

A Case Study in Advocacy Through Public Education: *How the Public Media Center Used Facts to Counter Tobacco Industry Politics*

Relevant Lobbying Regulations:

- Advocacy involving public education is not lobbying unless the campaign attempts to (1) influence a legislator's vote, or (2) encourages members of the general public to contact legislators or other government employees regarding specific legislation, or (3) tells voters how to vote—in the case of a ballot initiative.

Public Policy Problem and Advocacy Goal: Starting in the late 1980s, the tobacco industry suffered a string of policy defeats in California, including a voter-approved 25 cents-per-pack tax on cigarettes and several local ordinances restricting smoking in public places. To regain ground lost to these measures, the California tobacco industry spent \$18 million in support of a ballot initiative known as Proposition 188 that sought to replace the tough local ordinances with a weak state law. Polling research prior to the ballot initiative vote showed that the public misunderstood the initiative; in fact 70 percent of voters favoring the initiative believed it would create strong state smoking restrictions.

Principal Public Education Strategy: professional campaign with television, radio, and full-page newspaper ads

Case Study Vignette: With a \$4 million grant from the California Wellness Foundation, the Public Media Center, a nonprofit communications and advocacy agency, launched a public education campaign with highly visible television, radio, and full-page newspaper ads that carried the banner, "Who supports Proposition 188—you have a right to know." Ad copy under the banner merely listed major contributors to both sides (e.g., Phillip Morris and other tobacco companies for the YES side and major health-oriented groups on the NO side). Public Media Center's newspaper ads also reprinted both sides' arguments just as they had appeared in the official state ballot pamphlet.

Both the California Wellness Foundation and the Public Media Center were careful to adhere strictly to federal regulations: the ads took no position on Proposition 188; there was no communication between them and the YES or NO campaigns, there was no call to action in the educational materials, and particular segments of voters were not targeted. In short, the campaign merely stated the facts. Further, the Public Media Center went the extra mile by running all ad copy by the state's Fair Political Practices Commission, and the foundation took no part in the campaign after it was funded.

Public Policy Outcomes: The industry-funded proposition lost by a margin of 70 percent to 30 percent.

Advocacy Lessons for the Future: Good polling data that accurately reflects public (and voter) perceptions coupled with a simple statement of facts repeated in multiple media can achieve important policy victories without violating federal regulations.

Definitions

- **Grass Roots Lobbying** occurs when a nonprofit organization urges the general public to take action on specific legislation. Key indicators of grassroots lobbying include:
 - Relates to specific legislation
 - Reflects a point of view on the legislation's merits
 - Encourages the general public to contact legislators
- **Direct Lobbying** occurs when a nonprofit organization attempts to influence specific legislation by stating a position to a "legislator" or other government employee who participates in the formulation of legislation.

Source: "Excerpts from 'Behind the Scenes of Four Campaigns' ("Proposition 188," "Tobacco on the Ballot—Just the Facts")" listed on the Web site of The Democracy Center, www.democracyctr.org. Material downloaded on May 2, 2006.



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