

# NATIONAL JUVENILE JUSTICE NETWORK

## Media Crises and Opportunities for Reform

TIP SHEET | MARCH 2014

Some stories in the media can derail your reform work, while others can be springboards to significant legislative and policy change. A big news story about a teenager who has committed a violent assault can do immense damage to your efforts to end the practice of prosecutorial direct file. In the same way, even a groundless public accusation about the nature of your organization's relationship with a legislative ally could become a news story, damaging your organization's credibility and weakening its ability to move forward on reform. On the other hand, a high-profile story about the maltreatment of youth in adult jails can be a catalyst for passing "raise the age" legislation.

Some types of news stories can be anticipated; some can't. The sad truth is that we can pretty much expect that a news story about a youth who has committed a violent crime will periodically be in the media spotlight—we all encounter these stories regularly and should be prepared to respond. Likewise, we should have strategies to respond to surprise stories, such as the "kids for cash" scandal, in which two Pennsylvania judges were eventually convicted of taking kickbacks and sending youth to detention without counsel.

Each type of story may require a different strategic response—will you know what to do when reporters light up your phone lines? This tip sheet should give you a useful starting point.<sup>1</sup> In it, we'll talk about two types of media stories:

1. crises – in other words, a negative story that could block or harm your reform work; and
2. opportunities – stories like the "kids for cash" scandal that, if handled correctly, can generate significant support for juvenile justice reform.

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<sup>1</sup> Suggestions in this document for handling a media crisis are taken from Kathy Bonk, et al., *Strategic Communications for Nonprofits: A Step-by-Step Guide to Working with the Media*, 2<sup>nd</sup> ed. (San Francisco: Jossey-Bass, 2008). Much of the guidance on converting a media story into an opportunity for reform is drawn heavily from the Models for Change Innovation Brief, "Media Relations: Transforming a Crisis into an Opportunity for Reform," published in November 2012, and available at <http://bit.ly/1fQfYRj>.

# HANDLING A MEDIA CRISIS

## Plan Ahead

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Carve out time from your busy schedule right now, so that you're ready when the unexpected happens. Don't wait until you're staring into the lens of a television camera before you decide what steps you need to take.

### *Create a Plan*

Here are five steps you should take to be ready for a media crisis:

1. Set up a team to create the plan. It's a good idea to create a plan that includes everyone in your organization who might be involved in responding to the media. The team will likely include your organization's director, primary spokesperson(s), and the person responsible for your online presence and social media. If you don't have someone with relevant communications expertise on staff or on your board, you may wish to include a media consultant.
2. Decide who will do what. In a crisis, who will make decisions about media strategy or messaging? Who will talk to the media? What if that person is unavailable? If other staff people get calls from reporters, will they know who your organizational spokesperson is for questions related to the crisis?
3. Develop a response for surprise calls. When a journalist calls asking for your response to a breaking story, don't say "no comment." Depending on the situation, "no comment" could seem heartless (e.g., if a youth has committed a serious crime) or as if you are hiding something (if your organization is under fire). For more on messaging, see "During the Crisis," below.
4. Determine how you will communicate internally. Make sure that you have a plan in place for how you will disseminate updates to staff, and for your team to consider strategy 24/7 as the story evolves.
5. Prepare materials in advance. Just as you would create a press kit of key documents about your organization in advance of normal media inquiries, or to support stories you pitch to reporters, so you should also gather relevant documents or materials *before* a crisis hits. Preparing materials that address basic questions ahead of time can keep you in a proactive role and help position you as responsive and credible. While you obviously can't anticipate everything, you might consider assembling fact sheets on issues like adultification, racial and ethnic disparities, successful community-based alternatives,

youth development, or the costs of the juvenile justice system, in addition to basic information about your organization and its current reform priorities.

### ***Know Your Worst-Case Scenarios***

It is also a good idea to decide ahead of time how you would frame your response when a controversial or negative high-profile story breaks. This is easier than it sounds, because most types of crises that your organization is likely to face have already happened somewhere else, at one time or another.

If you take a moment to jot down some types of stories that are most likely to derail momentum for juvenile justice reform, you will likely come up with examples like these:

- The police report that youth gang activity has increased alarmingly, or that they are arresting large numbers of youth for dealing hard drugs.
- Local business leaders blame teens for an apparent increase in graffiti on public and private property.
- A youth commits a serious violent crime while on probation.

Scan the news for media crises tied to juvenile justice, keep a list, and prepare hypothetical media responses to these potential situations. With preparation, you will be in a better position to prevent the knee-jerk adoption of “tough on crime” policies that harm young people and jeopardize public safety.

**NOTE:** Even a genuine crisis may still be an opportunity for positive advocacy. For example, if the press is up in arms about the number of crimes being committed by youth under court supervision, it may be an opportunity for you to talk about your efforts to increase the rehabilitative services available through the juvenile court, or your efforts to remove youth from adult prisons where rehabilitative services are few and far between.

## **What to Do During a Media Crisis**

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1. Use a spokesperson who has media training. If you don't have a trained person on staff, consider hiring a media consultant, especially if the story is being covered nationwide.
2. Refer all inquiries to a central spokesperson. Make sure this person has written talking points. Ensure that you have an assigned spokesperson available 24/7; you don't want journalists going to press without your organization's perspective. If you're the spokesperson, remember that no matter how many interviews you give, you can't assume that reporters have the full picture—be prepared to answer basic questions again and

again, and if you think they're operating on false information, be sure to set the record straight with each interviewer.

3. When the story breaks, rely on a balance of candor and caution. When a reporter calls you about a story, never say, "No comment," and—of course—don't lie. If the reporter has taken you by surprise, say so. If you've heard about the story, but you don't yet know enough to offer a thoughtful response, say that you will have a more complete response once you know more. When it's your organization that's in the cross-hairs, make it clear that you are taking action to learn more and address the problem.

If the story is especially emotional, meet emotion with emotion: share your compassion or concern for anyone injured or hurt, and for their loved ones. Even if the facts of the story cry out for a policy solution, save that for later. It might be premature to share your ideas for reform when the news is first breaking; doing so may position you as cold and uncaring.

4. Monitor ongoing coverage. When you are dealing with a crisis, it is important to know how the story is playing out in the media—you will want to be aware of how the story is being framed and of any factual inaccuracies that may appear. So be sure you know who on your team will be primarily responsible for staying on top of the coverage, and don't forget that monitoring social media will also be important.
5. Keep your online presence up-to-date. Make sure that your web presence and social media channels are kept up-to-date as the story evolves.
6. Know what you want tomorrow's headline to say. Think about the situation like an outsider: what questions are you likely to be asked, and how can you frame your answers to ensure they convey your message? Who are your adversaries, if any? What are they likely to say to the press? You may need to ask your supporters and allies to talk to the press—if they're willing, their perspective may validate your message. If it's your organization under fire, be accountable, take action, and commit to change.

## MAKING THE MOST OF MEDIA OPPORTUNITIES

Thus far in this document, we've discussed media crises—news stories that threaten your reform work, or even your very organization. But sometimes a crisis can be a media opportunity that, if handled correctly, can drive vast change.

For example:

- Your local juvenile detention facility is sued because youth are being physically, sexually, and emotionally maltreated—or a youth in custody commits suicide.
- A student athlete is charged as a sex offender for “streaking” on the field at a school football game.
- Your local school district comes under fire when an honors student is jailed for missing too much school—because she’s working two jobs to support her siblings.

### Know Your Role in the Story

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Your success in a media crisis will depend in large part on how you frame your organization’s role in the story. You may find it helpful to know that journalists covering big stories tend look for people and organizations that fill three roles: villain, victim, and vindicator.

The *villain* and *victim* roles are usually built into the situation. For example, in the case of [the Luzerne County, Pennsylvania “kids-for-cash” scandal](#), the *villains* were the two judges accused of taking millions in kickbacks from two private, for-profit juvenile detention centers. Their *victims* were the over 2,500 youth who were railroaded into these facilities, often for minor offenses and without legal counsel present.

The *vindicator* refers to the person or organization that rides to the rescue—blows the whistle, supports the victims, and/or helps solve the problem. In this case, the [Juvenile Law Center](#) became a vindicator by taking the story to the press, working hard to ensure that the villains were punished and the harm to the victims was redressed to the extent possible, and championing policy changes to ensure that the scandal would not be repeated.

To be the “vindicator,” your organization would:

- sound the alarm by alerting the media to the crisis, if the story has not yet broken;
- repeatedly communicate how grave the situation is and how to prevent it from happening again, or alternatively, how a hasty policy response may result in very serious consequences; and

- position itself with journalists as a knowledgeable, credible source of expert knowledge and informed opinion.

Not every story will have these three roles; nor will the role your organization plays always be a primary one. That doesn't mean, however, that you have no role to play. Sometimes, a media crisis may only be indirectly tied to juvenile justice policy, but stepping into the media fray may still be appropriate, ethically and practically. Here are two examples:

- Even though teens weren't the victims of the school shooting in Newtown, CT in December 2012—nor was a teenager responsible—the event nonetheless led to calls for more police in schools, and more federal funding for them. As we know, this was a setback for juvenile justice advocates working to block the school-to-prison pipeline, because the federal government eventually authorized millions of additional dollars for school police. Nevertheless, juvenile justice reformers across the country worked hard to reframe the story to highlight the many drawbacks of arming teachers or hiring school cops and talk instead about the proven ways that schools could work proactively to keep kids safe.
- The Trayvon Martin shooting created a national discussion about racism and racial profiling, and how laws and harsh practices disproportionately impact youth of color, which tied it to juvenile justice reform efforts. After this tragic event, many organizations took a stand, started a dialogue with community members, educated policymakers about racial and ethnic disparities in the justice system, and pushed for change.

## Explain the Story Clearly

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Remember, when it comes to the general public, you are an expert on juvenile justice. You know about your field—facts, research results, best practices that most people are totally unfamiliar with. So you'll need to explain your story in simple, comprehensible terms: why it matters, what should be done, and how to keep the situation from happening again.

### *Education Now Can Pay Off Later*

Journalists will appreciate it when you take the time to educate them about the crisis and how similar situations could be avoided in the future. When you do this, you build your organization's reputation as a reliable source, and you also build the interest and understanding that forms the basis for future stories about juvenile justice reform.

### **Avoid Jargon**

You may not realize how much of the language you use to talk about youth in the justice system is made up of insider phrases that are incomprehensible to most people. If you use them, journalists—and their audiences—may tune you out. For example, if you find you must use a term like “community-based alternatives,” or “the school-to-prison pipeline,” make sure that you define it in simple terms.

The best way to get better at this is to practice being interviewed. Have someone who does not know much about your work give you feedback so you know when you are lapsing into jargon and learn how to avoid it.

### **Be Responsive and Authoritative**

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When a media story breaks, journalists won’t only want to talk to you during working hours. Plan ahead, so that you have spokespersons available before, during, and after work.

When journalists call, make sure that you know and respect their deadlines—in a crisis, they may need information right away. It’s important to speak with them as soon as you can, especially when a story first breaks, because this will be your chance to influence how the story is framed, and what issues are identified. The analysis you offer, and the solutions you suggest, will be your chance to build support for reform.

By sharing relevant, useful information and contact information for youth and family or others who are acting as spokespeople, and being proactive by calling journalists with information they will need before they call you, you will make yourself into an authoritative, go-to source for reporters, not only for the current story, but for future stories you pitch.

### **CRISIS OR OPPORTUNITY?**

Crises are unavoidable in the field of juvenile justice reform. Some stories may not allow you to do much more than damage control, but others will give you a chance to make a public case for reform, educate policymakers, build interest, and gain momentum for lasting policy victories.