

MOVIES & GRASSROOTS COMMUNITY ENGAGEMENT:

DOCUMENTARY FILMS & STATE AND LOCAL PUBLIC POLICY IN THE UNITED STATES

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CMSI
CENTER FOR MEDIA & SOCIAL IMPACT

**CATY BORUM CHATTOO
& WILL JENKINS**



OVERVIEW

ABOUT THE PROJECT

Movies & Grassroots Community Engagement: Documentary Films & State and Local Public Policy in the United States is the second in a two-volume investigation about the role of documentary films in legislative and regulatory change and influence in the United States. Volume 1 focuses on the federal level, and this report, Volume 2, focuses on state and local levels. Both volumes were directed and written by Caty Borum Chattoo and Will Jenkins for the Center for Media & Social Impact at American University's School of Communication in Washington, D.C. This investigation was funded by the Fledgling Fund (www.thefledglingfund.org). For the Center for Media & Social Impact, American University graduate student fellows Elise Bell, Elisabeth Drabkin, Kelsey Tate, Hannah Sedgwick, Nesima Aberra, and Michele Alexander provided invaluable research support.

ABOUT THE AUTHORS

Caty Borum Chattoo is Director of the Center for Media & Social Impact (CMSI) and Executive in Residence at the American University School of Communication in Washington, D.C. She is an award-winning communication strategist, documentary film/TV producer, and scholar working at the intersection of social change, documentary, and entertainment storytelling.

Borum Chattoo's social justice documentaries have aired internationally and nationally on Netflix, the Sundance Channel, Pivot, NDTV (India), PBS World, Link TV, KCET, DirectTV and theatrically. She has produced two documentary feature films (*Wal-Mart: The High Cost of Low Price* and *The After Party*), a TV documentary and transmedia series (*Stand Up Planet*, starring Hasan Minhaj from *The Daily Show*), a multi-part documentary TV series focused on global poverty (*ViewChange*), a seven-part environmental justice documentary TV series (*Sierra Club Chronicles*), and PSA campaigns designed for social change on issues ranging from global poverty to climate change to HIV. Peer-reviewed research is featured and forthcoming in top journals in communication and the humanities, and she has been a featured presenter, speaker, and workshop leader on the intersection of entertainment, nonfiction storytelling, and social justice at leading academic conferences (International Communication Association, National Communication Association), professional social-change conferences (Skoll World Forum, TEDx, Frank Conference for Social Change), international film festivals and convenings (Tribeca Film Festival, AFI DOCS, DOC NYC, European Documentary Network, Doc Impact Academy Netherlands), and other professional gatherings. She serves on the board of directors for Working Films, a non-profit organization working at the intersection of documentary storytelling and community engagement, and Kartemquin Films, a leading social-justice film production company.



Will Jenkins has more than a decade of communications and policy experience at the White House, the Department of Health and Human Services, and Congress. Over the years, he has also worked with many filmmakers and media organizations to help them understand and engage in public policy. Jenkins has spoken and led workshops on films and policymaking for the the Sundance Institute, the South by Southwest Festival, the Tribeca Film Institute, BRITDOC/Good Pitch, SilverDocs/AFI Docs, the International Documentary Association, the Fledgling Fund, Docs in Progress, and Women in Film & Video. In 2010, Jenkins wrote a guide to public policy for filmmakers for *Documentary* magazine (<http://www.documentary.org/magazine/filmmakers-guide-capitol-hill>).

In 2012, he was Policy Director for the Impact Film Festival at the Republican and Democratic National Conventions, where he coordinated screening discussions with politicians, filmmakers, celebrities, and reporters for the films *Butter*, *Electoral Dysfunction*, *The House I Live In*, *Hunger Hits Home*, and *The Invisible War*. In 2013, he developed the American Film Institute's first "Political Bootcamp for Filmmakers." During his time in the federal government, Jenkins has served as a spokesperson to local, national and foreign news outlets. He has planned high-profile events and policy rollouts featured in *The Wall Street Journal*, *The New York Times*, *USA TODAY*, and *The Washington Post* and managed appearances for government officials on "Meet the Press," "Morning Joe," and "The Colbert Report."

Jenkins has overseen the planning and evaluation of a wide range of communications products and campaigns by multiple federal agencies. As a legislative aide in Congress, he guided from introduction to enactment the first legislation to protect American military members from the health effects of toxic burn pits in Iraq and Afghanistan, which has been called "this generation's Agent Orange." In 2007, Jenkins founded the Democratic Communicators Network, the professional association for Democratic communications staff in Congress and the Administration, which provides mentoring, networking and training for hundreds of members. He was also elected to serve on the board of the Congressional Legislative Staff Association, a bipartisan staff association in Washington.

ABOUT THE CENTER FOR MEDIA & SOCIAL IMPACT

[The Center for Media & Social Impact](http://www.cmsimpact.org) (CMSI) at American University's School of Communication, based in Washington, D.C., is a research center and innovation lab that creates, studies, and showcases media for social impact. Focusing on independent, documentary, entertainment, and public media, CMSI bridges boundaries between scholars, producers and communication practitioners who work across media production, media impact, public policy and audience engagement. The Center produces resources for the field and research, convenes conferences and events, and works collaboratively to understand and design media that matter. www.cmsimpact.org



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EXECUTIVE SUMMARY & STRATEGIC RECOMMENDATIONS

Over the past few decades, an increased number of social-issue documentary film teams have endeavored to fuel policy shifts in the United States – that is, to influence legislation, regulation, enforcement, and the views of policymakers related to key social issues on the federal, state, and local levels. Documentary filmmakers and policymakers operate in different worlds with distinct agendas and ways of doing business. And yet, they are often able to come together in mutually beneficial ways,

Movies & Grassroots Community Engagement provides inside perspectives from policymakers, filmmakers, and advocacy leaders who have successfully contributed to shifting or creating policy agendas on the state and local levels with the help of documentary films. Building on the findings of our first report on federal policymaking, *When Movies Go to Washington*, this report offers documentary film teams and advocates tips for engagement in the state and local arenas. Because federal policy change may not be the most strategic option at a given time, a fuller understanding of state and local policymaking processes can widen opportunities for engagement on issues that matter.

This report reaffirms strategic recommendations and conclusions from the first report in this two-part series, while finding additional strategic aspects specific to state and local engagement:



“Having a national group come in and dictate what should happen on a local level generally doesn’t work with local policy advocacy... A national group can put more eyes on something that’s happening, but it should partner with local groups and people as much as possible, so there are still people on the ground when the national group leaves so the local people have [local advocacy partners] to work with. The local people still need to be in charge on the local level.”

– ATTORNEY & ADVOCACY EXPERT,
JENNIE ROMER (*BAG IT*)

I. LOOK FOR MOMENTUM ACROSS THE COUNTRY & AT ALL LEVELS OF GOVERNMENT.

Efforts to influence public policy can stall at one level of government because of the political climate or competition from other pressing issues. Looking for state and local engagement options, rather than just federal ones, opens a much wider range of potential opportunities to find momentum on an issue. When a film can successfully align with the social and political momentum that has been built up by others over time—whether at the local, state or national levels—it can be a catalyst that pushes the issue forward in a dramatic way. Over the long run, wins at the local level can lead to wins at the state level, and wins at the state level can lead to wins at the national level.

2. CHOOSE ASSOCIATIONS & ADVOCACY PARTNERS WITH STRONG LOCAL TIES.

For a film to have state and local policy impact, it’s helpful to partner early with the right advocacy groups and associations that focus on the social issue at the heart of a documentary film. It is particularly important for these



groups to have experience and good relationships in the specific state(s) and/or localities in which the film team wants to engage. These local leaders and insiders are trusted guides and issue experts who maintain strong relationships with governors, state agency officials, state legislators, mayors, local council members, and of course, their staffers. They can help film teams understand the precise policy position of a social issue and realistic policy directions in different parts of the country – and they can move an issue forward and engage their own grassroots networks in the states or localities.

3. UNDERSTAND THE ISSUE'S POSITION IN THE POLICY PROCESS OF EACH STATE OR LOCALITY.

When developing a public policy impact strategy for a documentary film, it is crucial to understand the current status in the policymaking process of the issue it explores. Has legislation been proposed already? Is this a new issue without legislation? Is existing legislation not being enforced? Answering these questions – with the help of advocacy group policy experts – is key. Understanding the partisan implications of which major party – Republicans or Democrats – controls a state legislature or the governor's office is essential to a realistic understanding of what is possible in a state.

4. FIND THE RIGHT POLICYMAKERS.

There are five soft criteria for strategic film teams when considering particular state and local officials to help support the efforts of the film, in addition to the recommendations from advocacy partners: (1) committee assignment and/or jurisdiction over the issue, (2) local angles of the film and connection to a state legislator's district or a specific locality, (3) established long-time commitment to a social issue, (4) level of seniority, and (5) track record of policy successes.

5. CREATE STRONG RELATIONSHIPS WITH POLICYMAKERS' STAFF.

State and local policymakers often have fewer staff than their federal counterparts. As a result, staff often have even more authority and responsibilities. If a state or local official assigns a project to a staff member, it will have a better chance of moving a policy agenda forward. Relationships matter, and remember that a staffer is both a policy expert and a gatekeeper at the same time.

6. FIND EFFICIENT WAYS TO REACH POLICYMAKERS.

There are thousands of state and local policymakers spread out across the country, so engaging them can be much more time- and resource-intensive than simply visiting Washington, D.C. However, state and local policymakers are usually members of regional and national associations, so they attend a variety of conventions, forums, and other gatherings. All of these opportunities can present more efficient ways for film teams to engage a wide range of policymakers.

7. UNDERSTAND A STORY'S UNIQUE VALUE – BUT ALSO KNOW THE FACTS.

Policymakers and their staff are armed with facts and statistics. What they often don't have is precisely what a documentary film team can offer: a compelling, intimate, human story that brings an issue to life and captures



emotions. In this way, filmmaker and policymaker agendas can align – the filmmaker provides the crucial intimate human stories. Film teams should be prepared to talk in ways that align the values of the story with the values and objectives of the policymakers. An intimate story alone is not enough to convince a policymaker to pay attention to a documentary film about a social issue. Knowing the facts of the issue is important for establishing credibility with policymakers, who are much less likely to support someone's personal advocacy agenda than a sound set of facts that back the human stories in the film.

8. PREPARE DETAILED POLICY SOLUTIONS.

State and local policymakers often do not have the time or resources of their federal counterparts to research and develop public policies. As a result, they often rely on advocacy groups and outside experts. In fact, it is not unusual for these groups to actually draft legislation and policy provisions for state and local policymakers to consider, adapt and often enact. So, filmmakers should work with their advocate partners to prepare detailed policy solutions to share with receptive policymakers. Filmmakers may also want to help their advocacy partners present to policymakers, given their command of the stories in their films. Depending on a state or locality's political environment, nonpartisan policy solutions may be most effective – much more effective than a strictly partisan stance.

9. PROVIDE DIFFERENT OPTIONS & FORMATS FOR VIEWING.

Because policymakers and their busy staffers receive so many requests for their time, it can be challenging for them to watch an entire film. A full suite of optimal versions for policy engagement is ideal. This storytelling toolbox includes: (1) a 2-minute trailer to capture initial attention, (2) 5-10-minute trailers or scene clips for small meetings, (3) a 20-minute cut for a larger meeting and Q&A, and (4) a full-length film for public screenings.

10. LEVERAGE EARNED MEDIA COVERAGE.

Earned media coverage – that is, articles in newspapers, magazines, stories in TV national and local news outlets, even film awards – amplify a message well outside the policy arena of state capitols. Media coverage is a tactical tool that can raise awareness of a supportive public who can mobilize to tell state and local officials how they feel about an issue. And, at particular points in the policy process, public support can make all the difference. Media coverage for a social-issue documentary is not only an entertainment publicity function, but also a grassroots coalition tool.



THE STATE & LOCAL POLICY ARENA: A BRIEF OVERVIEW

While news headlines mostly focus on national politics and government activities in Washington, DC, state and local governments often have a more direct impact on the day-to-day lives of Americans. State and local governments shape a wide range of policies, including education, transportation, law enforcement, environment, and health care. This distribution of authority is built into the U.S. Constitution, which states: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people” (10th Amendment).¹ Because each state and local policymaking process is unique, engagement campaigns that focus on state and local policies will need to tailor their efforts to each individual state and locality.

STATE GOVERNMENTS

State governments are modeled after the federal government system, with executive, legislative and judicial branches.² Governors carry out similar roles as the U.S. President, and all but one of the state legislatures (Nebraska) have two houses like the U.S. House and Senate. As at the federal level, legislation passed by state legislatures must be signed by the governor in order to become law.³ Governors oversee state agencies that carry out and enforce state laws.

However, every state has a different constitution and different ways of doing business. Even their schedules are different – and this is important when it comes to policy engagement. Most state legislatures have regular sessions at the beginning of each year for a few months, but some don’t meet every year, and others meet year-round.⁴ Introducing and passing legislation can only be done when a legislature is in session. The appendix of this report includes links to resources that include schedules, constitutions, and other relevant information for each state government.

States have been called “laboratories of democracy” because public policies can be developed on a smaller scale before taking them to the national level.⁵ For this reason, film engagement campaigns may be more effective at the state level when there are barriers to federal policy change or insufficient support for a new policy proposal.

LOCAL GOVERNMENTS

In 2012, there were 89,004 local governments in the United States. This presents both a tremendous opportunity and challenge for engagement campaigns that want to focus on local policymaking. Local governments include counties, townships, municipalities (which include villages, boroughs, cities, and towns), and special districts (which serve specific purposes such as firefighting or public schools). Local governments are usually led by a mayor or manager and a council, but organizational structures and sizes vary widely. Often, the council members act as legislators and the mayor as the executive, although mayors can also be voting members of the council.⁶ Like other legislative bodies, councils often have working committees focused on different issues like health, education, or crime.



While local governments may appear to the public to be at the bottom of the country's power structure (falling under the authorities of both state and federal governments), the impact of their decisions is felt by their constituents every day—from fixing potholes to improving schools to stopping crime.

As with states, local governments may present opportunities to film engagement campaigns for smaller-scale public policy innovations that can later be scaled up to the state or national levels. However, successful local efforts sometimes are affected by “preemption” when state legislatures pass laws to prevent local governments from taking certain actions, as has happened with local efforts to ban smoking⁷ or raise the minimum wage.⁸ This can be more common when a city government is controlled by one political party and the state government by another.

ADVOCACY GROUPS & ASSOCIATIONS

Issue advocacy groups⁹ and lobbyists are not usually part of the government, but they are vitally important players in the policy process. Many membership associations, like the American Association of Retired Persons (AARP) or American Medical Association (AMA), also have advocacy offices or hire outside lobbyists to advocate for their interests with state and local governments. The best advocates are insiders with strong local experience and relationships. Because of this, many national advocacy organizations have local affiliates to get things done at the local level. Advocacy groups and associations are key sources for both information and connections.

It's important to understand the distinction between two kinds of policy engagement: lobbying and education. *Lobbying* is a regulated activity carried out by registered lobbyists that involves both contributions to political campaigns and efforts to persuade policymakers to support specific policy proposals. *Education* is a different level of engagement in this context. Instead of, or in addition to, lobbying, many nonprofits and other organizations focus on educating policymakers about key issues.¹⁰ They do not endorse or promote specific legislation or election outcomes, but instead they seek to raise awareness about a problem and potential solutions. Their access to policymakers is based on the size of their membership, their media brands and the reputation of their experts (rather than being based on donations to campaigns).

The difference between lobbying and education is meaningful, formal and important. Some non-governmental organizations (NGOs) are restricted in lobbying activities, and foundations are banned altogether from supporting lobbying efforts. The Alliance for Justice, a resource included at the end of this report, is an excellent guide for questions about formal lobbying vs. educational awareness activities.

There is also intergovernmental advocacy. Local officials lobby state and federal officials and local and state officials lobby federal officials on issues that are important to them.¹¹ State governments can also sue each other or the federal government. When planning a film engagement campaign that includes several tiers – local, state, and national aspects – it is important to remember that state and local officials can be powerful allies in making the case for policies at the federal level.

The background of the entire image is a repeating pattern of various icons related to film and media. These icons include movie cameras, clapperboards, film reels, popcorn buckets, megaphones, hands holding film strips, and stylized depictions of state capitols. The icons are rendered in a light blue-grey color against a slightly darker blue-grey background.

INSIDE STATE & LOCAL POLICY- INVOLVED DOCUMENTARY FILMS



BAG IT



FILM OVERVIEW

Directed by Suzan Berera and produced by Michelle Hill, *Bag It* premiered in 2010 and screened throughout the country for the next several years, winning 12 festival awards at both film industry and environmental film festivals.¹² The official film synopsis:

Americans use 60,000 plastic bags every five minutes -- single-use disposable bags that we mindlessly throw away. But where is "away?" Where do the bags and other plastics end up, and at what cost to our environment, marine life and human health? Bag It follows "everyman" Jeb Berrier as he navigates our plastic world. Jeb is not a radical environmentalist, but an average American who decides to take a closer look at our cultural love affair with plastics. Jeb's journey in this documentary film starts with simple questions: Are plastic bags really necessary? What are plastic bags made from? What happens to plastic bags after they are discarded? Jeb looks beyond plastic bags and discovers that virtually everything in modern society—from baby bottles, to sports equipment, to dental sealants, to personal care products—is made with plastic or contains potentially harmful chemical additives used in the plastic-making process. When Jeb's journey takes a personal twist, we see how our crazy-for-plastic world has finally caught up with us and what we can do about it. Today. Right now.¹³

THE JOURNEY: FROM FILM TO LOCAL POLICY ENGAGEMENT

It began with a local news story about a plastic bag reduction contest between two Colorado towns. Director Suzan Beraza was looking for a new film topic and said that "something about the reduction challenge made me want to learn more about plastic."¹⁷ At first, Beraza said she was planning to make a short film about the contest itself, but "we came to see that there was a much bigger international story. We did some research and saw there had not been any big films about the topic. So we switched tacks and decided to make a feature length film." The challenge was daunting:



102 billion plastic bags were used in the U.S. in 2009. These bags, even when properly disposed of, are easily windblown and often wind up in waterways or on the landscape, becoming eyesores and degrading soil and water quality as they break down into toxic bits. Their manufacture, transportation and disposal require large quantities of non-renewable resources and release equally large amounts of global-warming gases.¹⁸

But Beraza's research led her to the conclusion that "we can do something about plastic."¹⁹ She said, "We didn't know while we were making the film that we should be thinking about an engagement film the whole time."²⁰ The importance of a solutions-oriented approach became apparent as soon as they started screening *Bag It*. Producer Michele Maughan explained:

People would watch it and really wanted to know what they could do. So we had to go back and edit in a new ending in the film with ten things people could do... The more we showed it, the more we learned people were really asking us, how can we get involved? So we put together toolkits to show what others can do... [We] are more filmmakers than people running advocacy organizations, so we tried to connect people to the advocacy groups rather than becoming one ourselves.²¹

Those advocacy groups were in the middle of a years-long fight to reduce single-use plastic bags in states across the country. After the California legislature failed to pass a statewide plastic bag ban because of industry opposition, advocates focused on passing local bans in order to get enough momentum to bring it back and win at the state level.²² According to attorney and advocate Jennie Romer, who was involved with many *Bag It* screenings:

In most cases, the focus has to be on local communities because state laws won't necessarily happen without the local laws. The state lawmakers need to see how the local laws already work in their states. Having those local laws in place really helps with the larger fights at the state level.²³

Bag It was central to this effort because it explained the issue in an entertaining and motivating way. Jane Patton, managing director of Plastic Pollution Coalition, said:

The comedy aspect of the film is important because it's really disarming, particularly for people who are already a little resistant about this kind of messaging. Comedy is really about "what do we all have in common if we're human and we're alive."²⁴

In fact, the first tool the Plastic Pollution Coalition recommended to start a campaign in local communities was to host a screening of *Bag It*.²⁵ After mobilizing local groups, often with a screening of *Bag It*, advocates strategically worked to win over council members, as Romer explained:

Constituent outreach is key: finding influential people to talk to their council members. Targeting a council member who might be a soft yes or a soft no, and making sure people in their local districts are supporting this... Usually I identify which district is about to vote for a law, identify local groups that care about water and water-related issues, and even local businesses that might care, because there are economic interests and not just environmental interests.²⁶

Before being elected, Culver City (California) Councilwoman Meghan Sahli-Wells was part of Transition Culver City, an initiative to promote sustainability, which hosted a screening of *Bag It*. Sahli-Wells said many people who attended screenings of the film came to the city council meetings and asked the council to take action. "The film helped to gather people and spur them into action," she said.²⁷ Sahli-Wells later included banning plastic bags as part of her campaign platform when she ran for city council. She said the film screenings were also a valuable tool in persuading



"The comedy aspect of the film is important because it's really disarming, particularly for people who are already a little resistant about this kind of messaging."

— JANE PATTON, MANAGING DIRECTOR OF
THE PLASTIC POLLUTION COALITION



Image URL: www.bagitmovie.wordpress.com

others on the city council when she got there:

One of our colleagues went to see the film, and it was helpful to have him there because he was not a person in favor of [the ban]. It also was important for him to see that there was community interest, and that people would take time out of their day to come see the film and discuss it.²⁸

As more and more cities passed local bans, the plastics industry pushed back. Industry lawsuits were having a chilling effect on local momentum, as Sahli-Wells explained:

The plastics industry started suing local governments over the bag bans that they had passed... So, even if cities wanted to pass these bag bans, they were hesitant because they were afraid they would be sued by this mega-industry.²⁹

After her election, Sahli-Wells helped finally pass the ban for Culver City, thanks in part to an innovative effort at the county level to ward off the threat of lawsuits:

Los Angeles County is huge, and a county supervisor has more power and money than most state senators and assembly members because of the large population and budget. The County passed an Environmental Impact Report covering the entire county that individual cities could use to pass their own bag bans. It was through this process that Culver City and other cities were able to have more confidence in passing their bans [lessening the fear of industry lawsuits].³⁰

The plastics industry also began pushing for state-level pre-emption laws that made it illegal for local governments to pass laws banning plastic bags.

“Pre-emption is one of the biggest problems with bag laws and local efforts to stop plastic pollution,” said Romer, who has worked extensively on plastic bag efforts in New York and other states. “You can spend all the time you want, but if the state legislature decides to adopt pre-emption, it stops it immediately.”³¹ This led advocates to renew their push at the state level while maintaining campaigns for local laws to be passed.

In 2014 in California, legislators passed a statewide plastic bag ban law (Senate Bill 270), but the industry continued to fight. The law was scheduled to take effect July 1, 2015, and it would have been the first statewide ban on single-use plastic grocery bags in the nation. Implementation was delayed until November 2016, pending the outcome of a referendum financed by plastic bag companies in Texas and South Carolina.³² Industry groups spent more than \$6 million to defeat the bill.³³ However, a majority of Californians voted in 2016 to support the law and so it was finally put into force.³⁴ The fight to ban plastic bags has continued in states across the country, and, as Patton observed, “*Bag It* has been an essential tool in the movement to stop plastic pollution and raise awareness of toxic impact.”³⁵

PERSPECTIVES OF THE CHANGE AGENTS

Bag It became an essential tool for bringing together local activists in order to pass plastic bag bans. It was used successfully to mobilize efforts at both the local and state levels, which was important since advocacy campaigns had to work at different levels depending on the political climate. Its humorous, fact-filled approach was well-received by knowledgeable advocates and people who were learning about the issue for the first time.



Connect with Comedy

Humor was key to both the film's branding and the surrounding campaigns. "The film is funny," said Patton, adding that the humor helped engage audiences who otherwise might resist its message, and particularly helped with young people at college screenings:

There's so much value to finding something funny, but also to adding some levity to an issue. You don't see it in every single film about plastic pollution... It's a really enjoyable story.³⁶

Success Can Bring Backlash

As more and more cities successfully passed plastic bag bans, the plastics industry pushed for state legislatures to step in and block local efforts through pre-emption laws. Pre-emption laws have been used in the past to block local governments from passing anti-smoking,³⁷ gun safety, minimum wage and anti-discrimination laws.³⁸ Since some state legislatures are more conservative on these issues than city governments, this tactic can be successful. But the advocates fought back. Patton explained one approach:

We've used Bag It as a way to build awareness and educate members of the community about not supporting state-level pre-emption bills. For example, we did two community screenings —one in New Orleans, one in Lafayette—with presentations before and after, and then used those screenings to sign people up to activate them when we needed them to call their senators at the state level.³⁹

Adjust Strategies to Changing Political Climates

When legislation failed at the state level in California, advocates changed their focus to local governments in order to move the ball forward. When municipal governments were concerned by the threat of industry lawsuits, advocates worked at the Los Angeles County level to find a solution. Then after a significant number of local laws were in place, there was enough political momentum and public support for the statewide law that eventually passed and was affirmed by referendum.⁴⁰ This flexibility allowed advocates to keep making progress even when the political climate changed and one path appeared to be blocked.

Let Locals Lead

The success of the campaigns was driven by local screenings that motivated local citizens to band together and change things in their towns and cities. The filmmakers developed website toolkits to support these local efforts — keeping the control in the hands of local citizens. Romer advised:

Having a national group come in and dictate what should happen on a local level generally doesn't work with local policy advocacy... A national group can put more eyes on something that's happening, but they should partner with local groups and people as much as possible, so there are still people on the ground when the national group leaves so the local people have [local advocacy partners] to work with. The local people still need to be in charge on the local level.⁴¹



"The film was part of building momentum to get to the place where cities wanted to take that step... It became something that the organizations used to build awareness and real political momentum."

— **CULVER CITY COUNCILWOMAN**
MEGHAN SAHLI-WELLS



COAL ASH STORIES



FILM OVERVIEW

Coal Ash Stories, a collection of short films distributed in 2014, was a project led by Working Films' Senior Campaign Coordinator Andy Myers, with former Senior Social Media Strategist Kristin Henry, and Working Films' Co-Directors Molly Murphy and Anna Lee. The team aimed to humanize an urgent local environmental justice crisis and to empower local communities in North Carolina who were impacted by toxic spills of coal waste, known as "coal ash." The project was later used for similar community-based advocacy in states impacted by the environmental and public health effects of coal ash. The project synopsis:

Coal Ash Stories is a compilation of four short films that illustrate the public health concerns, policy issues, and ways communities are responding to this toxic waste. The series is informing residents and drawing attention to the toxic impact of coal ash on communities. We're using Coal Ash Stories to engage the public and increase the demand for stricter regulation of storage facilities and cleanup of past spills. So far, the series has toured North Carolina, Tennessee, Missouri, Illinois, Alabama, Virginia, and Florida.⁴²

THE JOURNEY: FROM FILM TO LOCAL POLICY ENGAGEMENT

Working Films is a long-established pioneer and leader in local and state documentary-based grassroots community education and engagement.¹ For nearly two decades, the North Carolina-based nonprofit has built partnerships among nonfiction media-makers, nonprofit organizations, educators, and advocates "to advance social justice and environmental sustainability, and support community-based change."⁴⁶ In 2014, Working Films launched a local film initiative in North Carolina about the little-known dangers of coal ash; the effort evolved into a multiyear, multi-state campaign.

¹ In the interest of transparency, the authors of this report are both members of the Working Films Board of Directors, effective June 2017.



“Until that point, we had only facilitated more traditional film impact campaigns,” said Working Films Co-Director Molly Murphy. “This was an opportunity to flip our model and to engage communities in rapid response to issues.”⁴⁷

In response to the spilling of 39,000 tons of toxic coal ash into North Carolina’s Dan River, Working Films partnered with state and national organizations to develop *Coal Ash Stories*—a series of short films that endeavored to “educate citizens and draw public and political attention to the toxic impact of the disaster.”⁴⁸ The collection of short films – 30 minutes total running time across them – was shown across the state. Screenings were co-hosted by local groups and post-screening discussions focused on local concerns, particularly about safe drinking water. Initially, much of the focus was simply helping audiences to understand, in human terms beyond the complexity of scientific and technical terms, the reality of coal ash and the reasons it was dangerous to families across the state.


When choosing local partners, Working Films assessed whether or not the groups were engaged in the issue, and if so, the scope of their efforts. Additionally, the team considered the extent to which each group had a need for increased support and membership, and, most importantly, had the capacity to bring new active participants into organizing initiatives. “We look closely at the local organizations and national organizations and see where the goals can align,” said Murphy.⁴⁹

State Representative Pricey Harrison spoke at one event about the coal ash legislation she had been trying to get passed for years.⁵⁰ As Representative Harrison explained, Duke Energy had such great influence in North Carolina — the governor at the time was a former Duke Energy executive — that it was challenging to advance legislation like hers. She said she had gotten pushback from policymakers from both political parties. *Coal Ash Stories* “illustrated what was really happening, including the lack of movement in the legislature,” she said.⁵¹

After hosting 15 screening events in North Carolina, Working Films expanded the campaign to other states. In December 2014, the federal Environmental Protection Agency (EPA) had released a coal ash rule that provided guidance and regulatory language for states, although individual states were left to adopt and enforce. This was a critical moment for citizens to engage officials in their states to ensure strong policies were adopted. Working Films took *Coal Ash Stories* to states where organizers were building statewide support for clean-up and further prevention of pollution from coal ash, including Alabama, Florida, Indiana, Missouri, Tennessee, and Virginia.⁵²

“Our attention to this issue is critical – now that the federal EPA has left the enforcement of the coal ash rule in our hands,” said Patricia Schuba of the Labadie Environmental Organization, one of Working Films’ local partners in Missouri. “We must get the Missouri Department of Natural Resources to adopt the federal guidelines and agree to enforce them in all cases if we are to protect Missouri communities and our valuable water resources.”

In 2015, the Tennessee Valley Authority (TVA) considered storing coal ash in a landfill near the site of an earlier spill



DOMINION CLEAN UP YOUR TOXIC COAL ASH PONDS!


POTOMAC RIVERKEEPER, THE VIRGINIA CHAPTER OF THE SIERRA CLUB, SELC, CHESAPEAKE CLIMATE ACTION NETWORK, VOICE, AND WORKING FILMS PRESENT

COAL ASH STORIES

Coal Ash Stories is a series of short films and call to action. The events will take place on March 31st at 7pm at Alexandria Library Beatley Branch and April 5th at Dumfries Triangle Rescue Squad. This is a critical time to learn about coal ash in your community. The Virginia DEQ supports Dominion's "cap-in-place" plan, leaving coal ash at Possum Point, which has been leaking contaminants into groundwater, and Quantico Creek for over thirty years. Coal ash, the waste produced from burning coal to generate electricity, contains a range of metals that are toxic at high levels. Duke Energy and other Utilities have been required to clean up dozens of coal ash pits in North and South Carolina and dispose of the coal ash safely into dry lined landfills.

ALEXANDRIA THURSDAY, MARCH 31, 7PM Alexandria Library Beatley Branch 5005 Duke Street Alexandria, Virginia 22304	DUMFRIES TUESDAY, APRIL 5, 7PM Dumfries Triangle Rescue Squad 3800 Graham Park Rd. Dumfries, Virginia 22026
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For more info, please visit: www.potomacriverkeepernetwork.org





“People were shocked at every [screening] event that this problem could have gotten so big. They were outraged that Florida has done nothing to stop utilities from storing coal ash so dangerously. They were ready to take action right then and there.”

— ADAM REAVES OF THE SOUTHERN ALLIANCE FOR CLEAN ENERGY



that had dumped 1.1 billion gallons of toxic coal ash. Working Films partnered with local organizations to host a series of screenings intended “to generate public comments in response to TVA’s landfill permit request.”⁵⁴

Back in North Carolina, the Department of Environmental Quality (DEQ) held public hearings in 2016 about prioritizing closures of 14 Duke Energy coal ash sites across the state. Based on public comments at the hearings and other information, the DEQ would then rank the sites based on how urgent a threat they posed. Working Films again partnered with local organizations to host six more *Coal Ash Stories* events. These events were strategically held in towns and cities where public hearings had been scheduled.⁵⁵

According to a Working Films report:

“The events provided a catalyst for audiences to write comments and receive information about the upcoming hearings. The screenings were also an opportunity to talk with neighbors, issue experts, and advocates about how to get involved in ongoing efforts to protect their communities. The tour happened at a critical time for citizens to speak out for a transparent, swift, and protective plan to safely store coal ash and ensure safe drinking water for neighbors of coal ash sites. This was the first and only opportunity for direct public input on the fate of Duke’s North Carolina coal ash basins.”⁵⁶

Katie Hicks, Associate Director of Clean Water for North Carolina, said, “I think it was a great way to get people engaged who aren’t directly impacted by coal ash but want to be a part of these hearings. It was very timely; we got a lot of interest.”⁵⁷

The screenings actually helped raise awareness about the public hearings. “Not many people were hearing about the public comment period coming up until they saw news coverage about our film screenings,” said Andy Myers from Working Films. “So there was a kind of amplification effect from our screenings, even in smaller communities.”⁵⁸

“The films provided an opportunity to provide outreach and education on the issue of coal ash. In turn, the increased awareness played into the record turnouts for the public hearings on the coal ash closure plans,” said Amy Adams, North Carolina Campaign Coordinator for Appalachian Voices, one of Working Films’ partners.⁵⁹

Duke Energy representatives showed up unexpectedly at some of the screening. The organizers took advantage of these surprise visits by inviting the representatives up to the stage after the screenings so that audience members could directly ask questions and voice their concerns.⁶⁰ Working Films’ Senior Campaign Coordinator Andy Myers said, “Our branding across the state was that there was no such thing as a low priority community, so we were pushing Duke Energy to go above and beyond and clean them all up, not only just the few sites that were deemed higher priority.”⁶¹

Following the public hearings, DEQ appeared to change course and classified all the coal ash sites as high or intermediate priority, apparently agreeing with advocates who contended that no sites should be ranked as low priority.⁶² While there remained a lot more work ahead, many advocates saw this as an important step forward.

“Faced with overwhelming public pressure and clear proof of contamination and other hazards, Governor Pat McCrory and DEQ finally acknowledged today what citizens have known for years: that all failing coal ash pits pose a significant risk to communities in North Carolina,” said D.J. Gerken, managing attorney of the Asheville, N.C., office of the Southern Environmental Law Center.⁶³



“These films illustrated what was really happening, including the lack of movement in the legislature.”

– NORTH CAROLINA STATE
REPRESENTATIVE PRICEY HARRISON



Image URL: www.workingfilms.org

PERSPECTIVES OF THE CHANGE AGENTS

Coal Ash Stories took a different approach to film-based grassroots community education and engagement—using shorts for a more rapid-response campaign. This proved effective, particularly when screenings were timed to coincide with public comment periods. The short format of the films allowed for more audience engagement and action at screenings, which advocates credited as helping to increase participation in the public comment periods.

The Power of Shorts

In the beginning, Working Films turned to shorts about coal ash primarily out of necessity. “We wanted to use films to help address this issue,” said Working Films Co-Director Molly Murphy. “[But] we only had short videos from Earth Justice and other organizations, not even feature length films.”

But this format turned out to be a great asset. “This project really sold us on film shorts,” said Murphy.

“Having 30 minutes of media content allows a lot of time to really localize the issues and have a good engagement,” added Andy Myers, Working Films’ campaign coordinator. “Also, if there is something as specific as a public comment, it gives time for people to learn how to write public comments and even write them there on site. So the short film allows for the important business of the local advocacy to happen.”

“It’s hard to keep a legislator in the room long enough for a documentary feature film,” said North Carolina State Representative Pricey Harrison. “With shorter films, it’s easier.”⁶⁴

Promoting a series of shorts does have its challenges, said Murphy. “You need to create a brand, like we created a brand called *Coal Ash Stories*.”

Adapting to Audiences

Using short films also enabled Working Films to more easily adapt the film series to different times and places. For the second North Carolina campaign, they added two films that addressed more recent developments in the state to make the series even more relevant locally.⁶⁵ One of the films screened in Missouri featured Joe Grohs of Festus, Missouri, who warned about the dangers of not cleaning up coal ash while standing in front of a polluted lake.

This attention to local needs is central to Working Films’ approach. “Because we work in ground-up change, we take into account host organizations’ priorities, which vary based on where they are located,” said Murphy. “We work to make sure our screenings are used in an intentional way, and to make sure the activists in the room are able to take advantage of the opportunities the films present. We work to facilitate shared priorities with our local partners working on the issues.”

Focusing on local concerns in the post-screening discussions also helped engage audiences. Emerald Coastkeeper Laurie Murphy, the main host of the Pensacola, Florida, screening said, “My biggest highlight was when the audience collectively gasped when they were told of the unattended coal ash ponds sitting on islands in the middle of Escambia River.”⁶⁶



Targeted Timing and Location

Working Films and its partners were strategic about the locations and timing of screenings of the second campaign in North Carolina in order to inform residents and involve them in the public comment period. “Our timing was completely and totally about getting people to speak out when it mattered most, and creating an avenue where they could,” said Myers. “Public comment periods are so important because that is the time the public’s voice actually really matters and is on the record... We used the screenings to get people to come to the public comment period, and in some cases, to actually watch the film and prepare their comments in the theater right then and there.” Amy Adams, North Carolina campaign coordinator for Appalachian Voices, one of Working Films’ partners, credited the increased awareness about the issue for the “record turnouts for the public hearings.”⁶⁸

In Tennessee, Working Films and its partners planned screenings around the time of an impending coal ash storage decision “to build public pressure and ensure regulatory agencies do their job.”⁶⁸ While it may not always be possible to time screenings so closely to actual policy events, it can help show the relevance of an issue – and to mobilize citizens to action.



“The messages in *Coal Ash Stories* resonate throughout Tennessee’s coal mining communities, particularly in Kingston where so many have been affected by the disastrous TVA spill of 2008.”

– DAVID WASILKO,

STATEWIDE ORGANIZING FOR COMMUNITY
EMPOWERMENT MEMBER

Image URL: blog.cleaneenergy.org



PLAYGROUND: THE CHILD SEX TRADE IN AMERICA



FILM OVERVIEW

Playground: The Child Sex Trade in America is a feature-length documentary film directed by Libby Spears. The documentary, which focuses on the little-understood topic of domestic child sex trafficking in the United States, premiered in 2009 in the United States at the Tribeca Film Festival, and internationally later that year at both the Warsaw Film Festival and Vancouver International Film Festival. The official film synopsis:

Challenging the notion that the sexual exploitation and trafficking of children is limited to back-alley brothels in developing countries, the documentary feature film, Playground: The Child Sex Trade in America traces the phenomenon to its disparate, and decidedly domestic, roots — among them the way children are educated about sex, and the problem of raising awareness about a crime that inherently cannot be shown. Playground includes interviews with Ernie Allen, former president of the National Center for Missing and Exploited Children, the late Judge Sanford “Sammy” Jones, Former Chief Judge of the Fulton County Juvenile Court, and other experts, and unfolds as a search for Michelle, an everyday American girl who was lost to the underbelly of sexual exploitation as a child and has yet to resurface a decade later.⁶⁹

THE JOURNEY: FROM FILM TO LOCAL POLICY ENGAGEMENT

By the time she started producing *Playground*, director Libby Spears knew a great deal about the topic of child sex trafficking already. She had spent the better part of a decade investigating the sex trafficking industry in other parts of the world, including Thailand and South Korea. But what she learned there was crucial to the film that focused a spotlight at home in the United States. According to an interview,



Spears said her international work revealed that the United States is “influencing the global demand and growth of the sex trafficking industry.”⁷⁰

Although her original film focused on the international scope of the issue, she shifted her focus to the United States as her research and conversations with advocates like Ernie Allen, CEO of the National Center for Missing & Exploited Children, revealed that the issue of children exploited and trafficked domestically was both misunderstood and generally not known. Understanding that a documentary film that focused on statistics alone would be insufficient, the film team chose to tell the story of one young person, Michelle Brown, because it featured so many aspects of the system that perpetuates the problem. In 2004, while directing *Playground*, Spears founded a new organization, the Nest Foundation, dedicated to ending the sexual exploitation of children.⁷¹

The filmmakers did not have policy change in mind as they were making the film, as they worked to ensure the accuracy of their facts and portray intimate human stories. But as they approached the end of the editing process, according to Spears, “it became clear that the film could have a tremendous impact in addressing laws that we encountered in the making of the film – laws that disproportionately criminalized victims and the lack of policy advancements that earmarked funding for resources, services, and shelters.”⁷²

The filmmakers began to engage local communities with the film’s trailer even while the final film was edited into its feature-length format. The strategy proved useful in starting initial conversations and helping to shape a likely impact strategy, which moved from general public awareness to an additional level of concern about policy solutions. After the film was completed, Spears and her team began a grassroots screening tour as the film played in film festivals, and the ideas for public engagement evolved. Originally focused on raising awareness, the team learned of a glaring legislative opportunity: At the time, no federal or state legislation decriminalized the children themselves – the victims – which limited the opportunity to help them, a ripple effect. According to Spears and her team:

*At the time, there were no laws that differentiated between adults who willingly engaged in sex work, and children who were being forced to sell themselves. Because children were being arrested and treated like criminals, there were no services available to them. The most important thing that needed to happen for policy change was for minors to be recognized as victims, then resources would be made available to them.*⁷³

The film team formed partnerships with three nonprofit organizations that were expert advocates and policy specialists on the issue of exploited children: Polaris Project, National Center for Missing & Exploited Children and ECPAT-USA. Spears and her team supported their policy change objectives with screenings and events, and helped spark new understanding from policymakers themselves, who had not seen a story like *Playground* focused on child sex exploitation in the United States.

Federal policy awareness was immediate, assisted in large part by the film. When two senators – Senator Ron Wyden (D-OR) and Senator Dick Durbin (D-III.) – saw the film at a screening hosted by Senator Barbara Boxer (D-Calif.), both took early action to address the issue. Senator Durbin hosted one of the first U.S. Senate hearings focused on child sex trafficking in the United States, citing *Playground* as the inspiration. On February 24, 2010, Senator Durbin opened the hearing, called “In Our Own



“The higher profile the film becomes, the more likely it is to affect the legislative process. If the film goes to a festival and gets an award, if the filmmaker is in a magazine story, anything that elevates the story and makes it more relatable and visible, it helps. Legislative staffers are just like everyone else, responding to the information they are given.”

– JOEL SHAPIRO, FORMER SENIOR LEGISLATIVE STAFFER, SENATOR RON WYDEN (D-ORE.)



“There were meetings we had with policymakers where literally the chiefs of staffs’ jaws would be open.”

– LIBBY SPEARS, DIRECTOR, *PLAYGROUND*



Backyard: Child Prostitution and Sex Trafficking in the United States,” by introducing Libby Spears and the film:

Recently I saw a powerful documentary, along with Senator Wyden—it was actually at the home of Senator Boxer ,who invited us over. It was a documentary entitled Playground, and it was directed by a visionary filmmaker named Libby Spears, who is with us today...I would like to show, if I can, a short, 4-minute excerpt from this documentary which had such a profound impact on Senator Wyden and myself....Libby Spears, thank you. I know when we met you said that you had started your research on this issue looking overseas at the international trafficking, and somebody said you ought to look at home. And I am glad you did and opened our eyes to this, and thank you for your inspiration that led to this hearing today, and I hope it leads to new laws that will protect these children and deal with them in the right, humane way. This documentary opened the eyes of Senator Wyden and myself and many others—Senator Boxer. It is estimated that over 100,000 American children became sex-trafficking victims last year and every year.⁷⁴



Image URL: <http://www.nestfoundation.org/playground>

Wyden credited the documentary with playing a vital role in building support for bipartisan legislation he introduced along with Senator John Cornyn (R-Texas).⁷⁵ The Wyden-Cornyn Bill, known formally as the Domestic Minor Sex Trafficking Deterrence and Victims Support Act, was introduced in March 2011, providing funding for essential services like shelters for child victims of domestic sex trafficking, training for law enforcement, and calls for states to treat minor as victims, not criminals.⁷⁶ In January 2015, Senator Cornyn introduced the Justice for Victims of Trafficking Act; the bill, sponsored by original co-sponsors Senators Ron Wyden (D-Ore.), Mark Kirk (R-Ill.), and Amy Klobuchar (D-Minn.), became law in May 2015.⁷⁷

Along the way, the film screened at both public events and closed-door sessions with federal decision-makers, including: An FBI screening for 450 special agents, where the film was introduced by FBI Director Robert Mueller and Unit Chief of Crimes Against Children Alan Nanavaty; the Luxor International Forum, the first global gathering with particular focus on highlighting the pivotal role of the business community in anti- trafficking efforts, attended by over 400 participants from more than 30 countries; a hearing before the U.S. Senate Subcommittee on Human Rights and the Law; the Judicial Conference for U.S. Judges; Senator Wyden’s Human Trafficking congressional briefing; and a screening for federal judges.⁷⁸

But, like many social justice issues, the policy opportunity was not only on the federal level. The issue was addressed differently, yet urgently, on the state level, and the role of the film in supporting expert advocacy organizations’ policy work was valuable, strategic, and timely. By the time *Playground* was produced, expert advocacy organizations — including leaders like Polaris Project and ECPAT-USA — had been engaged in the hard work of advocating for state laws to help minors.⁷⁹

The state-level “Safe Harbor” laws “have two components: legal protection and provision of services,” although they are enforced differently on the state level; they mean the difference between official recognition of the victims as victims, not prostitutes.⁸⁰

The time frame in which *Playground* was produced and distributed coincided with the formal legislative advocacy at the state level, not only the federal level. According to ECPAT-USA Executive Director Carol Smolenski, *Playground* became the indispensable strategic tool to show the public and state legislators that the victims were victims – and



without the human portrayal of an intimate, misunderstood challenge, the ripple effect of state laws passing would have been a greater uphill battle. Safe Harbor laws have now passed in 34 states as of 2015,⁸¹ up from 18 states in 2013.⁸² The first state-level Safe Harbor law went into effect in New York in 2010.⁸³ *Playground* was leveraged for the state-level Safe Harbor laws beginning with the crucial first state, and according to Smolenski, the film played the crucial role in helping and urging the public and elected officials to see the problem completely differently:

When New York was considering a Safe Harbor Law, I remember hearing that one of the legislators said “we don’t want those kids on our block” and I knew we really needed to do education. We used [the film] in a lot of public education things in general, and that’s the first stop for changing laws is to educate the public and the legislators in the first place. I like that Libby’s film is national and takes place in various places around the country. We needed to show that it wasn’t just one kind of girl that was being trafficked – it’s not just an urban poor people phenomenon, not just black but also white...I was really gratified by how quickly people really got it. It’s so gratifying for me to see people really “get it” for the first time. There has been so much more awareness now by child protective service workers now, more resources, more ways to help these children.⁸⁴

PERSPECTIVES OF THE CHANGE AGENTS

For the issue of child sex exploitation in the United States, *Playground* was distributed at an optimal, crucial time in an ongoing advocacy movement for both federal and state policy change. It was a moment during which real momentum – in both awareness and a willingness to demand change – had begun for the public and elected officials at multiple levels of government. Additionally, the challenges faced by the policy advocates – that is, longstanding framing of an issue about “bad kids” – were helped by the intimacy of human storytelling provided by documentary film. The advocates and experts knew about child sex trafficking in the United States for many decades, but both public and policymaker awareness and real understanding were scant. The film provided both a narrative re-imagining – re-framing – of the core issue itself, while also serving as an educational and mobilization tool.

Local Angles

One of the first film screenings took place in Portland, Oregon, where much of the filming had taken place. The local connection to the stories was meaningful to the policy engagement on both



“The commitment from filmmakers to do this level of advocacy and policy becomes a full-time job, so the difference was that we were willing to put in the time to promote policy change, and work with advocacy experts like ECPAT-USA. We had goals beyond just circulating the film, and we really wanted to make long-term impact.”

–LIBBY SPEARS, DIRECTOR, *PLAYGROUND*

Image URL: <http://www.nestfoundation.org/playground>



federal and local levels. According to filmmaker Libby Spears, Portland's District 4 Multnomah County Commissioner Diane McKeel attended one of the earliest local screenings of the film, which had a tremendous impact on her involvement in forming a response to the commercial sexual exploitation of children in Portland.⁸⁵ Very soon after the local screening, a senior staffer from the office of Senator Ron Wyden (D-Ore.), Joel Shapiro, learned about the film from McKeel, his local colleague based in Portland:

I was contacted by local elected officials working on the issue...County Commissioner Diane McKeel was the first person to talk with me about this issue, also one of the senior assistant district attorneys on this issue, one of the senior officers in the police bureau. Most of them talked with me more about the issue, but some mentioned specifically the film and encouraged me to get in touch with Libby, so that's what I did. I reached out to Libby and I wanted to find out what she had been learning – at that point, she had been working on the issue longer than I had, so I wanted to learn from her. I wanted to find out from her the sources and contacts she already had, to utilize the efforts she had already put in.⁸⁶

Issue Re-Framing

For experts and advocates working on child sexual exploitation in the United States, the issue of issue re-framing was not a mere semantics challenge, but a fundamental barrier to change. Prior to the legislation around the issue, exploited minors were referenced within the context of "child prostitution," a failure to recognize their status as victims, not willing participants. Carol Smolenski of ECPAT-USA articulated this challenge, and the film's role in shifting the narrative:

In some ways, Playground was part of a movement that was already taking place. It came out as the shift was just starting to take place and it contributed to that shift. Services are usually developed at the local level, and it contributed to that. It also really contributed to a recognition by law enforcement that these were not bad kids but kids that needed help. The film is a completely different way of looking at it.⁸⁷

For Senator Wyden's former senior legislative staffer, Joel Shapiro, the need for this kind of re-framing and education was not only imperative for the public and advocacy outcry, but also for elected officials.

Having the film was a tremendous resource because we could use a screening of the film as a way to educate people – as a focal point to organize the issue – and it's a much more accessible way to educate people about the issue than to say "we're going to have X expert in and have a lecture." Those happen all day long. You could spend all day long on Capitol Hill giving expert presentations that are dry. As a staffer, you need information and that's how you do your job. But to have something that is more accessible and more powerful was a really great, important, powerful resource.⁸⁸

At the same time, one of the keys to the film's utility for policymakers and advocates was its focus on showing the problem, not advocating for a particular solution. For the advocates and policymakers, focusing – perhaps unwittingly – on unrealistic solutions would have meant the film likely wouldn't have been shown. According to the executive director of ECPAT-USA, the policy advocacy expert:

I actually don't think the film showed real concrete solutions. It was more upstream than that and showed the problems. We could use the film to show our own recommendations about the solutions and what should happen. It was always useful to show the film along with a panel of experts to talk about what the solutions



"Thank you for your inspiration that led to this hearing today, and I hope it leads to new laws that will protect these children and deal with them in the right, humane way. This documentary opened the eyes of Senator Wyden and myself and many others."

– **SENATOR DICK DURBIN (D-ILL.)**



should be. We could not have adopted the film if it had advocated for solutions that we knew wouldn't work.⁸⁹

Storytelling as Essential Policy Advocacy

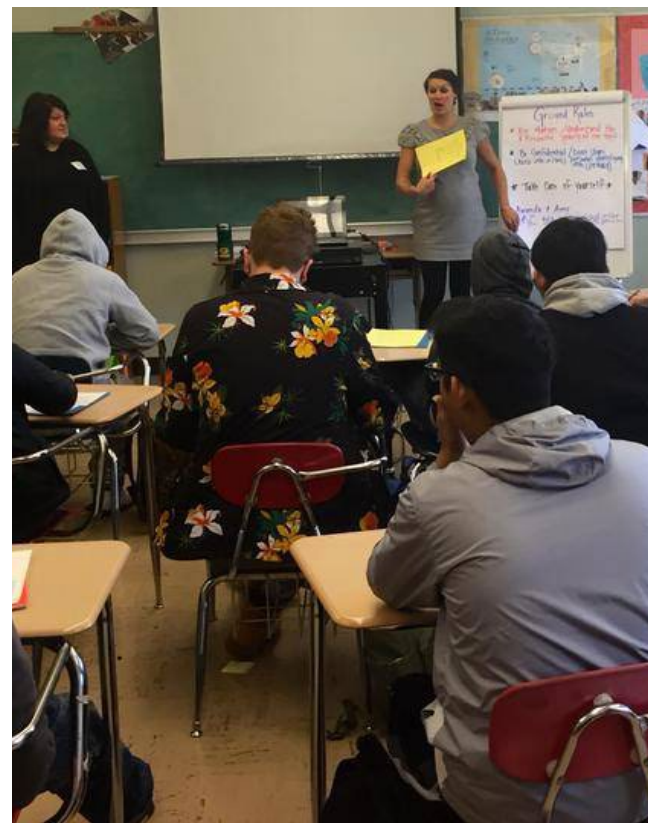
Although the film itself focuses on intimate human stories, its command of factual information and experts was essential to the film's reception by elected officials. Notably, *Playground* was not perceived as partisan advocacy, but instead, as a well-researched, factual film – not a one-sided ideological essay. According to Joel Shapiro, former senior aide to Senator Wyden:

The way that Libby put together the film was such that she became an expert. She was working with tremendously experienced people. She had very qualified experts that she interviewed and spoke to. Having this be nonpartisan was very important. My boss made a decision when I first approached him about introducing a bill on this topic, and he said, we have to find a Republican and this needs to be a bipartisan approach. We focused on Cornyn because he is from Texas, and there was a lot of trafficking down there and a lot reflected in the film, and he was on the Senate Judiciary Committee, and he agreed to be the lead co-sponsor. It's very easy to dismiss films that are seen as partisan. There are so many public policy issues we work on that would lend themselves to documentary treatment.⁹⁰

For Carol Smolenski, executive director of advocacy group ECPAT-USA, the opportunity to work with documentary storytelling through *Playground* changed her perspective about the importance of storytelling as a strategic, essential policy tool. During the crucial first state-level Safe Harbor law advocacy effort in New York, she leveraged the film directly by showing it to state legislators to help them understand the problem. She noted that the storytelling approach mattered – “it had to be an honest portrayal, respectful of the survivors who are shown” – along with an engaging narrative:

Playground was the only movie that really showed this issue. [Without it] I wouldn't have had any other way to tell engaging case study stories about this issue. It doesn't take much effort to watch, and it's engaging and compelling – we really needed it to help shift this issue.

Now I think that video is the most important thing in sending out our message – period. Libby came along at the early stages. Maybe shorter videos would be compelling now. I think making a full-length documentary about the issue was groundbreaking at the time. Video is everything now. Last year we did a 2-minute PSA about sexual exploitation in U.S. hotels and it was so widely viewed that I want to do it for everything we do. It's the future and Libby's film started out that way, and we really have to continue.⁹¹



“Libby Spears started out as a filmmaker but now has become an advocate and expert about the sexual exploitation of children, and I just love that. How could you ever make the story without caring about the outcome?”

– CAROL SMOLENSKI, EXECUTIVE DIRECTOR,
ECPAT-USA, ADVOCACY GROUP

Image URL: <http://www.nestfoundation.org/playground>



SIN BY SILENCE



FILM OVERVIEW

More than seven years in the making, *Sin by Silence*, directed by Olivia Klaus, premiered in 2009 on the festival circuit. The film's local grassroots tour was prolific, visiting hundreds of community centers, university locations, town halls, and other locations throughout the country over the next several years. *Sin by Silence* premiered on TV on Investigation Discovery in October 2011. According to the synopsis:

From behind prison walls, SIN BY SILENCE reveals the lives of extraordinary women who advocate for a future free from domestic violence. Inside the California Institution for Women, the first inmate-initiated and led group in the U.S. prison system, shatters the misconceptions of domestic violence. Against the system and against the odds, the women of Convicted Women Against Abuse have risen to expose the stigma of the cycle of domestic violence. Through their stories of terror and hope, the viewer can begin to understand the cycle of violence, the signs of an abuser, and how each and every one of us is responsible for changing the tragedy of domestic violence.⁹²

THE JOURNEY: FROM FILM TO LOCAL POLICY ENGAGEMENT

For *Sin by Silence* director, Olivia Klaus, the film and the parallel domestic violence policy engagement were virtually inseparable. Klaus began making the film after beginning a years-long stint as a volunteer in a women's prison, where she learned that thousands of women were imprisoned after killing their abusive husbands following years of prolonged physical abuse at the hands of their intimate partners. The women, led by Brenda Clubine, had formed a network, Convicted Women Against Abuse (CWAA), to support one another and their struggle for justice in the legal system.

Because California state law at the time did not consider the prior and ongoing abuse conditions facing the women to be factors in either the trial or sentencing, they were sentenced as first- and second-degree murderers. To Klaus,



this was tantamount to re-victimizing the survivors through the prison system – and worse, once the women were behind bars, they became invisible, forgotten. After earning the trust of the women, she slowly filmed their stories as they sought to repeal their sentences. Her main subject, Brenda Clubine, was a domestic violence survivor who had been imprisoned for 26 years for second-degree murder, from the age of 21. Clubine became an indispensable spokesperson for her story and those of other women in similar situations. Her story, revealed on camera in *Sin by Silence*, and in media interviews and screenings after she was released in 2008, was horrific:

*In 1983, after 11 restraining orders filed against her husband, and countless visits to the police department and hospital, Clubine hit her husband over the head with a wine bottle while fleeing for her life. Brenda was convicted of second degree murder with a 16 years to life sentence. The judicial system at this time, simply did not understand nor did they take the time, to weigh the substantial history of domestic violence Clubine experienced.*⁹³



“No one listened for so long, and to actually believe that someone really wanted to make a difference, to share these women’s stories, but to hopefully be able to make a difference for someone else so they wouldn’t end up in the same circumstance as the women featured in the film...”

– **BRENDA CLUBINE,**
DOMESTIC VIOLENCE SURVIVOR

Strategically, the grassroots engagement for the completed documentary focused on a ten-state strategy, in which Klaus and her team formed local partnerships and facilitated community screenings in the ten states with the worst statistics around intimate-partner domestic violence. In each state, Klaus partnered with coalitions that were part of state chapters for the National Coalition against Domestic Violence. Together, they hosted screenings of the film at local community colleges, local shelters, and other community screenings to make sure they “hit every target audience we could.”⁹⁴

After a screening at the University of San Francisco, a member of the audience sent a copy of the film to California State Assemblywoman Fiona Ma (D-San Francisco and San Mateo Counties), chair of the Domestic Violence Select Committee for the California State Assembly. Ma immediately got to work on legislative change after inviting Klaus to screen the film for the Domestic Violence Caucus in Sacramento. According to Klaus, “the legislative change really started there at that screening, because every legislator who watched it wanted to do something about the issue [after watching].”⁹⁵

She reached out to Heidi Rummel, an L.A.-based public interest attorney and law professor at the University of Southern California who had been deeply engaged with domestic violence policy in California. Ma understood Rummel’s expertise in state law on the issue, so she enlisted her help to craft legislation that could change the fate for the women currently in prison, along with others in the future. Between Olivia Klaus, film subject Brenda Clubine, and a coalition of domestic violence organizations in the state, Rummel helped to craft two pieces of legislation championed by Assemblywoman Ma as the *Sin by Silence* bills AB 593 and AB 1593, which allow expert testimony in jury trials about the effects of long-term intimate-partner domestic violence, and require that parole boards “give great weight to any information or evidence that proves the prisoner experienced intimate partner battering (IPB) and its effects at the time the crime was committed,” respectively.⁹⁶ The AB 1593 summary statement outlined the scope of the problem:

*Currently, over 7,000 women are imprisoned in California’s state prisons, the majority of whom have survived domestic violence. Several hundred women in California are serving time for killing their batterers and hundreds, if not thousands more, are serving time for domestic violence-related crimes. A California state prison study found that 93% of the women who had killed their significant others had been battered by them; 67% of these women indicated the crime resulted from an attempt to protect themselves or their children.*⁹⁷



While Assemblywoman Ma worked to ensure legislative support for the policy change, film director Olivia Klaus leveraged grassroots community screenings to garner public support and outcry to demand change at the California state level. The efforts to ensure legislative and public support, though, were symbiotic and interconnected. On October 12, 2012, hundreds of grassroots screenings and public support letters later, the two *Sin by Silence* bills were signed into law by Governor Jerry Brown. Both laws went into effect on January 1, 2013.⁹⁸ Assemblywoman Ma lauded the achievement in her statement, recognizing the immediate opportunity to change the story for thousands of women: “I am so proud that Governor Brown has signed both of my bills. Today, we give hope to approximately 7,000 victims across the state who have survived domestic violence, who believed the system had failed them, and will now have an opportunity to speak out against injustice.”⁹⁹ Olivia Klaus, after years of work to spotlight untold stories – deeply intimate portraits of survivors – stated:



Image URL: <http://www.sinbysilence.com>

*Years ago when I started this journey, I had no idea what change would come through creating Sin by Silence, but I knew I couldn't give up hope that we could make a difference to help free incarcerated, battered women. The passing of the Sin by Silence bills brings together a decade long journey of work to help right the wrong in this world. Now that legislative history has been made in California, we hope to carry on to the rest of the country.*¹⁰⁰

Approximately five years after the laws were passed, former Assemblywoman Fiona Ma reflected on the anniversary, the role of the documentary, and the ripple effect of change in an op-ed in the *Huffington Post*:

*The emotional journey I experienced while watching the “Sin by Silence” documentary inspired me to help other survivors by introducing AB593 and AB1593, my “Sin by Silence” bills. At the time, I was the Chair of the Select Committee to End Domestic Violence and the first Asian-American woman Assembly Speaker pro Tempore in California history, so I was in a position where I could be a voice through legislation to try to help these domestic violence survivors....On this five year anniversary of the bills' passage into law, I'm proud to say two other states, Oregon and New York, are focusing on similar legislation. I remember Glenda Virgil who, in 2013, was the first woman from the film to be released as a result of my bills. I was able to give a voice to the voiceless and give these women a fighting chance for justice. It was the right thing to do.*¹⁰¹

PERSPECTIVES OF THE CHANGE AGENTS

The synergy among the women's stories, the documentary, an influential member of the California State Assembly, and a legal expert, alongside a massive grassroots outcry of support, paved the path for legislative success. The voices of the insiders provide a deeper level of insight into the crucial role of the documentary itself, along with the strategic and tactical moves of the film team and advocates.



Sharing the Stories & Engaging the Public

Advocacy around domestic violence, both within California and around the country, was not new by the time *Sin by Silence* was released. Interest groups, attorneys, survivors, and families had been engaged in the issue for years. But they didn't have the intimate stories of the women, and for Klaus, that was the missing element:

To help with the ongoing advocacy around these women, people started really using the film — grassroots advocates and groups finally had a way to share the stories of these women, which they didn't have before. The advocacy includes helping domestic violence shelters, but also to help these women who had been stuck in prison. For the outreach campaign, the first step was to help the local shelters and communities to really talk about domestic violence, to help with donations and clothing. Once we had a community following [established through grassroots community screenings], the community following really helped to ensure the legislation could be passed.¹⁰²

Former Assemblywoman Fiona Ma asserted that the stories themselves were impossible to know without the documentary: “There was no way we were going to be able to meet these women, so the film gave us an entry into how serious this was and how many women are stuck in jail. The documentary was strong and powerful because it gave us a broader scope and opportunity to actually hear and see these women’s stories.”¹⁰³

But the local angle of the film was key to the legislation – and to engaging supporters in a massive letter-writing campaign to the imprisoned women themselves, along with legislators. According to Klaus, the film would have been difficult to make, and indeed, the local legislation might have been impossible to imagine, without the local, direct connection to the survivors in California featured in the film.

In the advocacy community in California, people were really receptive, as we were part of the Domestic Violence Coalition in California, so we were already part of that community in a way. Drop-in advocacy or drop-in filmmaking [from another place] would not have worked on this issue – women would not have opened up and shared their stories, they had been so abused that it was hard for them to open up and have someone trust them with their story.¹⁰⁴

Building & Supporting the Legislation

According to former Assemblywoman Fiona Ma, the documentary provided both the inciting information and ongoing support for the new legislation. Ma said, “we [staffers in my office and I] watched the film and we knew immediately we had to do something about this issue; we had no idea this was happening.... Every elected official and their staff that saw the film was sympathetic. No one thought this wasn’t a big deal. In politics, you usually focus on your constituents and your voters. These women were not our constituents or our voters, but people were supportive of my moving ahead. This had total bipartisan support – Democrats and Republicans.”¹⁰⁵

Fiona Ma became a vocal and energetic champion for the film, the women’s stories, and the legislation, holding



“This is about every single woman all over the world who are stuck in these situations. It’s about all of us collectively who have suffered, and it’s time people understand it’s OK to talk about it, and communities can be part of making change. If one woman in prison can start a movement by starting the first abuse support group in prison in the nation, why can’t a woman’s church group and other women make the same difference?”

– **BRENDA CLUBINE,**
DOMESTIC VIOLENCE SURVIVOR

Image URL: <http://www.sinbysilence.com>



screenings and hearings, meetings with traditionally oppositional groups, and leveraging media opportunities about the film to build awareness of the issue and push the proposed legislation forward.

As the legislative push moved forward, Klaus and *Sin by Silence* followed the pathway of the advocacy directly, supporting local public engagement with additional footage and shorter versions of the film. In this way, they were able to create ongoing moments to keep up the public attention and outcry on the issue. Klaus shared:

*I had so much footage from the film that we started crafting these short web videos to share with people, advocates and educators; with the educational license for the film, we also gave something like 2.5 hours of additional footage from what we filmed, and we made all of that footage available along with the educational version. We started releasing those stories slowly online particularly as the legislation got rolling. There are so many different aspects and angles to these stories that connect with the legal issues, as well.*¹⁰⁶



Image URL: <http://www.sinbysilence.com>

As the two pieces of legislation moved through the California House and Senate, Klaus supported the final push with the governor, who still needed to sign them into law. According to Klaus, “We then met with everyone in the governor’s office, giving them copies of the film, hosting a screening just for the governor’s office and bringing Brenda [the main film subject], and engaging all of our grassroots lists of supporters to bombard the governor’s office with letters and calls.”¹⁰⁷ Ma agreed with this team strategy, stating that she and her office used a template letter to generate public support at the governor’s office, working with both their own office, but also with Klaus and the massive grassroots list of supporters Klaus had amassed through local screenings around the country.

However, Assemblywoman Ma explained that the legislative process won’t sustain itself on the journey to become law, even one sparked by an intimate documentary story, without a passionate, committed advocate on the inside of the process. According to Ma, working with local-level legislators and their small staffs as passionate experts was crucial, not only to this effort, but others: “Advocates who want to make change must have a champion in the legislative body. If a policy maker is not passionate and connected to the issue and the idea, it won’t really happen. It really takes certain members to fight. We know which members have strong staff, passion for their issues, and that’s what it takes.”¹⁰⁸

The Roles of Story & Spokespeople

According to Assemblywoman Fiona Ma, local policymakers consider facts and statistics on a daily basis to help support legislation. But a story provides a different level of urgency, given the emotional connection:

*A fact sheet would not have moved me. I don’t know who is writing the fact sheet, and it doesn’t move me. The movie is powerful because it humanizes what the issue is. For me, the film was the big driver. If someone had just handed me stats about 7,000 women sitting in prison who needed my help, it wouldn’t have been the same, compared to us saying “we need to help Brenda.” We had to change these women’s lives. We wanted to do the work to create a bill that was going to work, not just to die.*¹⁰⁹

But the story alone might not have been sufficient. As champions and intimate spokespeople, Olivia Klaus, the filmmaker, and Brenda Clubine, the film’s main subject, were indispensable, according to Ma. “Olivia would show up at any hearing, any screening, anything we needed....If we can’t get our star witnesses to show up, then our bills are going to die. Olivia and Brenda were like the lobbyists for us, every time they shared their story, it really moved us along.”¹¹⁰



PART I: STATE & LOCAL POLICY ENTRY POINTS FOR DOCUMENTARIES

When a documentary film team seeks to develop a state or local policy impact strategy for a film's core social issue, it is crucial to understand the issue's current status in the policy and political process – and the mutual benefit between the documentary film and the policy players. In general, there are specific entry points for documentary filmmakers to consider:

RAISING AWARENESS

If the public is not aware of an issue or topic (which can be determined by a strategic scan of existing public opinion data from the likes of Gallup and Pew) – then the goal may simply be to determine the most influential target audience on the issue (existing associations or advocacy groups, lawmakers, agency officials) and find messages and stories that will catch their attention and bring the issue into key discussions.

GROWING A COALITION

A film may raise the profile of an advocacy organization, coalition, or association already doing good work on the issue and enable them to advance their agenda. Or if no such group exists for an issue, a film could inspire a new coalition to form when individuals and organizations realize they share a common cause. A film could also help to establish local or state affiliates of existing coalitions.

WINNING AN ELECTION

If the issue is important to specific groups of voters during an election, a film could help make the issue part of the campaign debate and motivate voters and candidates to prioritize the issue. The goal could be to make an issue part of an election platform, candidates' speeches, political advertising, or campaign themes. In some states, voters can directly change policy through ballot measures. If candidates make promises on the issue and win their elections, this can set the stage for action down the road.

HOLDING A HEARING

Films can raise the profile of otherwise routine state legislative committee or town council hearings and help build momentum for change. Film subjects are sometimes asked to testify at hearings because their stories are memorable or persuasive. State legislative hearings are held by the committees with "jurisdiction" (or authority) over a particular issue, program, or government agency. The role of committees continues to evolve, but generally they have two primary responsibilities: legislation and oversight. Because of the complexity of the issues they deal with, legislative



committees are sometimes divided into subcommittees, which can focus on particular topics with greater depth. Some issues (for example, the environment) may be claimed by multiple committees and subcommittees, which can result in separate hearings and investigations on the same issue by each relevant committee or subcommittee.

Committee staff will often be looking quickly to find compelling personal stories that highlight the problems they are investigating. This is where the subjects of films can bring their stories to a larger audience by testifying.

INTRODUCING LAWS OR ORDINANCES

A powerful film can inspire state legislators to work on new legislation—or local officials to draft new ordinances—to remedy the problem. Introducing a bill or ordinance is one of the easiest parts of the policymaking process — although introducing legislation that has a good chance of becoming law and effectively addressing a problem is much harder. Any legislator can introduce a bill on any topic they want when the legislature is in session. If legislation isn't passed in one session, they often re-introduce it in the next. If no legislation exists, then a strategy can be developed to find a sponsor to draft and introduce it.

PASSING LAWS & ORDINANCES

While getting legislation introduced is relatively straightforward and can be accomplished by any legislator or council member, seeing it through to becoming law is complex and usually requires a multi-pronged strategy. This strategy involves advocacy groups, legislators with leadership positions, state agencies, and the Governor's office. Careful planning can enable a film's release to help build or maintain momentum during this important phase of policymaking. Of the many bills introduced every year in state legislatures, only a relatively small number will be brought to a vote. Others may end up as amendments to separate legislation under consideration. But not all bills are created equal, and there is a hierarchy. Legislation that is introduced by top legislative leaders or the committee chairs has a much better chance of advancing than legislation introduced by rank-and-file members.

When state legislators introduce legislation, they will usually try to get as many "co-sponsors" as they can. Legislators may co-sponsor bills for a variety of reasons, including requests from constituents, pressure from advocacy groups, friendship with the legislator who introduced it, or personal interest in the issue. Legislators will often look to see if others from their political party support the legislation, so it can be important in a gridlocked environment to have both Republicans and Democrats as co-sponsors from the start. As legislation moves forward and gains momentum, there will likely be increased engagement from a range of advocacy groups both in support and opposition. Sometimes a decision to vote on legislation can happen at the last minute, and it can require rapid mobilization of support to win.

Once identical legislation has been passed by both state legislative houses (or, in the unique case of Nebraska, the single legislature), it goes to the governor for signature. If she or he signs it, then the real work has just begun — implementation and enforcement of the legislation then moves to the state agencies, such as the Department of Education. At the local level, procedures can be much simpler: passing an ordinance usually only requires a majority of the governing council to become law.

ISSUING REGULATIONS

Just because a bill is signed into law doesn't mean the work is done. Executive state agencies — like the Departments of Education or Health — spend additional time determining exactly how a law will be implemented. This process



often involves public input where anyone can voice their views and concerns. Advocacy groups may organize letter-writing campaigns during these public input periods. These comments are reviewed by state officials and can be incorporated into the final regulations. State agency policymakers also meet with advocacy groups and experts to discuss how best to carry out the laws. Departments draft regulations that are reviewed by affected agencies and then sent to the governor's office for final review. This is the final step in the process and there may be last minute meetings requested by advocacy groups at this stage if they still have concerns about the draft regulations. Once the reviews are completed, the new regulations will be posted on state websites, and the relevant agencies will begin carrying them out.

CARRYING OUT THE LAW

State and local agencies run many government programs, from Head Start to waste water treatment, and they are responsible for enforcing a wide range of laws. Even after state regulations are issued, there are opportunities to push for improvements. Sometimes, the right laws are already in place but are not properly enforced or they are carried out ineffectively due to a lack of funding or oversight. An issue-focused documentary film can raise awareness and encourage state or local agency officials to do their jobs correctly. It may also lead to an oversight hearing with the same result.



PART 2: TIPS FOR ENGAGING WITH STATE & LOCAL POLICY PLAYERS

WORKING WITH STATE LEGISLATORS

State legislators are always on the lookout for good stories to support their policy agendas. Filmmakers should try to find someone with special knowledge or a personal connection to their issue. Building a relationship with a policymaker who is already invested will make a big difference, as this level of commitment can determine whether or not they will devote time to pushing a policy agenda forward.

As noted earlier, state legislators often do not have the time or staff to research and develop legislation. So advocacy groups and outside experts often draft legislation and policy provisions for state policymakers to consider, adapt and introduce. So filmmakers should work with their advocate partners to prepare detailed policy solutions to share with receptive policymakers.

Policymakers are sometimes willing to introduce screenings of films on issues they support, whether in state capitals, or their districts or cities. A request from a prominent citizen or advocacy group can also help make this happen. This kind of policymaker relationship can help raise the profile of the film and provide the policymaker a unique platform to talk about the issues. But one size does not fit all in this case. Considering which legislators – and his/her staff – to engage is strategic:

- **Committee Assignments & Chairmanships:** It is helpful for legislator allies to serve on or chair the committees and subcommittees with jurisdiction or responsibility for the issues addressed in the film. This increases their ability to hold hearings on this issue as well as get votes to move forward related legislation.
- **Local Angles:** It is important to remember the constituents that an elected official represents. It can be counterproductive to ask a politician to publicly advocate for an issue that may go against the best interests of his or her constituents. It is better to identify allies who can fully associate with the message of the film.
- **New Legislators:** The newly-elected members of the legislature are often looking for ways to define themselves on key issues. So they may be more open to taking a lead on a breaking issue and to investing time and energy to advocate for change (even if they might not be effective – yet – for passing legislation). In general to move a major policy agenda forward, look for the senior members and committee leaders. However, members who are up for competitive re-election campaigns are often given special opportunities to promote legislation, so this can also be a good opportunity.
- **Staff:** State legislators have much smaller staffs than their federal counterparts, and so getting time with staff can be valuable. Staffers can help in many ways beyond basic logistics, such as giving valuable advice and even potential anecdotes to bring up during an interview or meeting with the legislator. If a legislator assigns a project to a staff member, it will have a better chance of moving a policy agenda forward. Staff can also help recommend other subjects to interview through their networks. Usually the communications director or press secretary is the best person to start with to prepare for an interview or meeting; however, advocacy groups may have stronger contacts with other staff, as well.



Checklist: Key Vetting Questions for State Legislators

There are five soft criteria for strategic film teams when considering policymakers to help support the efforts of the film, in addition to the recommendations from advocacy partners: (1) committee assignment and/or jurisdiction over the issue, (2) local angles of the film and connection to a state legislator's district or a specific locality, (3) established long-time commitment to a social issue, (4) level of seniority, and (5) track record of policy successes.

- ☐ Has the legislator sponsored or co-sponsored legislation on issues similar to those in the film? (Pro tip: Search the National Council of State Legislators (NCSL) state laws database in the appendix.)
- ☐ Has the legislator spoken on the issue or related issues before?
- ☐ Does the legislator serve on – or preferably chair – a committee or subcommittee with jurisdiction over the issue?
- ☐ Does the legislator have a track record of getting his or her bills passed (either as standalone measures or as amendments to other legislation that has been passed)?
- ☐ Does the issue affect the legislator's constituents?
- ☐ Does the legislator have a personal connection to the film, filmmaker, or potential advocacy partners?
- ☐ Does the legislator have a track record of bipartisan success?

WORKING WITH STATE AGENCIES

State agencies are charged with enforcing laws that have been passed – and as such, they play a major role in the policy process. Enforcing a law that has languished can make a considerable difference in the lives of people affected by it, after all. The public, including filmmakers, can play an important role in the work of federal agencies. Filmmakers can search state government websites for topic areas related to their film to see what agencies are active on those topics. State agencies work regularly with nonprofit groups, advocates and associations, so these groups can also help connect documentary teams with agency leadership and staff. Key nuances of the state agency arena include:

- **Online Databases of Laws & Regulations:** Each state posts laws and regulations online. The NCSL database in the appendix is a good place to start as well as individual state government websites.
- **External Affairs Offices:** State agency policymakers engage regularly with advocacy groups and the general public, so there are many opportunities for those who know where to look. Most agencies have their own public affairs offices as well as public or community engagement offices, which are good places for filmmakers to connect. Advocacy group partners are likely already in touch with these offices.
- **Sub-Agencies & Offices:** Like legislative committees, state agencies are divided up by issue areas and subdivided into more specialized agencies or offices. These sub-agencies may be the most promising for filmmakers to initially engage since they often know the most about particular issues.

Checklist: Key Vetting Questions for State Agencies

Working with this level of the executive branch requires an understanding of which agencies have jurisdiction over particular fields or issues. Many times, state agencies work together or have overlap in their jurisdictional areas. Documentary film strategy teams will want to work through or research a checklist for this type of federal policymaking.

- ☐ Does the issue fall under the jurisdiction of the particular agency?
- ☐ Which sub-agency, if any, is involved in the issue?
- ☐ What laws about the issue is the agency charged with enforcing?
- ☐ Has the agency worked in the past or recently with other local, state, or federal agencies on the issue?
- ☐ What campaigns or public awareness activities has the agency directed or is a part of?



WORKING WITH LOCAL GOVERNMENTS

While their geographic focus is much smaller, local government officials still have to manage a wide range of issues and concerns. Some localities will have very basic government agencies, while others will have large bureaucracies on par with state agencies. Whatever their size, they are often more connected to their constituents than other levels of government since they live and interact with them every day. As a result, they know the local nuances of different issues first-hand and may be skeptical of outside experts seeking to give them advice. This is why it is particularly important to work with advocacy groups that have good relationships in the localities relevant to a film campaign's goals. Most local officials have smaller staffs, so it can be easier to get directly to them because there are fewer gatekeepers.

Checklist: Key Vetting Questions for Local Officials

It is usually best to initially engage with members of the municipal council or the mayor's office. When seeking potential allies, it is helpful to determine:

- ☐ Has the policymaker sponsored or co-sponsored laws on issues similar to those in the film?
- ☐ Has the policymaker spoken on the issue or related issues before?
- ☐ Does the policymaker serve on – or preferably chair – a committee with jurisdiction over the issue?
- ☐ Does the policymaker have a track record of getting his or her bills passed?
- ☐ Does the issue affect the policymaker's constituents?
- ☐ Does the policymaker have a personal connection to the film, filmmaker, or potential advocacy partners?
- ☐ Does the policymaker have a track record of bipartisan success?

WORKING WITH ADVOCACY GROUPS & ASSOCIATIONS

For a film to have state and local policy impact, it's helpful to partner early with advocacy groups and associations that have experience and good relationships in the specific state(s) and/or localities the film team wants to engage. They are trusted guides and issue experts who maintain strong relationships with governors, state agency officials, state legislators, mayors, local council members, and of course, their staff. Crucially, these issue experts can help film teams understand the current state of a social issue and what is realistic in terms of policy change – and where and when the pressure points can use public outcry in the form of letters and calls to the legislature or agencies (and which policymakers, precisely). From an outreach perspective, these groups are powerful. The right advocacy groups maintain significant numbers of constituents, fans, and members – the kinds of people who will spread the word through their networks, arrange local screenings, and put the film into the hands of other decision-makers. Finally, they can continue to move an issue forward even after the film team has moved on to other projects.

While they may not partner with a film, policymaker associations present an efficient way to reach state and local officials. There are national organizations that represent governors, legislators, mayors, etc., and hold annual meetings and professional development opportunities. In addition to networking, filmmakers and advocates may be able to speak on panels or hold screenings during these events and reach many officials at the same time.

Appropriately aligned, effective advocacy organizations can serve a variety of complimentary professional roles alongside a documentary film team:

- **Policymaking Guides:** Advocacy groups help filmmakers determine where a particular issue is in the policymaking process, what policy impact goals filmmakers could set to move things forward, and who the allies, undecideds and opponents are for those goals. Advocacy groups can also help develop draft legislation or may already have appropriate proposals to bring to interested legislators.



POLICY ENTRY POINT

Raising Awareness

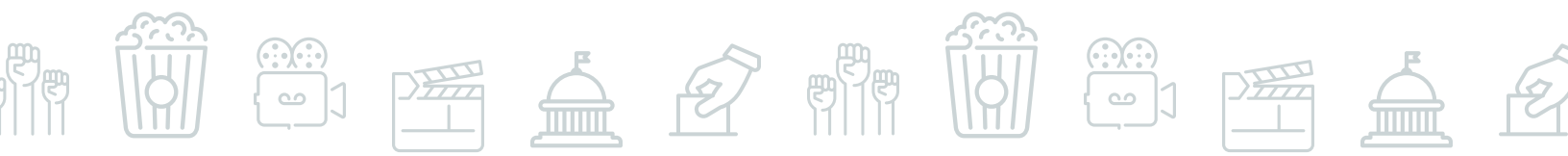
- ## Growing a Coalition

- ## Winning an Election

- ## Engaging State Legislatures and Local Councils

- ## Engaging State or Local Agencies

- Public letters sent to state or local agencies
- Inclusion of the issue in speeches by a governor, mayor, or other officials
- Inclusion of the issue in a governor's or mayor's budget
- Inclusion of the issue in state's or city's federal policy priorities platform
- Significant turnout of citizens during a public comment period on a law or regulation
- Final rule(s) issued by state agencies on a new law
- Programs established (as required by law)
- Penalties/fines issued (as required by law)
- Other actions taken (as required by law)



STATE & LOCAL POLICY: ONLINE RESOURCES

ALLIANCE FOR JUSTICE:

<https://www.afj.org/>

DIRECTORY OF STATE GOVERNORS:

<http://www.nga.org/cms/governors/bios>

DIRECTORY OF GOVERNORS' OFFICES STAFF:

<http://www.nga.org/cms/govstaff>

THE COUNCIL OF STATE GOVERNMENT'S BOOK OF THE STATES (A USEFUL COLLECTION OF REFERENCE MATERIALS):

<http://knowledgecenter.csg.org/kc/category/content-type/bos-2017>

STATE LEGISLATIVE CALENDARS:

<http://www.ncsl.org/research/about-state-legislatures/legislative-sessions.aspx>

LEGISLATION DATABASES & HIGHLIGHTS OF KEY ISSUES:

<http://www.ncsl.org/research/telecommunications-and-information-technology/ncsl-50-state-searchable-bill-tracking-databases.aspx>

DIRECTORY OF COUNTY GOVERNMENTS:

<http://explorer.naco.org/>

DIRECTORY OF MAYORS:

<https://www.usmayors.org/mayors/>

LIBRARY OF LOCAL MUNICIPAL ORDINANCES BY STATE:

<https://library.municode.com/>



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¹¹¹ There are exceptions to this idea, however. The most common: Members facing a tight re-election back home may be given the opportunity to pass legislation that is important to their constituents and can raise their profiles.



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