

SOME GUIDELINES FOR DEALING WITH THE MEDIA

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"Journalism: A profession whose business is to explain to others
what it personally does not understand."

Lord Northcliffe

SOME GUIDELINES FOR DEALING WITH THE MEDIA

It is important to take the press seriously. Statements in a news source, regardless of their accuracy, can damage the reputation and public perception of an organization and its management. In dealing with the press, keep in mind that there is an almost absolute legal protection for what is printed in newspapers and magazines, broadcast on radio and television, or posted on the Internet. In a fast-moving situation, there is no effective remedy for false or misleading public statements about an organization. So it is crucial to be able to state your organization's position quickly, clearly and effectively. Here are some guidelines that may assist you with the media.

1. Make one key person responsible for media relations and make sure he or she is kept informed and given enough authority to be a credible source who can establish a reputation with the press for trustworthiness.
2. Make sure all organization personnel, from the receptionist to the Board of Trustees, understand your disclosure and confidentiality policies and know who is responsible for media relations.
3. Acknowledge the public's legitimate interest in your organization's affairs. Your public includes existing and potential members and contributors, legislators, regulators, the media, and citizens of the communities in which you operate.
4. Be a source before you are a subject. Get to know the people who cover your non-profit field, educate them about the organization, and help them with stories. The time to get to know the press is before trouble hits.

5. Develop a position and a public relations strategy before getting involved in a major undertaking that may have public implications or generate media interest. Get out in front in shaping issues that the media will cover.
6. In a crisis situation or other matter receiving significant public attention, seize the initiative. Don't wait for a call. If your organization has a significant problem, face the facts and don't be evasive. Bad news comes out sooner or later. Release the bad news before a reporter digs it up. Define the issues, put your "spin" on the situation, and then repeat your basic theme in all your statements.
7. Treat reporters courteously and with respect. Running from calls only heightens interest in a matter. Call reporters back even if you are saying "no" to a request. As A.J. Liebling cautioned, "Never pick a fight with someone who buys newsprint by the ton." A reporter has a job to do and is the one in control. If you make the reporter's job easier, you may help fend off an adversary's point of view.
8. When the press calls, attempt to determine the context of the inquiry and the deadline for the story. If the reporter is talking to you early, you can influence the direction of the story. Emphasize what you want to see in print, and suggest others to contact who can provide information the reporter seeks. If the reporter is well into the story, find out who else he or she is talking to and what the negative points of the article will be, so that you have a chance to respond with your position.
9. Respond to media requests quickly. You cannot influence a story once its deadline is past. You will not appear credible if you seem to stall. Either tell the truth or say

- nothing. From a legal standpoint "no comment" may be appropriate in some situations. However, the public usually perceives that particular phrase negatively. Instead, state reasons why you cannot comment specifically at this time. Remember that by not commenting specifically, you are allowing others to shape the story.
10. Provide statements in writing whenever possible. Don't contradict statements that are in your public documents or earlier statements. Ask the media to submit its questions by e-mail and respond in kind so there is a record. If rebuffed (as you often will be), follow up phone conversations with an e-mail confirming your statements.
 11. It is difficult to manage the content of the news. But there are a variety of ways to disclose information, and selecting the right way can improve a situation. So, in terms of strategy, think not only about the messages to get out, but how and when to get them out. For example, a story has more life and can do more damage if it is spread out over several days or weeks. That's easy to have happen, because it matches the media's need for stories every day. But if you can compress the news into one comprehensive report, it forces all the information into one announcement, makes it difficult for the media to do more than summarize, and allows you to avoid future comment.
 12. The media is not monolithic. *The Chronicle of Philanthropy* differs from *The Oregonian* and it differs from *The Business Journal*. Television is different than radio or newspapers. Know who you are dealing with and what the interest, base of knowledge and concerns of the particular media outlet are. Television news has become increasingly interested in dramatizing opposing parties and less interested in

facts or explanation. There is nothing wrong with releasing information to a credible news source, such as a daily newspaper, and ignoring the television media.

Conversely, radio, by the nature of its short-handed news teams, often will take a quote over the phone and run a story exactly as given. Daily newspapers are almost always the most professional of the media. You stand the best chance of getting a fair hearing for a controversial story in their pages.

13. Reporters resist going "off the record" without a good reason. However, it can be appropriate, for example, if you wish to explain why you cannot be more forthcoming at this time or if you think it would be helpful to provide a legal backdrop for the issue without being the source. Only go off the record with reporters you know or who have excellent professional reputations, and make very clear when you are off and on the record. Remember that the reporter is only promising not to use you as a source for the off-the-record conversation. It is not a promise to avoid the subject of your conversation; what you say off the record may lead a reporter to another identifiable source who will talk on the record.
14. Don't forget the power of the editorial. Editorial boards are able to take the time to understand complex issues. An editorial in your favor can help set the subsequent media agenda.

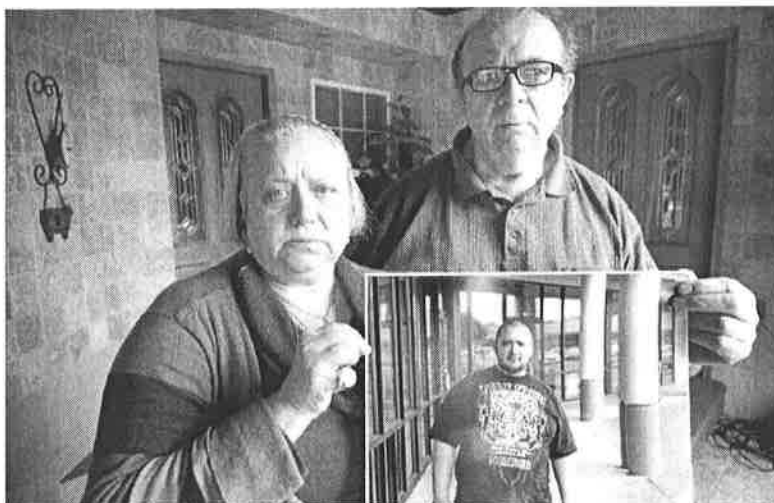
\$700,000 deal reached in death of jailed bipolar man

He died while being restrained by custody officers

By **Stephanie Rice**, Columbian Vancouver city government reporter

Published: February 26, 2014, 7:34 PM

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(http://columbian.media.clients.ellingtoncms.com/img/photos/2012/07/18/0719_met_Asanachescu)

Afrodita and Cristian Asanachescu talk about their son, Marius Asanachescu, at their home March 22 in Vancouver. Marius died while in custody in the Clark County Jail on Feb. 10, 2012. ([Troy Wayrynen](#) ([/staff/troy-wayrynen/](#))/The Columbian)

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The parents of Marius C. Asanachescu, a mentally ill Vancouver man who was killed two years ago while in custody at the Clark County Jail, will receive \$700,000 from the county and its jail medical provider.

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The settlement was negotiated out of court last week by attorneys representing Clark County, ConMed and Asanachescu's parents.

Cristian and Afrodita Asanachescu filed a lawsuit in April in U.S. District Court in Tacoma, claiming their son's civil rights were violated.

Asanachescu was 28.

Clark County Medical Examiner Dr. Dennis Wickham ruled the death was a homicide from asphyxia while Asanachescu was being restrained by custody officers. The death was ruled an accident and no charges were filed.

Clark County will pay \$450,000 to the family, while ConMed, a Maryland-based company that contracts with the county to provide medical care to inmates, will pay \$250,000, said Bernard Veljacic, a Clark County deputy prosecuting attorney.

The county's portion of the settlement will be covered by the Washington Counties Risk Pool, the county's insurance provider, Veljacic said.

At the time of his death, Asanachescu, who had bipolar disorder, prior criminal convictions and received Social Security disability payments, was in jail on charges of assaulting his brother. He had been awaiting transfer to Western State Hospital for a mental competency evaluation.

Neither Clark County nor ConMed admitted wrongdoing in Asanachescu's death, attorneys said.

John Justice, an Olympia attorney hired to represent the county, said Wednesday the agreement to settle was weighed against paying ongoing attorney fees and the potential risk of a large jury verdict.

The Asanachescus were represented by Vancouver attorney William Nelson and Portland attorney David Meyer.

"I think we reached a pretty fair settlement," Nelson said Wednesday.

The Asanachescus could not be reached Wednesday.

In a 2012 interview with The Columbian, they said their son started using drugs in 1997 to self-medicate for his bipolar disorder and received professional help at Columbia River Mental Health and Lifeline Connections.

Nelson said they tried to do their best by their son, and thought at the time of his arrest that maybe jail would be the best place for him.

"They even thought he would get back on his medication and get help," Nelson said.

Asanachescu was arrested Jan. 30, 2012, and died Feb. 10, 2012.

He was a week into his stay before he received medication, according to the lawsuit.

According to court documents, on Asanachescu's third day in jail he reported feeling suicidal and was placed in an anti-suicide smock in a solitary cell, on suicide watch. He began engaging in self-harm, including banging his head against the floor.

Asanachescu, who was 5-foot-8 and 307 pounds, was strapped into a restraint chair, a device that would be used repeatedly during the rest of his stay.

The day of his death, Asanachescu was hitting his head against his cell door and officers tried to place him in the chair. One custody officer, followed by a second officer, fired Tasers at Asanachescu through an opening in the cell door, knocking Asanachescu off balance. Officers went into his cell and pinned him to the ground, according to the lawsuit. Eventually, he stopped struggling. According to the lawsuit, he was asphyxiated by a "spontaneous and unplanned use of deadly force" by seven officers.

Meyer said ConMed was short-staffed during Asanachescu's stay in the jail.

Had someone prescribed Asanachescu medication earlier and been able to monitor him, the entire restraint situation may have been avoided, Meyer said.

For the first quarter of 2012, the county received a \$12,763 credit from ConMed for hours not worked, Meyer said.

"That's not a good way to manage a contract," Meyer said. "When the whole purpose is to provide medical services, they should be available," he said.

Stephanie Rice (/staff/stephanie-rice/)

Columbian Vancouver city government reporter

A Disaster Within

By Brian Gard

In a recent issue of the bar *Bulletin*, Cliff Collins focused on planning for disasters that disrupt the operations of law firms ("Keeping the Ship Afloat"). His article emphasized the impact of disasters on the physical aspects of operating the firm, from computers to office space to records retention. It is easy to assume these sorts of things will happen to some other firm, in some other city. Even though Gard & Gerber is not a law firm, the article applies to any professional services organization, and we learned from it.

The article also made me think about another aspect of natural disasters as well as legal and business crises: the quality and process of decision-making and how this crucial function can be dramatically affected by crisis.

I am often engaged to assist in crisis communications or in what has become known in our field as litigation public relations. Early in my career, I thought it was sufficient to manage the media in a crisis. Now I know that it is equally important to support — to manage — the client as well.

For example, when a business person is accused publicly of a white-collar crime or an ethical indiscretion, it's a crisis that can ruin a career or a family. He or she may be the only person experiencing this disaster but it is one nonetheless.

In these situations, it is easy to become emotional, whether one shows it or not. Often in a corporate setting, the very people who have worked hard to build a reputation find that same reputation at risk because of the threat of bad publicity. The day after a critical news story, it is common to "feel" as if everyone in the coffee shop recognizes you and is talking about the story as you stand in line waiting.

These same people are often good decision-makers; they are used to making decisions and not used to having them questioned. But decisions driven in part by



"In our culture, it is frowned upon to admit the effect of emotion on one's ability to function. But it can happen to anyone."

emotions, usually suppressed or controlled but now strangely assertive, need to be questioned. This is one more reason why it is so important to have legal counsel and, with regard to communications and the media, public relations counsel. These experts are once removed from the crisis; they have "distance" — the objectivity that is central to good decision-making.

I am a fan of the "rule of three," which, as near as I can tell, applies to all things. In any event, here are three rules I apply in these situations:

- John Wooden, the remarkable UCLA coach, said, "Don't hurry, but be quick." Often, the right thing to do initially is

to slow down the decision-making, to pause and assess the situation if only for a few minutes. In a highly emotional setting, a bias for action can also be bias for mistakes.

- In 1830, Judge Samuel Putnum counseled, "Act with prudence, discretion, intelligence and regard for the safety of capital as well as income." This applies to media relations as well as to investing. The instinct is to win. Sometimes the better goal is simply not to lose. An intact personal or corporate reputation can fight another day.
- Fittingly for this article, the concept of justice is a paramount feeling in a media crisis. The center of attention almost always feels that an injustice is being carried out against them and that a successful outcome involves a hoped-for equality of suffering, an eye for an eye. But revenge, no matter how restrained, is almost always better saved for later.

In our culture, it is frowned upon to admit the effect of emotion on one's ability to function. But it can happen to anyone. Lisa Nowak, the astronaut recently embroiled in a personal crisis, is skilled beyond the imagination of most of us and has traveled beyond the imagination of most of us. Nevertheless, she shares with all of us the capacity to behave irrationally.

Just as we need to ensure the backup of computer records, so we need to ensure the emotional backup of employees and clients in a disaster or crisis.

Brian Gard is president of Gard & Gerber, an advertising, public relations and public affairs firm in Portland. He also serves as chair of the board of the Oregon Business Association and has participated in two CLE seminars.

How to Write a Press Release

A press release is a written statement to the media. It can announce a range of news items, including scheduled events, personnel promotions, awards, new products and services, sales accomplishments, etc. It can also be used to generate a feature story. Reporters are more likely to consider a story idea if they first receive a press release. It is a fundamental tool of PR work, one that anyone who's willing to use the proper format can use. We'll show you how.

Making it Pop

1. **Write a genuine headline.** It should be brief, clear and to the point: an ultra-compact version of the press release's key point. Plenty of PR professionals recommend writing your headline at the end, after the rest of the release is written. If you follow that instruction, continue on and come back to writing the headline once the rest is done. The headline is known as the eye-catcher and is very important to the whole release.

2. **Write the body copy.** The press release should be written as you want it to appear in a news story. And remember this: most journalists are very busy, and don't have time to research your big announcement, so much of what you write for your press release will be what the journalists use in their writeup. Whatever you want them to say, this is where you put it.

The lead, or first sentence, should grab the reader and say concisely what is happening. For example, if the headline is "Careen Publishing releases new WWII novel," the first sentence might be something like, "Carpren Publishing, Ltd., today released their first World War II novel by celebrated writer Arcy Kay." It expands the headline enough to fill in some of the details, and brings the reader further into the story. The next one to two sentences should then expand upon the lead.

The press release body copy should be compact. Avoid using very long sentences and paragraphs. Avoid repetition and overuse of fancy language and jargon. Strive for simplicity, and no wasted words.

The first paragraph (two to three sentences) should sum up the press release, and the additional content must elaborate it. In a fast-paced world, neither journalists, nor other readers, would read the entire press release if the start of the article didn't generate interest.

Deal with actual facts — events, products, services, people, targets, goals, plans, projects. Try to provide maximum use of concrete facts. This is *news*. A simple method for writing an effective press release is to make a list of following clarifications: Who, what, when, where, why, and how.

3. Communicate the "5 Ws" (and the H) clearly. Who, what, when, where, why —and how— should tell the reader everything they need to know. Consider the checklist in context with the points below, using the example above to generate our press release:

Who is this about? Carpren Publishing.

What is the actual news? Carpren Publishing is releasing a book.

When does this even happen? Tomorrow.

Where does this even take place? In all major markets, tomorrow.

Why this is news? It was written by renowned author, Arcy Kay.

How is this happening? The main event is at a book signing in Chicago, followed by a book tour to all the major metropolitan areas.

With the basics defined, fill in the gaps with information about the people, products, items, dates and other things related with the news.

If your company is not the main subject of the news, but is the source of the press release, make it clear in the body.

Keep it short and to the point. If you are sending a hard copy, the text should be double-spaced.

The more newsworthy you make the press release copy, the better the chances of it being selected by a journalist for reporting. Find out what "newsworthy" means to a given market and use this knowledge to hook the editor or reporter.

4. Make it clean, crisp, and applicable to your audience. Odds are whoever you sent your press release to has a dozen just like it in his/her inbox just waiting to be ignored. If you want yours to be chosen, it's got to be good. Not only does it have to be good, but it has to be as close to "ready for press" as possible.

When an editor looks at your piece, he/she is thinking, from the first second, about how long it's going to take them to get it to print. If your work is full of errors, lacking content, or just needs to be revived, they're not going to waste their time. So make sure you have good grammar, all the basics, and have something to write about.

Why should these people care what you have to say? If you're sending it to the right audience, it'll be obvious. If you're not, well, why are you wasting your time? Give the right people a piece of news (news, not advertising) and you're on the right track.

They'll care more if you send it in the morning. That gives them time to pad your piece into what they're already working on. Be considerate.

5. Tie it together. Provide some extra information links that support your press release. Does the company you're selling have additional information online that readers may find useful? Great. Add it in.

If you're nervous about what you've got, do some research on what's already out there. Someone probably wrote something on an event just like the one you're covering. PR Web and PR Newswire are good places to start.

Mastering the Format

1. Get the basic structure down. Alright, now that you've got the meat of it together, how do you put it on paper? Well, for starters, cut it to length. It should be a page long at most, if that. No one's going to waste time on 5 paragraphs unless you're covering WWII. Here's what you need (some of which we've already covered):

FOR IMMEDIATE RELEASE should go at the top of the page, on the left margin.

If the release is embargoed, put "EMBARGOED UNTIL..." with the date you want the story released. A release with no release date is presumed to be for immediate release.

The headline, usually in bold, should be centered below that.

If you'd like, but a subhead in italics (briefly elaborating the headline).

First paragraph: most important information. May be quite news-like in that it starts with a date or where the news is coming from.

Second (and probable third) paragraph: secondary information. Should include quotes and facts.

Boilerplate information: more on *your* company. Who are you, really? What achievements do you have? What's your mission?

Contact information: more on the writer (probably you!). If you grab someone's interest, they'll want to be able to find out more!

Multimedia: in today's day and age, there's always some Twitter handle to be had.

2. Write a boilerplate underneath the body of your release. That means it's time to include information about your company. When a journalist picks up your press release for a story, he or she would logically have to mention the company in the news article. Journalists can then get the company information from this section.

The title for this section should be "About [XYZ_COMPANY]."

After the title, use a paragraph or two to describe your company with 5 or 6 lines each. The text must describe your company, its core business and the business policy. Many businesses already have professionally written brochures, presentations, business plans, etc. That introductory text can be put here.

At the end of this section, point to your website. The link should be the exact and complete URL without any embedding so that, even if this page is printed, the link will be printed as it is. For example: <http://www.example.com>, not Click here to visit the website.

Companies which maintain a separate media page on their websites must point to that URL here. A media page typically has contact information and press kits.

3. Add your contact information. If your press release is really newsworthy, journalists would surely like more information or would like to interview key people associated with it. If you are comfortable with the idea of letting your key people be contacted directly by media, you can provide their contact details on the press release page itself. For example, in the case of an innovation, you can provide the contact information of your engineering or research team for the media.

If not, you must provide the details of your media/PR department in the "Contact" section. If you do not have dedicated team for this function, you must appoint somebody who will act as a link between the media and your people.

The contact details must be limited and specific only to the current press release. The contact details must include:

- The company's official name
- Media department's official name and contact person
- Office address
- Telephone and fax numbers with proper country/city codes and extension numbers
- Mobile phone number (optional)
- Times of availability
- Email addresses
- Website address

4. If possible, include a link to an online copy of the same release. It's good practice to keep a log of all of your press releases housed on your own website. This can make providing such a link easier to produce, as well as keeping a record for historical purposes.

5. Signal the end of the press release with three # (hash) symbols. Center these directly underneath the last line of the release. This is a journalistic standard. It may look like you're over-tweeting, but you're not. This is how it's done.

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PRESS RELEASE - FOR IMMEDIATE RELEASE

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JUDGE LEAVES THE BENCH TO REJOIN LAKE OSWEGO LAW FIRM

Clackamas County Circuit Court Judge Steven L. Maurer is returning to the private practice of law on February 1, 2013, rejoining his former law firm in Lake Oswego, which is changing its name as of February 1st to Glazer, Maurer & Peterson, P.C.

Maurer, who served as Presiding Judge from 2006 through 2010, has presided over all kinds of civil and criminal cases. "Steve was a great trial lawyer when he went on the bench," says Peter Glazer. "Steve is compassionate, as smart as they come, and skilled in advocacy. He will serve his new clients well."

Maurer joins another veteran trial lawyer, Larry Peterson, in teaming up with Lake Oswego lawyer Peter Glazer. Maurer's private practice emphasizes personal injury, family law, criminal defense, and general civil litigation. Peterson is "of counsel" to the firm.

Maurer, who lives in Lake Oswego, has two children, both of whom are lawyers currently serving as deputy district attorneys. He was Lake Oswego High School PTO President, coached youth sports, and coached mock trial teams for Lake

Oswego High School.

Glazer, Maurer & Peterson, P.C., is perhaps Lake Oswego's oldest law firm, dating back to 1982. The firm represents clients primarily in personal injury (auto accidents) and insurance cases and in divorce cases.

Peter Glazer's volunteer service work has included: president of Lake Oswego Rotary Club; Prime Minister of the Royal Rosarians; president of the Clackamas County Bar Association; and chair of the Governor's Advisory Committee Against Drunk Driving (appointed by four Oregon governors).

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Today my client Peggy Shannon and I appeared before the San Diego City Council, which had proclaimed today February 24, 2014 as Peggy Shannon Day in the City of San Diego.

Peggy Shannon, a senior citizen, who is a great grandmother, works at the Senior Citizens Service Desk at City Hall.

On August 15, 2013 Peggy and I held a news conference in San Diego in which we alleged that Peggy loved her job helping senior citizens that came to City Hall until Mayor Filner made her life unbearable.

Peggy alleged, for example, that Mayor Filner suddenly hugged and kissed her on the lips without her permission. She also alleged that one day he came to her desk and made sexually suggestive comments to her such as "Do you think I could go eight hours straight?" When Peggy replied "Are you kidding?", the Mayor said "No, I can go eight hours." Peggy immediately told her supervisor and co-worker what the Mayor said.

On July 18, 2013, Peggy also filed a complaint with the Equal Employment Investigations Office (EEIO) alleging that Mayor Filner had harassed her. She asked only for an apology.

Today we are very happy to announce that we have settled her claim and that the City of San Diego has issued that public apology. The apology states "Dear Ms. Shannon: On behalf of the City of San Diego and our residents, we apologize to you. You were entitled to be treated with respect and dignity. Unfortunately, you were not. Ms. Shannon, your decision to come forward was courageous and you were right. We admire you, and we thank you for coming forward. Sincerely yours, Todd Gloria, Interim Mayor."

In addition, the San Diego City Council has proclaimed today Peggy Shannon Day in the City of San Diego. Peggy, who is very humble, was reluctant to accept such an honor, but agreed to it because she now understands that it is important to honor senior citizens who have the courage to speak out against injustice and that she has been and continues to be an inspiration to others who want to do so on other issues of importance to them and their community.

My law firm and I are very proud of Peggy and we are glad we have been able to assist her in accomplishing her goals.

We thank Jan Goldsmith, the San Diego City Attorney, who has been very professional in his handling of this matter, and while his job was to protect the interests of the City of San Diego, he has also been very sensitive to what Peggy has suffered and he has worked hard to achieve a fair resolution of this matter.

In addition, we thank Interim Mayor Todd Gloria and the San Diego City Council for agreeing to the public apology to Peggy and for honoring her today. We appreciate their kind words about her and their proclamation of Peggy Shannon Day in San Diego.

Peggy Shannon has made us all proud and we know that she will continue to earn our support and respect as she continues her dedicated work helping seniors to know and understand their rights and the services available to them.

Gloria Allred
Attorney at Law
Representing Peggy Shannon
February 24, 2014