. Burdeen has developed innovative strategies to raise awareness of pretrial justice issues, worked with a broad constituency of criminal justice stakeholder groups, provided technical assistance and training on policy reforms, and engaged in communications and media efforts. She has extensive experience with strategic planning, initiative management, and communications efforts across the criminal justice system. Ms. Burdeen currently serves as the 2013/2014 President of the National Association of Pretrial Services Agencies. She also serves as the COO for the Institute for Justice Planning, a subsidiary of PJI providing planning support to jurisdictions engaged in criminal justice system reform.

**Pretrial Justice Institute:** The Pretrial Justice Institute is a nonprofit that works toward safe, fair and effective pretrial justice by promoting reforms in arrest, bail and diversion decision-making. PJI aims for data-driven and informed policies across juvenile and adult pretrial justice systems to diversify outcomes influenced by demographics. PJI only supports pretrial detention in cases where defendants are a threat to community safety or demonstrate failure to appear in court. For more information visit [www.pretrial.org](http://www.pretrial.org).

###

## Potential Reporter Questions

### 1. Is reform really needed?

Yes, and reform is long overdue. The current cash-based system in place throughout most of the country is outdated, unjust, and expensive. By using risk assessment tools, as well as risk-and-need based supervision of defendants, we can identify those defendants who can be safely released pending trial and keep potentially dangerous defendants in jail - protecting public safety at a lower cost than we do now. Reform is well underway in a number of states.

### 2. What reform do you want to see implemented?

By using Risk Assessment to help transform the system, we can do a better job of keeping dangerous criminals in jail and protect public safety all at a lower cost than we do now. Risk 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 this reform work?

These reforms have been introduced in a diverse set of states across the country including Kentucky, Oregon, Virginia, Ohio and in the District of Columbia among others.

### 4. Have there been any studies on how the reform worked?

There is considerable research to support the need for reform as well as overwhelming support from the public – 70% of Americans believe in using risk assessment over cash bail. Even the biggest stakeholders within the justice ecosystem – IACP, CCJ, APA, etc. have issued public calls for reform. The Pretrial Justice Institute, for instance, released a study in October concluding that unsecured bonds are as effective as secured bonds at achieving public safety and ensuring court appearance. And the Arnold Foundation just completed its two year study on the role that data and analytics can play in helping judges determine what risk defendants pose to public safety and whether they should be detained in jail or released prior to trial.

### 5. What was the ultimate savings to taxpayer?

In the end, the amount of cost savings will depend on how comprehensive the reform effort is. The more committed a particular jurisdiction is to broad-based reform, the more savings they will enjoy. Short-term savings come from jail bed use, long-term comes from less crime and not disrupting a defendant'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 the defendant appears in court is wrong. It doesn't. Requiring



lower-risk defendants to put up money for release not only leads to unnecessary detention and expensive jail bed use with tax payers picking up the tab, it also allows high risk defendants 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 reform 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. How much money have you spent on this effort?**

The Pretrial Justice Institute is a non-profit. Our research and outreach activities are supported by grants from the US Department of Justice and private philanthropies.

### **9. Who are your biggest supporters?**

Our supporters are the most trusted voices in public safety: chiefs of police, sheriffs, judges, prosecutors, defense attorneys, local government officials, and others. When those on the front lines serving to keep us safe agree that we can do better through risk-assessment, it's time to take a serious look at reform and work together to make the changes Marylanders deserve.

### **10. Who are your biggest detractors?**

The bail bond industry has a vested interest in keeping the current system in place – regardless of the cost to tax payers, inequity or true contribution to public welfare.

### **11. Why do you think this issue is important?**

When a system recklessly allows dangerous people to bond out unsupervised, while needlessly detaining lower-risk individuals who could otherwise contribute to their family and earn an income while gouging local tax payers, it should be important to us all. Worse, detention fosters an environment where “light” offenders may be corrupted by more violent criminals. Proven alternatives exist and are ready to be employed.

### **12. How long would it take to implement this change in a single state?**

A national tool for pretrial risk assessment already exists, and is ready to be employed in any state or jurisdiction that wants it. If there was the will to change and resources to train individuals on the new processes, it could be implemented within one year.

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

A risk 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 rearrested 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 risk assessment tool is the Public Safety Assessment Court (PSA-Court). It's a tool used by judges to reliably predict the risk that a given defendant will reoffend, commit violence, or fail to come back to court. It uses nine readily available data points to determine the risk level of a given defendant, and is successfully being used in all of Kentucky's 120 counties.

**14. 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 the community needs of Marylanders. The items for the risk assessment tool already exist in many criminal justice databases and the IT system could be retrofitted to produce the risk score. Or, in places that would rather, someone could hand score it on a piece of paper.

**15. Aren't you just asking for government take-over 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.

**16. 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.

**17. Do you know of any examples when use of the risk assessment tool has not worked?**

Risk 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 risk, but significantly aid you in measuring it. Once you measure it, you can address it.

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

Judges need options that provide supervision and monitoring of higher risk defendants released by the court, 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.

**19. You tout this as a cost saving measure – but the initial investments 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 risk 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 risk assessment solves those two issues. The faster it is implemented the sooner those savings may be seen.

**20. What is wrong with mixing some cash-based system with the risk-assessment system?**

The idea of mixing cash and risk assessment is misguided. What is the point in measuring risk if you intend to use the same ineffective strategy you’re using now to mitigate it – money? Those with access to cash will get out and those without will stay in, regardless of risk. 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.

## Press Release Template

### 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 can 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**

**FOR IMMEDIATE RELEASE**

October 22, 2013

CONTACT: Ashley Hughes

[ahughes@deweysquare.com](mailto:ahughes@deweysquare.com) | 202.879.5594 | 202.680.8774

**Study Finds Defendants Released on Unsecured Bonds Pose No Greater Threat to Public Safety and Appear in Court as Regularly as Those Who Post Secure Bonds**

*Analysis of Nearly 2,000 Defendants Across 10 Colorado Counties Shows How Greater Efficiency in the Pretrial Bail Process Can Save Taxpayer Money and Reduce Burdens while Achieving Just Outcomes*

**COLORADO- October 22, 2013 --** The Pretrial Justice Institute (PJI) released a study that provides evidence for increased use of unsecured bonds for defendants. In a review of 1,919 individuals who had been arrested across ten Colorado counties, researchers tracked the three most important pretrial outcomes: (1) public safety; (2) court appearance; and (3) jail bed use. The study, “Unsecured Bonds: The As Effective and Most Efficient Pretrial Release Option,” strongly affirms that judicial officers should change their practices to execute more unsecured releases, and pivotal decision makers in the pretrial process – jail administrators, pretrial services staff, prosecutors and defense attorneys, judges, county commissioners and state legislators – should embrace this.

At issue are the two methods through which defendants may be financially released once charged with an offense and prior to their court date in Colorado: unsecured bonds and secured bonds. Unsecured bonds allow defendants to leave jail without paying upfront; however, failure to appear in court would then require the defendant to pay the entire bond fee set by the judge. Defendants with secured bonds must pay upfront. In many instances this means a non-refundable fee to a bondsman, in order to be released from jail. Secured bond results in significantly increased pretrial bed use as many defendants cannot afford bond or because it can take several days to secure the money needed to post bond.

In this study, it was found that 70 percent of the nearly 2,000 cases had high success rates in returning to court and not committing new crimes while awaiting trial.

Tim Murray, executive director of PJI, remarked, “Unsecured bonds save tax payers money without risk to public safety. There is no reason for the citizens of Colorado – or any other state – to continue spending hundreds of thousands of dollars on expensive jail space for those who do not need it. Further, emerging research shows jailing all but the highest-risk defendants actually increases their likelihood to re-offend, and an alarming percentage of those classified as the *most dangerous* are purchasing their release under the current system.”

"This study further validates other research we have seen that proves there are smarter and more effective ways to produce desired results in Colorado's communities," said Maureen Cain, Policy Director of the Colorado Criminal Defense Institute. "Instead of over-populating our jails, we need intelligent and research-based decision making by our judges and civic leaders. I'm encouraged that this research will continue to move Colorado forward towards a justice system that promotes a better use of resources and creates a pathway to safer communities."

In the report, Michael Jones, senior project associate at PJI, surveyed many important areas related to pretrial justice and bond programs. Specific findings include:

- Unsecured bonds are as effective at achieving public safety as are secured bonds.
- Unsecured bonds are as effective at achieving court appearance as are secured bonds.
- Secured bonds result in more pretrial bed use. Ninety-four percent of defendants are able to return home pretrial compared to just 61 percent of defendants with unsecured bonds.
- The monetary amount of secured bonds affected pretrial release rates but not court appearance rates.
- Unsecured bonds also free up more jail beds than do secured bonds because defendants with unsecured bonds have faster release times.
- Unsecured bonds are as effective at “fugitive-return” for defendants who have failed to appear as are secured bonds.
- Many defendants are incarcerated for the pretrial duration of their case and then released to the community upon case disposition.

“On average, even low-risk defendants who cannot afford small bail amounts upfront spend unnecessary days, weeks and months in jail, costing citizens \$9 billion per year. This study shows that even simply moving to more unsecured releases for all but the highest-risk individuals can cut costs to communities and reduce the toxic effect of jail on low-risk individuals, without increasing risk to public safety or fugitivity,” said Murray.

The full report “Unsecured Bonds: The As Effective And Most Efficient Pretrial Release Option,” can be found [here](#).

**Pretrial Justice Institute:** The Pretrial Justice Institute is a nonprofit that works toward safe, fair and effective pretrial justice by promoting reforms in arrest, bail and diversion decision-making. PJI aims for data-driven and informed policies across juvenile and adult pretrial justice systems to diversify outcomes influenced by demographics. PJI only supports pretrial detention in cases where defendants are a threat to community safety or demonstrate failure to appear in court. For more information visit [www.pretrial.org](http://www.pretrial.org).

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## Press Advisory Template

### 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.

### What does a Press Advisory look like?

Below is a template that provides the structure for the most concise advisory

#### 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 news worthy]

**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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**For more information, contact the  
Pretrial Justice Institute  
[www.pretrial.org](http://www.pretrial.org)**