

A Case Study in “Grassroots” Lobbying:

How MADD Fixed the Flaw in Hawaii’s Drunk-Driving Law

Relevant Lobbying Provisions:

- **Grass Roots Lobbying** occurs when a nonprofit organization urges the general public to take action on a specific legislation. Key indicators of grass roots lobbying:
 - Relates to specific legislation
 - Reflects a point of view on the legislation’s merits
 - Encourages the general public to contact legislators

The Public Policy Situation: The Hawaii legislature passed a new drunk driving law that deleted the “implied consent” provision designed to virtually guarantee driver’s license revocation for refusal to take a Breathalyzer test after a police stop. With the legislature adjourned and little more than two months left before the new law became effective, only a special session could restore the provision.

MADD’s Lobbying Strategy: Acting on political intelligence, MADD leadership decided to focus lobbying efforts on the governor, who supported the “implied consent” provision, and the senate president, Richard S. H. Wong, the only official who could convene the special session. To gain their support and the attention of the whole political establishment, MADD launched a huge grass roots campaign to keep the governor and the senate president in the media spotlight while demonstrating the public’s strong support for fixing the flawed law.

MADD’s Tactics: MADD chose Memorial day—typically a slow news day with high traffic fatalities—to stage an event in front of Hawaii’s Eternal Flame war memorial. There, before news cameras, MADD’s legislative chairperson reminded Hawaiians to remember those killed on highways as well as in wars. A two-foot high sign attached to the podium bore the phone numbers of the governor and Wong. On the same day, MADD members, accompanied by other huge “call or write” signs, began collecting signatures on a petition to be presented to Wong. MADD used only one message to gain support: “After July 1st, most drunk drivers will not lose their license to drive. They will be legally sharing the roads with us and our families.”

In a media-heavy ceremony a few days later, a delegation of MADD state and chapter leaders wearing yellow “Ring Wong” T-shirts presented Wong with the petitions. Meanwhile MADD volunteers flashed the two phone numbers on heavily traveled highways, and the state’s medical association, together with the nurse’s association and emergency physician’s association, held a news conference in support of the MADD campaign (MADD’s other major coalition partners included law enforcement agencies, insurance groups, the Hawaii Convention and Visitors Bureau, and the Chamber of Commerce). As Democratic senatorial caucus meetings related to amending the flawed law began, MADD volunteers presented each senator with a balloon tied to a gold key and a note saying, “You are the key.”

Though the campaign was driven by grass roots lobbying, MADD leadership also used traditional direct lobbying techniques: buttonholing every senator, nose counts, vigils during caucus deliberations, and preparation of senate testimony and witnesses.

Public Policy Outcomes: The implied consent provision was restored with only one dissenting vote, and MADD garnered wide community support without alienating political leaders.

Definitions

- **Lobbying** is virtually any advocacy activity aimed at influencing a “legislator’s” vote on specific legislation.
- **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.
- **“Legislator”** refers to
 - members of Congress or their staff
 - state legislators or their staff
 - local legislative representatives (e.g., on county boards and city councils)
 - the public, in the case of a ballot measure
 - members of an organization (if asked to take action on legislation)
- **Legislation** is defined as action by a legislative body including the introduction, amendment, enactment, defeat or repeal of acts, bills, resolutions, appropriations, and budgets. Also included are the U.S. Senate confirmations of executive and judicial branch nominees and proposed treaties that need U.S. Senate approval.

There are four statutory exceptions:

- Nonpartisan analysis, study or research~may have a point of view but must provide a full and fair exposition of the underlying facts to enable reader to form an independent opinion or conclusion on the subject and be widely disseminated and not limited to people on one side of an issue.
- Request for technical advice or assistance~a written request from a legislative body that is available to all members of the requesting body.
- Self-defense~communication on an action which could impact an organization’s existence, powers, duties, tax-exempt status, or the deductibility of contributions to the organization.
- Discussion of broad social, economic, and similar problems~discussion on general topics which may be the subject of specific legislation but must not refer to specific legislation or directly encourage action.

Source: The MADD case facts were drawn from a longer case study in “Lobbying Success Stories: Examples of How Nonprofit Lobbying Has Changed Organizations and Changed Lives,” a publication of the Center for Lobbying in the Public Interest, www.clpi.org.



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