

How state legislators can use the media to affect policy changes in state government  
agencies: A case study with the Department of Motor Vehicles

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## **ABSTRACT**

This study was done to understand how a member of the state legislature used the media to effect policy change. This subject is discussed using the California Department of Motor Vehicles as a case study. There is a long-standing and well-understood relationship between legislators and the media. It is common knowledge that legislators in the minority party use the media to pressure members of the majority party. Research shows those in the minority benefit from this kind of coverage. However previous studies are mostly silent about whether using the media to pressure the party in control of the government actually results in improvement within the bureaucracy. This study includes interviews from experts in public relations, journalism and politics. It provides information that can be studied by other legislators to gain a better understanding about how one minority member of the California State Legislature used the media to pressure the majority party into addressing systemic problems facing the DMV.

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## CHAPTER 1

### *Introduction*

#### **Statement of the Problem**

This study focuses on the use of news media by state legislators. Specifically, how politicians can use it to elevate important issues in an effort to change policies within government. This project is a case-study on how a state legislator in the minority party used the media to highlight long wait times, poor management, planning, and outdated technology at the California Department of Motor Vehicles, to force policy and management changes within the department.

The give-and-take relationship between the media and politicians is widely understood. However a “breakdown occurs when independently obtained information differing from that offered by officials puts news organizations in the uncomfortable position of deciding whether and how strongly to challenge officials claims. If at these critical moments, strong political challengers from inside the government emerge to balance the dominant perspectives in the news, the results can be timely, revealing, and salutary” (Bennett and Lawrence, 2008 p. 5).

#### **Background of the Problem**

The DMV began offering customers the federally-mandated *Real ID* card in January 2018. By spring of 2018, wait times for customers at DMV offices throughout California grew to as long as eight hours for customers at some locations. The frustration of customers and DMV employees grew but there was little statewide media coverage of the issue, and only a handful of legislators spoke out about the systemic problems within the agency. The details provided by the DMV about the causes of the wait times were vague and limited: brief explanations about an influx of customers waiting to obtain the *Real ID*, computer outages, and issues adjusting to new systems. Wait times continued to grow throughout the summer of 2018.

Republican State Assemblyman Jim Patterson, a member of the minority party, was frustrated by what he perceived as a lack of planning for the *Real ID*, and he began to speak out about his concerns. Patterson alerted the media to provable instances of budget mismanagement, multiple computer system outages, and errors in voter registration information for thousands of drivers. Thesen (2012) contends, "Government cannot afford to ignore negative issue developments indefinitely as this would reflect poorly on its ability to respond to, and successfully deal with, policy problems" (p. 368).

Much research has been done on the impact of media coverage on the political agendas of elected officials, however, relatively few studies have been done that discuss how and why politicians in the minority use the media to force the majority party to address government issues with a focus on a specific case study. There is also a lack of information about whether politicians who use the media to promote their policies actually succeed in implementing institutional change.

### **Purpose of the Study**

It's generally accepted that bureaucracies are resistant to change. While the majority party in any government is likely to receive legitimate criticism from the minority party, they are less likely to accept that criticism and make meaningful policy changes as a result. Without a trustworthy source from within the government itself to highlight areas of significant concern and provide suggestions for improvement, the bureaucracy often continues to operate in the absence of, and with resistance to any media scrutiny.

Legislators in the minority party are in the best position to critique majority party policies they believe are negatively impacting the public. By understanding how the power of the media can be used to move the majority party to make meaningful policy changes, legislators can more effectively use this tool as part of their strategy to better serve the public.

Trouble for customers at the DMV in 2018 presented an opportunity to effect change

within a state agency controlled by the majority party. To do so would require the attention of the media, the public, members of the legislature as well as the governor. Studying how a legislator used the power of the mass media to effect change in state government is a subject worthy of exploration because it can be duplicated to improve other government agencies.

### **Setting for the Study**

This study will be done as part of the data collection for a Senior Project at California Polytechnic State University located in San Luis Obispo, California. Experts from the political, media and public relations fields will be interviewed.

### **Research Questions**

1. Do legislators use the media to advance themselves or their policies?
2. What are the reasons legislators most often interact with the media?
3. Do legislators in the minority party use the media to move the governing party to act?
4. How does the public benefit when a legislator works with the media to provide information about an inefficient or failing government agency?
5. How did the continued media interactions of a state legislator force a reluctant bureaucracy to implement policy changes to improve efficiency at the California DMV?
6. Did members of the majority party in California resist efforts by a state legislator to seek more additional information about the budget, staffing, and technology used at the DMV through a state audit?

### **Definition of Terms**

The following is a definition of terms that will be used in the study. They are provided to

help the reader better understand the issues discussed.

Agenda-Setting theory: a theory that contends that media coverage directly impacts the policies of elected officials (Van Aelst & Walgrave, 2016, p. 502).

Arena Function: a theory about the unique platform created by the mass media and used by politicians to get public attention for themselves and the issues they feel are important (Van Aelst and Walgrave, 2016, p. 510).

Blame Attribution: a tactic that can be used by politicians in a legislative minority to highlight a problem within government and blame the majority party for their action, inaction or to warn of an action they should avoid. This tactic is used to elicit a shift in government strategy (Thesen, 2013, 369).

Information Function: a theory that media can be used as a source of information by politicians who use that information to benefit them (Van Aelst & Walgrave, 2016, p. 510).

Real ID: a federal government identification card that every adult in the United States must have to fly domestically on any commercial aircraft beginning in October 2020 (Baldassari, 2018a).

## **Organization of Study**

Chapter 1 included the background of the problem, purpose of the study and the setting for the study. Chapter 2 will include a review of literature on the topic the media and its use by elected officials. Chapter 3 will discuss the methodology for the study. Chapter 4 will include the findings from the research questions which then be compared with the available literature on the topic. Chapter 5 will contain a summary of the study and recommendations for legislators interested in using the media as a tool to successfully promote their policies.

## CHAPTER 2

### *Literature Review*

The review of literature discusses the information available on the use of the media by politicians to effect policy change. It discusses the benefit to constituents when the media is used by legislators as a tool to highlight a problem within the government and how a state legislator used the media to effect policy change at the California Department of Motor Vehicles.

#### **Legislators Using News Media to their Advantage**

According to Cook (1989), legislators and the media are “different but complementary parts of the same process” (p. 9). Yanovitzky (2002) describes the research of Dearing and Rogers as showing a “direct, symbiotic link between the media and policy agendas” (p. 422).

Politicians use the “arena” created by the media to promote themselves or their chosen issue (Van Aelst & Walgrave, 2016, p. 507). According to Van Aelst and Walgrave (2016), “little systematic attention has been given to why and how politicians use the media” (p. 509).

While it’s generally understood that legislators use the media as a source of information, legislators also actively use the media to promote their own political agendas (Van Aelst & Walgrave, 2016, p. 507).

A survey of state legislators in California, Georgia, and Iowa found:

State legislators generally believe that the use of media tactics is frequent and effective. Over half of the respondents either strongly agree or agree that state legislators often solicit media exposure and that soliciting media exposure is an effective way to put an issue on the legislative agenda, to convince other legislators to support policy proposals, and to stimulate discussion of policy alternatives. (Cooper, 2002, p. 360)

On average, 87 percent of the legislators surveyed in Cooper’s (2002) study believed “that members often solicit media exposure to stimulate discussion about policy proposals.” One

hundred percent of California legislators surveyed were in agreement on this (p. 360).

Literature reviewed shows that legislators can benefit from “momentum generated by the information to use it in their work” (Van Aelst & Walgrave, 2016, p. 502).

### **Legislators Use of Media to Promote Policies**

According to a survey of state legislators, “traditional legislative tactics” like meeting with members of both parties, lobbyists, as well as introducing legislation, are still used more often than seeking media coverage (Cooper, 2002, p. 362).

There are many studies that focus on the “agenda setting” power of the media and its impact on the politics (Van Aelst & Walgrave, 2016, p. 496). These studies contend that politicians at all levels of government react to information contained in news reports, which consequently affects their policy positions.

According to Cook (1989), the relationship between legislators and the media is shifting and flexible. Legislators can use the media to their advantage to bring attention to an important issue, promote policies or better their political career “by anticipating what a reporter will find newsworthy” (Cook, 1989, p. 8).

Legislators understand the power of the media. As explained by Van Aelst and Walgrave (2016), Lengauer, Donges, and Plasser’s study of nine European politicians surveyed all expressed an understanding of the media’s strong “agenda-setting” and “career-controlling power” (Van Aelst & Walgrave, 2016, p. 497).

In the symbiotic relationship between the media and lawmakers, legislators can drive the media in an effort to promote their own political agenda (Van Aelst & Walgrave, 2016, p. 510).

Cooper’s (2002) survey of state legislators in California, Georgia, and Iowa showed that legislators overwhelmingly believe that soliciting media exposure “is an effective way to put an issue on the legislative agenda, to convince other legislators to support policy proposals, and to stimulate discussion of policy alternatives” (Cooper, 2002, p. 360).

Cooper's (2002) survey showed 87 percent of legislators surveyed believed "that members often solicit media exposure to stimulate discussion about policy proposals," with 100 percent of California legislators in agreement (Cooper, 2002, p. 360).

As explained by Cook (1989), John W. Kingdon wrote in "*Agendas, Alternatives and Public Policies*," the media is constantly seeking the next crisis to report on and many times those crises are derived from recurring issues. Making that issue newsworthy requires "focusing events, crises, and symbols" (Cook, 1989, p. 120).

According to Cooper (2002), politicians use the media for both re-election campaign efforts and to reach other legislators. In addition, legislators use the media as a tool in lawmaking (Cooper, 2002, p. 368). However, legislators attempting to use the power of the media to promote policy changes within a government aren't always successful (Cooper, 2002, p. 369).

### **Minority Party Legislators Use of Media**

It is generally accepted that legislators use the media to promote their political agendas. However, legislators in the minority party "need access" to the media more so than those in the majority party (Van Aelst & Walgrave, 2016, p. 506).

Legislators in the minority party often have to fight their battles in public to gain traction (Cook, 1989). According to Cook (1989), legislators in the minority have three paths to move their policies forward: work on compromise measures with the ruling party, highlight their alternative positions in the media, or use the media to shine a spotlight on the issues they feel aren't being made a priority by the government (p. 130).

The media spotlight can be a powerful motivation for the party in control of the government (Thesen, 2013). Concerned members of the majority party may be forced to act on the issue brought to the media's attention by a minority party legislator or, "run the risk of being blamed for having done nothing" (Cook, 1989, p. 122).

Van Aelst and Walgrave (2016) contend that the majority party may be at an advantage

within the media arena in general, but are not as useful to the media as sources of information (p. 508).

### **Public Benefits of Legislators Informing Media about Government Failures**

According to Thesen (2013) legislators in the minority party can use the media to hold government responsible by highlighting negative news. The majority party is “forced to react when news explicitly addresses government responsibility,” or their image as “responsive and competent” could be threatened (Thesen, 2013, p. 365).

According to Bennett, Lawrence, and Livingston (2008):

The democratic breakdown occurs when independently obtained information differing from that offered by officials puts news organizations in the uncomfortable position of deciding whether and how strongly to challenge officials claims. If at these critical moments, strong political challengers from inside the government emerge to balance the dominant perspectives in the news, the results can be timely, revealing, and salutary. (p. 5).

The media is widely understood to be a “watchdog” and has even been described as the “fourth branch of government that checks and balances the other three” (Bennett, et al., 2008, p. 184). According to Bennett et al. (2008), the press keeps a “skeptical eye trained on the government, guarding the public’s interest and protecting it from misinformation” (p. 184). Without the actions of a legislator willing to “speak out against prevailing government claims, there is no engine to drive critical news coverage” (Bennett, et al., 2008, p. 10).

### **Legislator Informs Media Resulting in DMV Policy Changes**

Wait times for customers with and without appointments at DMV locations around the state reached three to four hours in March 2018 (Ferere, 2018; Oliveira, 2018) and by June were as long as five hours (Warszawski, 2018). Customers at some locations even reported waiting in line as long as eight hours (Baldassari, 2018a).

According to Skelton (2018), Assemblyman Jim Patterson “began agitating to shake up the DMV in spring, when few outside the Capitol were listening.” According to Warszawski (2018), Patterson, a minority member of the state Legislature, said the DMV requested and received millions to prepare for the *Real ID*, including hiring additional staff and offering Saturday service at several locations but failed to offer the service the Legislature provided funding for. This discovery led Patterson to call for an independent audit of the DMV. Warszawski (2018) explained “as a member of the minority party, the Republican has the teeth to back his threats.”

By mid-June, and under intense pressure from customers and legislators, the DMV opened several locations from 8:00 a.m. to 1:00 p.m. on Saturday, which prompted Assemblyman Patterson to question why the offices would not be open all day on Saturday with extended weekday hours, a specific provision mentioned in the DMV’s funding request to the legislature in fiscal year 2016/17 (Baldassari, 2018a; Warszawski, 2018).

According to Baldassari (2018a), a DMV spokesperson said, “the DMV did open on Saturdays when it first started offering the Real IDs in late January, but stopped when there weren’t enough people showing up for the weekend service.” DMV Director Jean Shiomoto later admitted that the cessation of Saturday services was a mistake (Joint Informational Hearing on Wait Times, 2018).

Baldassari (2018a) interviewed Assemblyman Patterson who said the additional Saturday hours were:

A very small response to the problems of these huge wait times. It is simply not good enough to take taxpayers’ money and not use it and then when the public pressure starts to build, to just dribble in some more.

According to Anderson (2018), DMV customer wait times increased 46 percent year over year by August 2018. In addition to the rush of *Real ID* customers, “a creaky, decades-old computer system,” resulted in frequent computer system outages including 34 “IT outages”

between January and August 2017, “six statewide office system outages and six non-statewide, multiple-office systems” lasting 15 minutes to nine hours (Anderson, 2018).

According to Baldassari (2018b):

The number of overtime hours rose from 47,489 in 2017, at a cost of more than \$1.4 million, to 152,816 hours in 2018, costing taxpayers more than \$4.8 million. That doesn't include July, or the month of August, when the state began sending DMV headquarters staff and employees from other state agencies to help triage the hours-long wait times. The agency in August also started offering Saturday hours at 60 field offices. (2018b)

DMV Director Jean Shiomoto was questioned in a Joint Informational Hearing of Budget Sub #6 and Transportation Committees (Joint Informational Hearing on DMV Wait Times, 2018). When asked if she supported the audit request, Shiomoto said an audit would “strain” DMV's resources (Joint Informational Hearing on Wait Times, 2018).

According to Medina (2018), Shiomoto's response that the audit request would be a strain on DMV's resources, led Assemblyman Patterson to question Shiomoto further about her concerns:

An audit is merely going to ask you to divulge and disclose and report. To suggest that an audit — in order to dig deep down into what you're doing by a competent auditor who has lots of history in finding errors and problems and helping us solve them — is in your judgment a problem? Because you can't deliver the basic information that a department director ought to immediately have at your disposal? (Medina, 2018)

The audit requested by Assemblyman Patterson was debated at a hearing of the Joint Legislative Audit Committee in August 2018 (Gutierrez, 2018). According to Gutierrez, the audit would have “looked at the accuracy of wait times listed on the DMV's website and how the agency has spent millions in additional funding the state gave the department to reduce long lines” (Gutierrez, 2018). The audit request failed after three Democrat Senators withheld their votes (Gutierrez 2018).

As Baldassari (2018b) reported, Assemblyman Patterson again called for a leadership change “at the top” and questioned the abilities of management that “has driven the DMV into the ground and taken DMV employees and the people they serve with it” (2018b).

On September 21, 2018, Governor Jerry Brown asked the Department of Finance for a “performance audit” of the DMV. The audit was announced, “a day after a computer outage crippled more than a third of DMV offices for several hours” (Bollag, 2018). According to Noone (2019) “the report addressed “long lines, technological glitches, *Motor Voter* registration errors and serious concerns about the state’s ability to comply with the federal *Real ID* program by next year’s deadline” (Noone, 2019).

An opinion-editorial by Assemblyman Patterson and a Republican colleague criticized thousands of errors made by the DMV in handling voter registration data as part of the *Motor Voter* program and called for the “replacement of top-level management at [the] DMV” (Fong and Patterson, 2018).

DMV Director Jean Shiomoto retired in December 2018 (Noone, 2019).

Results of the Department of Finance’s audit were released in March 2019. According to Noone (2019), acting DMV Director Kathleen Webb acknowledged “the shortcomings of the DMV’s past business practices,” and said “remedies are either planned or already in the works” (Noone, 2019).

According to the California Department of Finance (2019), the DMV’s “significant deficiencies in planning and implementation of the REAL ID program negatively impacted the field-office customer experience.” An example of the failure to plan as referenced in the report: The “*Real ID* IT project remained non-priority until 2017, when DMV imposed the project implementation date of January 2018,” which did not allow enough time to “fully prepare and develop the project before it was launched in the field offices” (Department of Finance, 2019, p.13).

Along with inaccuracies in reporting customer wait times, lack of training, and issues with

outdated technology, auditors “observed an average of approximately 30 percent of service windows closed during business hours; and therefore, not able to assist waiting customers” (Department of Finance, 2019, p. 16).

According to the Department of Finance (2019), the DMV agreed with every finding in the report and committed to preparing a detailed Corrective Action Plan (CAP). The CAP would detail how and when each deficiency would be addressed and would be updated “every six months until all planned actions have been implemented” (DOF Audit, 2019, p. Audit Report Cover Letter).

### **Majority Party Resistance to DMV Policy Changes**

According to the Gutierrez (2018) California’s state auditor explained the scope of the audit:

State Auditor Elaine Howle told lawmakers that such a review could help explain why millions of people trying to obtain or renew driver’s licenses, including the new *Real ID* cards, are having to wait weeks for an appointment and then for hours to see a clerk at DMV offices.

Without bipartisan support for an independent audit from members of the Joint Legislative Audit Committee, the state auditor is unable to act (Skelton, 2018).

The audit request needed four yes votes from Assembly members and four Senators on the committee to move forward. With three Democrat members withholding their votes, the request failed (Gutierrez, 2018).

The Los Angeles Times Editorial Board (2018) said:

It’s hard to believe that an audit would be controversial, yet three Democratic senators — Sens. Ben Allen (D-Santa Monica), Jim Beall (D-San Jose) and Ricardo Lara (D-Bell Gardens) — withheld their votes during a Joint Legislative Audit Committee (JLAC) hearing Wednesday, effectively killing the proposal. Why would they refuse such a sensible request? No doubt because the request came from Republican legislators.

According to the Los Angeles Times Editorial (2018), the in-depth audit of the DMV was not a bipartisan effort, but was instead a “political spat over whether it makes sense to ask the state auditor to examine wait times at the DMV” (2018).

Members of the JLAC Committee were told by Governor Brown not to support the audit request and he made a “personal commitment” to them to fix the problems (Skelton, 2018).

The DMV Director was also openly opposed to the audit, saying it would “slow the DMV’s ability to reduce wait times” (Gutierrez, 2018).

## **CHAPTER 3**

### *Methodology*

This chapter discusses the methodology of data collection, including data sources, data collection, presentation of the data, limitations and delimitations.

#### **Data Sources**

For this study, one expert from the field of politics, journalism, and public relations were interviewed using the same questionnaire which was written to address the original research questions about how a member of the legislature can use the media to effect policy change.

#### **Participants**

The political expert selected for this study is former Fresno mayor and current three-term member of the California State Legislature, Assemblyman Jim Patterson. Veteran reporter for the San Jose Mercury News, Erin Baldassari, was selected as the journalism expert. An anonymous source with more than 20 years of experience as a political communications insider was selected as an expert in public relations.

#### **Interview Design**

Each expert was asked the following questions which served as data sources for the study.

1. Have you, as an expert in your field, ever experienced a legislator using the media to get coverage to promote themselves or an issue important to them?  
Please give an example.
2. What are some of the reasons why politicians most often seek media coverage?
3. Why do politicians from the minority party use the media to criticize policies or

decisions made by the party in control of the government?

4. Does the public benefit when the criticism of a legislator in the minority party results in action by the majority party to improve a facet of government? If so, how does the public benefit? What role does criticism of the majority party play in media coverage?
5. Did sustained news coverage of the DMV, informed by state assemblymember Jim Patterson, result in the government addressing serious issues impacting customers at the California DMV? Did the addition of a knowledgeable source from within the government enhance media coverage of the DMV's wait times?
6. DMV Director Jean Shiimoto, Governor Jerry Brown and several Democrat members of Joint Legislative Audit Committee openly opposed Assemblyman Patterson's request for an independent audit of the DMV's budget, staffing and technological shortcomings as they relate to impacts on customers.
  - How would this information help assemblyman Patterson's efforts to effect policy changes at the DMV?
  - Would preventing an audit of the DMV benefit the agency or members of the majority party? If so, how?

## **Data Collection**

The method of data collection for this study included individual interviews with three experts. Each interview was conducted during the month of May, 2019. Experts were asked identical questions formulated especially to obtain answers to the original research questions, while providing expert insight into politicians using the media to create policy change.

## **Data Presentation**

Interviews for this study were recorded using a digital voice recorder. Handwritten notes

were also taken during and following the interviews to add context to the information provided by the experts. This method of data collection was used to gather and present the data in an objective manner.

### **Limitations**

This study was completed as a senior project at California Polytechnic State University, San Luis Obispo, to better understand how politicians use the media to effect policy changes. The timeframe for this study was limited to Spring Quarter 2019. This forced the limitation of the scope and amount of data that could be collected.

### **Delimitations**

There are several government agencies, programs, and infrastructure projects that have faced criticism from legislators as well as intense media scrutiny, taking place both currently and in the past. Any of these could have been used as case studies for the purposes of this project. The DMV was chosen as a case study for this project because of its well-understood impact on the public. In addition, there were other politicians who attempted to use the media to effect policy changes at the DMV. For the purposes of this study, use of the media by a single member of the California State Legislature was studied.

## **CHAPTER 4**

### *Data Analysis*

Descriptions of the experts interviewed for the study as well as a compilation of their responses to the questionnaire will be included in Chapter 4. The data was collected during recorded interviews lasting approximately 45 minutes and responses will be either directly quoted or paraphrased. The experts' answers will be compared and contrasted with the original research questions as well as the existing literature on the use of the media by politicians as referenced in Chapter 2.

#### **Description of Participating Experts in Related Fields**

##### **Public Relations**

An anonymous public relations expert with 20 years of experience in public, government relations and strategic communications was selected as the public relations expert. This person has also consulted for and/or managed numerous political campaigns.

##### **Journalism**

Erin Baldassari is a print and photojournalist covering transportation and housing for the San Jose Mercury News. She was part of the East Bay Times' 2017 Pulitzer Prize winning team for its coverage of the Ghost Ship fire. She has reported extensively on issues facing the DMV including reporting on the agency's budget, wait times, and the impact to the health of employees working at DMV field offices.

##### **Politics**

California state assemblyman Jim Patterson, a Republican serving the 23rd district, was selected as the political expert for this study. Patterson was elected in 2012 and is currently serving his fourth term in the Legislature. Before his election to the assembly, he served as Fresno's first "strong mayor." He owned and operated radio stations for 30 years. Patterson

began criticizing the DMV for their long customer wait times following the introduction of the *Real ID* in January 2018

### **Legislators Using the Media to Effect Policy Change Questionnaire**

Each expert was asked to answer the following questions about legislators using the media.

1. Have you, as an expert in your field, ever experienced a legislator using the media to get coverage to promote themselves or an issue important to them? Please give an example.

Question 1 was asked to provide an expert opinion on whether or not legislators use the media. The question was designed to show the reader that legislators use the media for various reasons depending on what outcome they are seeking.

- Anonymous PR Expert: “A politician or legislator is probably not worth their salt unless they engage frequently with the media” (Appendix A).
- Erin Baldassari: “It happens pretty regularly where legislators will attempt to use the media to receive coverage of the issues that are important to them. For example, looking at my inbox, I’ve got about a half dozen emails from legislators attempting to get coverage of issues that are important to them or bills that they’re working on” (Appendix B).
- Jim Patterson: “As a member of the minority in the California legislature it is often a tool at that allows the minority a voice and can press the majority to explain their positions...” (Appendix C).

2. What are some of the reasons why politicians most often seek media coverage?

Question 2 was designed to explore the motivation for legislators to interact with the media.

- Anonymous PR Expert: “It increases name identification. It gives feedback to their constituents that they're actually engaging in the work that they were elected to work on. They do it to build goodwill. They do it to pressure the process...They build that name identification which wards off potential challengers. It makes beating them in an upcoming election cycle more difficult, it increases their potential fundraising base, and it widens the net of folks that they are communicating to on a daily or weekly basis” (Appendix A).
- Erin Baldassari: “There's been a long-standing relationship where there's sort of a partnership...Policymakers have an incentive to get their message out to their constituents. Newspapers are a vehicle for getting that message out. And it's helpful for us to have information when it's happening” (Appendix B).
- Jim Patterson: “The media is the eyes, the ears, it's the window for voters to know what's going on...If you're going to challenge a super majority you're going to have to find ways to make a clear distinction between what the minority party would do in a certain circumstance and contrast it with what the super majority's doing...the media is there to be used as a tool to persuade and to gain attention, hopefully to win hearts and minds and then you can win elections” (Appendix C).

3. Why do politicians from the minority party use the media to criticize policies or decisions made by the party in control of the government? Who benefits in instances where this criticism results in policy changes by the majority party?

Question 3 was included to gain an understanding about why and how a legislator from a minority party might use the media to force the majority party to act on a certain issue. The question also expands on how the media's coverage of an issue pushed by a member of the

minority party can result in attention and action to an important issue by the majority party. This question was important to include because source material explains there is a lack of evidence regarding the impact of “responsibility attribution.”

- Anonymous PR Expert: “If it's a purely partisan argument I think it falls on deaf ears. If members of the minority make effective arguments about how an agency is failing the people, how the majority is failing the people, most folks in the media are going to look at that, and as long as you're not using partisan rhetoric...that will be effective in putting outside pressure and adding that sunshine to an issue. As long as it doesn't come across as personal nature or petty, if there are legitimate arguments pointing out how the agency is failing the people or not fulfilling their mission, it resonates with the populous...So I think the taxpayer benefits by that agency getting its act together. I think the public benefits by the oversight responsibility undertaken. The outside scrutiny forces them to answer questions” (Appendix A).
- Erin Baldassari: “media is the fourth estate of government is the idea that media is meant to serve a check to government power. Whenever decision-making and resources is accumulated in the hands of a few, the risk for abuse increases. So media's role is to serve as an extra tool to hold people in power accountable whether they're in the majority party or the minority party” (Appendix B).
- Jim Patterson: “I do it because it's effective. Supermajorities can overplay their hand and it's the media that can help you catch them at that overreach of power...When you use media at a professional savvy effective way, an individual in the super minority can crack the door open to really good investigative journalism and really good earned media. It's a soap box. It's a modern execution of essentially retail politics at its best, but you've got to be really good at it. If you're using media and your reflecting the concerns that people have it every

day, across the dinner table, in the workplace, at the water cooler. If the ruling party is creating a cost of living that most Californians can't afford, it's really helpful for election purposes that you can go to the media and demonstrate that...When a member of the of the minority pays attention, learns the facts, digs in and has a staff that can actually investigate and get information, you begin to be an alternative voice that has earned the ability to have influence with the media because you've helped them to discover something..." (Appendix C).

4. Does the public benefit when the criticism of a legislator in the minority party results in action by the majority party to improve a facet of government? If so, how does the public benefit? What role does criticism of the majority party play in media coverage?

Question 4 was included to explore the public benefits when a government department or service being provided is improved as a result of criticism and how negative media coverage of the majority party can result in such improvements.

- Anonymous PR Expert: "The taxpayer benefits by that agency getting its act together. I think the public benefits by the oversight responsibility undertaken. The outside scrutiny forces them to answer questions...The Democrats own this - - and own the executive branch of the State of California...if the media is actually taking the ball and running with it, it forces them to have to answer questions." (Appendix A).
- Erin Baldassari: "...when the government is being wasteful with that money or otherwise using their power to abuse their position and steal money from taxpayers, then the taxpayer funds are not going to goods and services that are intended to be funded....if that, either corruption or mismanagement, can be exposed, then taxpayers will not see their money wasted" (Appendix B).
- Jim Patterson: "In general, the public benefits, but at a higher level, we can be dramatically effective in changing hearts and minds. The media benefits as well

because it provides them with an alternative source of information. You can open doors for alternative points of view within the media. But you can't do this if you don't know what the media wants. You have to be able to provide them with real, tangible, meaningful facts that the majority party cannot dispute but instead has to answer for. The voters also benefit. Voters are a subset of the public. Not everyone votes, but those who do need to be informed just what the ruling party is doing to them in the name of doing something for them. This kind of information can sway elections...What we have done with the DMV is to essentially shame the ruling party into action. With the effective use of media, with verified facts, we have been able to embarrass and scare them into making changes from the top down. This is an organization that came into my office and told me there was nothing wrong with the DMV and no problem with the wait times. It was all supposed to be under control. That wasn't the case at all, and we knew it. We proved it to the media and over and over again we were shown to be right" (Appendix C).

5. Did sustained news coverage of the DMV, informed by State Assemblymember Jim Patterson, result in the government addressing serious issues impacting customers at the California DMV? Did the addition of a knowledgeable source from within the government enhance media coverage of the DMV's wait times? This was an important question to include because the source material is inconclusive about whether politicians who use the media to effect policy change can be successful.

Question 5 was included to gain a better understanding of negative news coverage of the DMV in 2018-19 and the changes implemented by the majority party following sustained coverage of the issue. This question also provides expert insight into how the addition of a trusted source within the government impacts media coverage of an issue as it relates to criticism of the majority party.

- Anonymous PR Expert: “I think the DMV is undergoing reforms because of all the pressure...The media thrives on controversy. Mr. Patterson has standing being a legislator and has oversight responsibilities...that's newsworthy... They're [DMV] failing their clients, their stakeholders, their constituents. And when you have that question, that's legitimate and it's newsworthy, and I think it would definitely enhance the coverage because he's a legislator...with an articulate message and not sounding like being over the top and being hyper-partisan and just questioning things, insisting on transparency...I think that it makes the process better...that outside scrutiny always improves government agencies...The process doesn't work without it. But most legislators don't know how to effectively use that” (Appendix A).
- Erin Baldassari: “...highlighting these issues raises the awareness amongst the constituents, and it can help put pressure on politicians to take action. The goal is to raise awareness and motivate change, but you just never know. It was helpful to have someone in the legislature paying close attention to sort of every angle along the way, every step along the way, whether that was policy changes or different reports that were coming out or budgetary hearings, to keep me informed about what was happening. Really, the most helpful thing for me was being able to connect to constituents that has reached out to Assemblymember Patterson's office...whistleblowers or concerned employees at the DMV that I wouldn't have been able to access maybe otherwise...” (Appendix B).
- Jim Patterson: “With respect to the DMV, there's a history of incompetence and essentially pretending that that it's somebody else's fault that the lines are that long. As the leading member of the minority that took on the DMV and high speed rail, I have been successful in turning the narrative...With the DMV and high speed rail, we've been we've been able to force the ruling party, the

administration, to admit the DMV is in serious trouble and now, often times the majority now is singing in concert with me. If all you are in the minority is a strident finger pointer and charge maker without facts, without history, without something that can be confirmed by the media, you're not taken seriously.

Insiders wishing to be a part of whistleblowing and a part of telling the truth inside government offices is especially important” (Appendix C).

6. DMV Director Jean Shiomoto, Governor Jerry Brown and several Democrat members of Joint Legislative Audit Committee openly opposed Assemblyman Patterson’s request for an independent audit of the DMV’s budget, staffing and technological shortcomings as they relate to impacts on customers. Would preventing an audit of the DMV benefit the agency or members of the majority party? How would this information help Assemblyman Patterson’s efforts to effect policy changes at the DMV?

Question 6 explores the expert’s opinions on the reaction of members of the majority party to concerns about the DMV raised by Patterson (a member of the minority party) as well as subsequent negative media coverage about the issues facing the DMV.

- Anonymous PR Expert: “When you do an audit, it provides unbiased feedback about where things stand. So, an audit provides transparency and allows you to basically look at the books, almost. And data doesn’t usually lie. It can be manipulated, but data is power. And interpretations can always be what they are, but an independent audit usually does a pretty good job on breaking stuff down by the independent auditors...They [DMV] want time to fix it, and they don’t want to air their dirty laundry. And they don’t want Jim to have it...And it shows potential failures. It shows they’re missing the mark on issues...They want a chance to make stuff right. And all it does is it provides ammunition for Jim moving forward. It gives him more talking points which keeps him more relevant which keeps his name in the press” (Appendix A).

- Erin Baldassari: “There are only so many resources that I can access as a journalist through public records, to talking with employees, talking with customers. There are some types of information that only a mechanism like a state audit could uncover. A state audit has far greater access to the finances, to the IT infrastructure, to security-sensitive networks and systems that is unlikely to be uncovered without a whistle-blower offering that information at great risk to themselves. So the more sunlight there is on government, whether it's local or state or federal, the better it will be able to perform in the long run...So by not performing the audit, by not having that information come to light, it may defer a problem to a later date, but it doesn't engender trust in the government. And it ultimately just kicks the can down the road or perhaps allows the government-- people who work in government to address the problem internally. But I think doing so doesn't help engender trust with the public” (Appendix B).
- Jim Patterson: “I think the fact that it that the establishment and the ruling party essentially ganged up on me to deny an audit was part of the facts that got us to where we are today...it set the stage to continue to press the ruling party to open up, let the DMV get audited...we are beginning to get to the truth even though the audit that I had requested was politically sabotaged...I think we actually got a sort-of effective audit of the DMV from the media reporting on the DMV and we had a place at that table...What would have been the best approach for Jerry Brown is not to have allowed the minority party to take the lead in reforming the DMV. His stubbornness and his ability to basically dictate to a handful of senators because a Republican was getting too close to the truth actually helped demonstrate why we needed the audit in the first place. We were providing facts. We had whistleblowers on the inside and we now have a very different approach to the DMV by the ruling party” (Appendix C).

## Research Questions

The research questions below were created to gain a better understanding from experts in public relations, journalism, and the political arena of how and why legislators in the minority party use the media to effect policy change.

### **Research Question 1: Do state legislators use the media to advance themselves or their policies?**

- “State legislators, like their congressional counterparts, often use media tactics in their lawmaking efforts” (Cooper, 2002, p. 360).
- “Media can serve as a source of pure information, but that information can also be an instrument that is used by politicians. The arena function refers to the mass media as a unique platform to attract public attention. Politicians need to access this arena to get attention for themselves but also to promote their issues...What makes elected politicians unique is that they need the media for information and as an arena at the same time. It is this double bind that turns media into a formidable resource for politicians...” (Van Aelst & Walgrave, 2016, p. 510-511).

### **Research Question 2: What are the reasons legislators most often interact with the media?**

- “Legislators interested in internal influence often use the media to help publicize their activities. On the other hand, policy-oriented legislators do not use the media as often and do not see the media as particularly influential. Finally, legislators concerned primarily with election often use reporters as a source for information, but they do not believe these reporters are influential in making policy” (Cooper, 2002, p. 354).
- “Information then becomes an instrument that can be used strategically by politicians to support their own goals or plans. This use can range from a backbencher using media coverage rhetorically in parliament to support a claim,

over a party leader using the media momentum to put the party's issue higher on the governmental agenda" (Van Aelst & Walgrave, 2016, p. 500).

**Research Question 3: Do legislators in the minority party use the media to move the ruling party to act?**

- "While government actors have a clear structural advantage when it comes to the media as an arena, opposition actors are more served by the media as a source of information. With regards to the informational function, mass-media coverage is more directly applicable and useful—and thus more advantageous—for opposition members" (Van Aelst & Walgrave, 2016, p. 508).
- "Opposition parties respond to bad news because they reflect negative developments in social problems for which the government could be held responsible. The government responds to good news that reflects positive developments in social problems because this could politicize policy success, but is also forced to react when news explicitly addresses government responsibility and thereby threatens its image as responsive and competent (Thesen, 2013, p.365)".

**Research Question 4: How does the public benefit when a legislator works with the media to provide information about a failing government agency?**

- "The government responds to good news that reflects positive developments in social problems because this could politicize policy success, but is also forced to react when news explicitly addresses government responsibility and thereby threatens its image as responsive and competent" (Thesen, 2013, p. 365).
- "If at these critical moments, strong political challengers from inside the government emerge to balance the dominant perspectives in the news, the results can be timely, revealing, and salutary" (Bennett & Lawrence, 2008 p. 5).
- "When other officials from inside circles of power fail to speak out against

prevailing government claims, there is no engine to drive critical news coverage” (Bennett & Lawrence, 2008, p. 10).

**Research Question 5: How did the continued media interactions of a state legislator force a reluctant bureaucracy to implement policy changes to improve the California DMV?**

- “Patterson, a former Fresno mayor, began agitating to shake up the DMV in spring, when few outside the Capitol were listening. Wait times at DMV offices had billowed to six hours or more in many locations, an increase of 50% or higher in the last year. Then some newspapers and TV news shows...started shining a light on frustrated citizens lined up for hours outside DMV offices. That made it a hot issue the politicians couldn’t ignore” (Skelton, 2018).
- “Patterson met with DMV director Jean Shiomoto and members of her staff to discuss the longer-than-ever wait times. Fix the problem, he warned them, or brace for a "growing bipartisan push for an audit" this August. As vice-chair of the assembly's Utility and Energy Committee and vice-chair of the Accountability Committee, even as a member of the minority party, the Republican has the teeth to back his threats” (Warszawski, 2018).
- “That request sparked a heated exchange as one legislator said the department should be audited. Shiomoto said she would not recommend an audit, claiming ‘it would strain our resources.’ That response led to some pointed remarks from State Assembly member Jim Patterson of Fresno (Medina, 2018)”.
- “The replacement of top-level management at DMV should have already happened. The first reports of unbearable eight-hour wait times and nine-hour computer system outages were reason enough to call for a change. And yet somehow, the architects of the *Real ID* and Motor Voter plans are still at the helm of this sinking ship” (Fong & Patterson, 2018).

### **Research Question 6: Did members of the majority party in California resist efforts to implement policy changes to improve the DMV?**

- “In August, state Assembly Republicans requested a full-scale, independent review by the State Auditor. Gov. Jerry Brown admitted to using his political power to stop this request, promising the Democrats who voted against the audit that he would take the lead to fix DMV. The subsequent voter registration catastrophe and statewide computer system outages forced Brown to do an about-face, calling for his own audit by the Department of Finance just 40 days later” (Fong & Patterson, 2018).
- “Brown’s order came a day after a computer outage crippled more than a third of DMV offices for several hours. A router issue prevented about 70 offices from processing driver’s license, identification card, and vehicle registration matters” (Bollag, 2018).

### **Legislators Using Media Data**

In an effort to gather additional data for this study, experts were interviewed. An anonymous public relations expert, Erin Baldassari—a journalist with the San Jose Mercury News, and Jim Patterson—a California state legislator. The experts were interviewed individually, using the same questionnaire which was written to address the original research questions about how a member of the legislature can use the media to effect policy change. The tables below present the answers provided by each expert to the research questions asked.

### **Research Question 1: Do state legislators use the media to advance themselves or their policies?**

This research question was studied to gain an understanding about what current literature says about whether or not legislators use the media to promote themselves or issues important to them. According to Van Aelst & Walgrave (2016) it is generally understood that

legislators use the media as a source of information and also to promote their own political agendas (p. 507). More than half of the state legislators surveyed in a study by Cooper (2002) said they “either strongly agree or agree that state legislators often solicit media exposure and that soliciting media exposure is an effective way to put an issue on the legislative agenda, to convince other legislators to support policy proposals, and to stimulate discussion of policy alternatives” (p. 360).

This question was studied to determine whether or not politicians in the minority commonly use the media, either to promote themselves politically, or to highlight an issue or policy they believe worthy of news coverage. The literature is clear that the majority of politicians use the media as a way to communicate with others. This question provides a basic premise for the study that will be expanded upon in future questions.

Table 1

*Legislators Using News Media to their Advantage*

<b>Respondent</b>	<b>Do legislators use the media</b>	<b>Example of legislator using media</b>
Anonymous PR Expert	Effective legislators frequently use media.	Patterson using power of the media to promote Gavin's Law.
Erin Baldassari	Legislators regularly seek media coverage for issues important to them.	State legislators send half dozen press releases daily about issues they're working on.
Jim Patterson	It's an effective tool that gives legislators a voice - especially minority members.	Uses media himself to highlight problems with High Speed Rail, DMV.

Table 1 shows all respondents answered that legislators use the media often to seek coverage for issues that are important to them. Both Patterson and the PR expert believe it is an effective tool for those who use it well.

**Research Question 2: What are the reasons legislators most often interact with the media?**

This question was studied to find out why legislators seek media coverage. “Legislators see their media activities as more than just tools for keeping their jobs. State legislators use the media to reach a variety of audiences and to serve a variety of purposes—including law-making” (Cooper, 2002, p. 364).

This question was designed to investigate the various reasons why a legislator uses the media with specific interest in whether or not and how frequently they use the media to promote policies or issues important to them. Much of the literature reviewed confirms that elected

officials use media for several reasons including seeking re-election, reaching other politicians, constituents and to promote issues they care about. Sources said seeking media coverage is an important part of the lawmaking process for many legislators but is only one tool available to them and doesn't always result in a successful outcome. Legislators in the minority actually need media coverage to make their case. "Political actors in a weaker institutional position need media access more than those having institutional political power" (Van Aelst & Walgrave, 2016, p. 506).

Table 2

*Legislators Use of Media to Promote Policies*

<b>Respondent</b>	<b>Why do legislators most often use the media</b>	<b>What are other reasons legislators use the media</b>
Anonymous PR Expert	Spotlight challenges within government to increase scrutiny and pressure. Media is there to help shine the light.	Build name identification, expand influence, inform constituents and voters, increase fundraising potential
Erin Baldassari	Long standing partnership between media and legislators. A relationship both entities need to inform people.	Inform constituents
Jim Patterson	Media is eyes and ears for voters used by legislators to persuade, gain attention, challenge the majority party.	Inform voters, change hearts and minds, to win elections

Table 2 shows that all of the respondents agree that legislators use the media to promote issues or legislation that are important to them in an effort to increase scrutiny, gain attention and inform the public. Additional political uses as explained by Patterson and the PR expert are influencing voters with the hope of winning future elections.

**Research Question 3: Do legislators in the minority party use the media to move the ruling party to act?**

This question was included in the study to discern whether or not legislators seek media coverage of an issue or policy to inform other legislators in the majority party to compel them to act. Legislators in the minority party often have to fight their battles in public to gain traction (Cook, 1989). According to Cook (1989), legislators in the minority have three paths to move their policies forward: work on compromise measures with the ruling party, highlight their

alternative positions in the media, or use the media to shine a spotlight on the issues they feel aren't being made a priority by the government (p. 130). The media spotlight can be a powerful motivation for the party in control of the government as "opposition parties respond to bad news because they reflect negative developments in social problems for which the government could be held responsible" (Thesen, 2013, p. 365). Concerned members of the majority party may be forced to act on the issue brought to the media's attention by a minority party legislator or, "run the risk of being blamed for having done nothing" (Cook, 1989, p.122).

This question was designed to gain an understanding about why and how a legislator from a minority party might use the media to force the majority party to act on a certain issue. The question also expands on how the media's coverage of issues pushed by a member of the minority party can result in attention and action from the majority party.

Table 3

*Minority Party Legislators Use of Media*

<b>Respondent</b>	<b>Why minority legislators use the media to criticize the majority</b>
Anonymous PR Expert	Minority members relegated to calling out the majority. Can be successful if legislators make effective arguments without using a purely partisan argument. Spotlight challenges to increase scrutiny, bringing more sunshine on an issue. Media coverage puts outside pressure on majority party. Majority party will be held responsible by the public.
Erin Baldassari	Legislator in the minority can use the media to amplify their voice. Doesn't have to be minority criticizing majority. Either can use media successful to put pressure on the other.
Jim Patterson	They do it because it works. Reflect issues people care about, become an expert then highlight the abuse of power by the majority party and present facts alternative to media.

In Table 3, the respondents Patterson and the PR expert touched on the minority party legislator's reliance on media coverage to highlight government failures and abuses of power. Baldassari explains that minority legislators use the media to amplify their voice.

**Research Question 4: How does the public benefit when a legislator works with the media to provide information about a failing government agency?**

Question 4 was included to learn how majority party criticism in the media by a member of the minority party can benefit the public. The question was also included to understand if "blame attribution" by the minority party can be used to successfully move the majority party to act on an issue that would benefit the public. This question is important because Thesen (2013) explains there is a lack of evidence regarding the impact of blame attribution.

"From the perspective of opposition parties, blame attribution in news should improve the

likelihood of generating negative government attention, reinforcing incentives to respond. There is a lack of theoretical and empirical investigations on the effect of responsibility attribution to the news responses of political actors” (Thesen, 2013, p. 369). According to Bennett et al. (2008), the press keeps a “skeptical eye trained on the government, guarding the public’s interest and protecting it from misinformation” (p. 184). Further, the literature explains that without the actions of a legislator willing to “speak out against prevailing government claims, there is no engine to drive critical news coverage” (Bennett, et al., 2008, p. 10).

Question 4 was designed to explore whether the public benefits when a government department or service is improved as a result of criticism by the minority party. This question was also designed to explore whether or not negative media coverage of the majority party can result in improvements that benefit the public.

Table 4

*Benefits of Legislators Informing Media about Government Failures*

<b>Respondent</b>	<b>Does public benefit from criticism by minority member</b>	<b>Explain the benefits</b>	<b>Role of majority party criticism in media coverage</b>
Anonymous PR Expert	Public benefits when coverage brings “sunshine” on an issue.	Efficient use of taxpayer dollars and assets, improved service by state agencies.	If media takes minority criticisms and begins “running with it” forces the majority party to act. Partisan arguments often cast aside by media.
Erin Baldassari	Public benefits when government waste, fraud or abuse is exposed.	Taxpayers get a more efficient, productive, and accountable government.	Media is the fourth estate and serves as a tool to hold government accountable - both minority and majority legislators.
Jim Patterson	Benefits to voters, public and media when majority party embarrassed into action.	Taxpayers benefit by improved services; voters get more information and media gets an alternative source of information.	You have to know what media wants. Can’t just point fingers. Must have facts and solutions. Criticism that provides a new perspective enhances media coverage of an issue.

In Table 4, each respondent agreed that taxpayers benefit when the media is used by a legislator pushing the ruling party to improve. Patterson and the Anonymous PR expert added that the minority legislator’s arguments should contain more facts and less partisan rhetoric in order to be taken seriously by the media. Patterson added that the criticism also serves to educate voters in the hopes of swaying elections. Baldassari noted that the media serves as a tool to hold legislators accountable, no matter their party or position.

**Research Question 5: How did the continued media interactions of a state legislator force a reluctant bureaucracy to implement policy changes to improve the California DMV?**

This question was studied to find out if Assemblyman Jim Patterson's continued efforts to use the media to expose problems with the DMV's wait times, budget, and outdated technology, resulted in action by the majority party in the form of policy changes at the DMV. This is an important question because the literature explains that "the extent to which media attention is capable of moving policy makers from the attention phase to the action phase that seems to be worthy of scholarly attention" (Yanovitzky, 2002, p. 447). According to Skelton (2018), Assemblyman Jim Patterson "began agitating to shake up the DMV in spring, when few outside the Capitol were listening". The literature explains that Assemblyman Patterson, a minority member of the state legislature, began inquiring about funds the DMV requested and received millions to prepare for the *Real ID*, including hiring additional staff and offering Saturday service at several locations. The DMV then failed to offer the service the legislature provided funding for. Patterson called for an independent audit of the DMV based on these facts. The literature contends that "as a member of the minority party, the Republican has the teeth to back his threats. (Warszawski, 2018).

This question was designed to seek an understanding of whether a minority member of the legislature using the media to highlight issues at the DMV and call for action by the majority party was successful in moving a reluctant bureaucracy to make improvements.

Table 5

*Legislator Informs Media Resulting in DMV Policy Changes*

<b>Respondent</b>	<b>Did news coverage informed by Patterson result in DMV improvements?</b>	<b>How do inside sources enhance media coverage</b>
Anonymous PR Expert	DMV had systemic problems with management and is undergoing reforms due to pressure from news coverage.	A legislator has oversight responsibilities. Their legitimate concerns and criticisms are of government problems are newsworthy to media which thrives on controversy.
Erin Baldassari	The media’s goal is to “raise awareness and effect change” but it’s not possible to say exactly why the DMV began making improvements.	Patterson tracked DMV issues closely, kept media informed with budget, policy changes. Most important addition to DMV coverage were constituents and DMV employee whistleblowers provided by Patterson.
Jim Patterson	DMV is historically incompetent. Patterson forced the ruling party to admit problems and take action. He informed media with facts, became a credible source. Had help from whistleblowers. Changed the narrative.	Provided information and interviews to the media becoming a “proven, trusted alternative source for the media” and also provided whistleblowers and other inside sources to the media.

Table 5 showed consensus among respondents that the many issues the DMV was struggling with were brought to light by Assemblyman Patterson. The PR Expert noted that, given his elected office, Patterson’s criticism was newsworthy. Baldassari did not affirm that Assemblyman Patterson’s actions with the media resulted in changes at the DMV, but referenced ways in which coverage of the DMV issue was enhanced by insiders including Patterson and whistleblower subjects provided by Patterson.

## **Research Question 6: Did members of the majority party in California resist efforts to implement policy changes to improve the DMV?**

This research question was included to study the way members of the majority party react to criticism in the media by a member of the minority party. The literature explains how Governor Jerry Brown and the DMV Director were openly opposed to a request by Assemblyman Patterson to begin an independent audit of the agency, with Brown making a personal request of several committee members to withhold support from the audit request. “It’s hard to believe that an audit would be controversial, yet three Democratic senators — Sens. Ben Allen (D-Santa Monica), Jim Beall (D-San Jose) and Ricardo Lara (D-Bell Gardens) — withheld their votes during a Joint Legislative Audit Committee (JLAC) hearing Wednesday, effectively killing the proposal. Why would they refuse such a sensible request? No doubt because the request came from Republican legislators” (LA Times Editorial Board, 2018). The literature also provides insight into the reasons for that opposition. “About the last thing the governor wants is a scathing report on his DMV stewardship by respected state Auditor Elaine Howle just as he’s leaving office. Pushing for the audit was Republican Assemblyman Jim Patterson of Fresno. He maintains that Brown could proceed with overhauling the DMV and Howle could audit its innards at the same time” (Skelton, 2018). The literature also provides research into how the majority party reacts to criticism by the minority party. “Government cannot afford to ignore negative issue developments indefinitely as this would reflect poorly on its ability to respond to, and successfully deal with, policy problems” (Thesen, 2014, p. 368).

This question was designed to gain a better understanding from the experts about why members of the majority party would oppose an audit by Assemblyman Patterson (a member of the minority party) as well as subsequent negative media coverage about the issues facing the DMV.

Table 6

*Majority Party Resistance to DMV Policy Changes*

<b>Respondent</b>	<b>Why would the majority party resist a request to audit the DMV?</b>	<b>Did Gov. Brown’s actions benefit the DMV?</b>
Anonymous PR Expert	Audits produce unbiased facts. Majority didn’t want the transparency. Embarrassing information would feed media coverage and Patterson’s efforts.	Gave DMV more time to try to fix issues internally and put off airing their “dirty laundry”.
Erin Baldassari	Audits are important tool of media to gather details not easily available to them in records requests. Deferring the audit could allow the government to make changes internally without information being made public.	Deferring the audit deferred the problem to a later date. This hurts public trust in the government.
Jim Patterson	Majority party used power to kill audit to silence Patterson.	Made the problem worse for DMV. Gave Patterson more ammunition.

In Table 6, respondents agreed that the DMV audit requested by Assemblyman Patterson was scuttled by the majority party to avoid transparency. All respondents answered that the deferring the audit either made the problem worse or delayed embarrassment for the DMV. Patterson said resistance to the audit by the majority party demonstrated why the audit was needed.

## CHAPTER 5

### *Discussion and Recommendations*

#### **Summary**

This study focuses on the use of news media by state legislators. Specifically, how politicians can use the media to elevate important issues in an effort to change policies within government. This project is a case-study on how a state legislator in the minority party used the media to highlight long wait times, poor management, planning, and outdated technology at the California Department of Motor Vehicles to force policy and management changes within the department.

The DMV began offering customers the federally-mandated *Real ID* in January 2018. By spring of 2018 wait times for customers at DMV offices throughout California grew to as long as eight hours for customers at some locations. The frustration of customers and DMV employees grew but there was little statewide media coverage and only a few minority members of the legislature used the media to highlight systemic problems within the agency.

A great deal of research has been done on the impact of media coverage on the political agendas of elected officials, however, there is a lack of information about whether politicians who use the media to promote their policies actually succeed in implementing such policies. For that reason, data was needed from experts in the field of public relations, journalism, and the political arena. Interviews with each expert were completed using a single questionnaire to provide their opinions on the following research questions:

1. Have you, as an expert in your field, ever experienced a legislator using the media to get coverage to promote themselves or an issue important to them?  
Please give an example.
2. What are some of the reasons why politicians most often seek media coverage?

3. Why do politicians from the minority party use the media to criticize policies or decisions made by the party in control of the government?
4. Does the public benefit when the criticism of a legislator in the minority party results in action by the majority party to improve a facet of government? If so, how does the public benefit? What role does criticism of the majority party play in media coverage?
5. Did sustained news coverage of the DMV, informed by state assemblymember Jim Patterson, result in the government addressing serious issues impacting customers at the California DMV? Did the addition of a knowledgeable source from within the government enhance media coverage of the DMV's wait times?
6. DMV Director Jean Shiomoto, Governor Jerry Brown and several Democrat members of Joint Legislative Audit Committee openly opposed Patterson's request for an independent audit of the DMV's budget, staffing and technological shortcomings as they relate to impacts on customers.
  - How would this information help Patterson's efforts to effect policy changes at the DMV?
  - Would preventing an audit of the DMV benefit the agency or members of the majority party? If so, how?

Each research question was changed slightly to better correlate with the respondent's field of expertise. Responses to the questions were closely tied to the literature on use of the media by minority legislators seeking policy changes.

## **Discussion**

After an analysis of the data found in Chapter 4, it's possible to make connections with the expert interviews and the source material found in Chapter 2. Conclusions can be made regarding the original research questions below.

### **Research Question 1: Do state legislators use the media to advance themselves or their policies?**

All three respondents agreed that legislators use the media to advance themselves or their policies. Baldassari said she receives multiple press releases every day from legislators seeking media coverage of their issues. The Anonymous PR expert said effective legislators use the media regularly. Patterson explained that, as a member of the minority party, the media is an effective tool he uses frequently.

The literature reflects the many reasons legislators use the media. “Media can serve as a source of pure information, but that information can also be an instrument that is used by politicians” (Van Aelst & Walgrave, 2016, p. 510-511). The literature also specifically addresses the use of the media by members in the minority explaining “political actors in a weaker institutional position need media access more than those having institutional political power” (Van Aelst & Walgrave, 2016, p. 506). Patterson said he has used the media to highlight issues at the DMV and problems facing California’s high-speed rail project. The literature explains that legislators need the media “to get attention for themselves but also to promote their issues” (Van Aelst & Walgrave, 2016, p. 510).

It is possible to conclude from the data and the literature that legislators frequently use the media to promote themselves as well as policies that are important to them. It is also possible to conclude that legislators in the minority need the media more than the majority party to get attention for their issues.

### **Research Question 2: What are the reasons legislators most often interact with the media?**

The respondents all agreed that legislators use the media to increase scrutiny of the government, gain attention and inform the public. Patterson and the Anonymous PR expert both believe the media is a powerful tool for legislators. Patterson said it can be used to “persuade and to gain attention” in order to influence voters and highlight problems in need of attention by

the majority party. The literature speaks directly to each of those uses. Cooper (2002) explains that media is also used to help election efforts (p. 368). According to Cooper (2002), 87 percent of legislators asked believed “that members often solicit media exposure to stimulate discussion about policy proposals,” with 100 percent of California legislators in agreement (p. 360).

Baldassari said there is a “long-standing relationship” between journalists and legislators where, “policymakers have an incentive to get their message out to their constituents. Newspapers are a vehicle for getting that message out.” This is strongly referenced in the literature. According to Cook (1989), the relationship between legislators and the media is shifting and flexible. Legislators can use the media to their advantage to bring attention to an important issue, promote policies or better their political career “by anticipating what a reporter will find newsworthy” (Cook, 1989, p. 8).

It is possible to conclude that there are several reasons why legislators seek media coverage - to promote legislation, to persuade other legislators, to aid in reelection, and as part of a mutually beneficial relationship with the media.

### **Research Question 3: Do legislators in the minority party use the media to move the ruling party to act?**

The experts interviewed all agreed that legislators in the minority use the media in an attempt to pressure the majority party. The PR expert said this strategy is can be used successfully as long as the legislator refrains from using partisan rhetoric, instead using “legitimate arguments pointing out how the agency is failing the people or not fulfilling their mission, it resonates with the populous.” Patterson said that legislators providing factual information to the media can become “an alternative voice that has earned the ability to have influence with the media because you've helped them to discover something that they did not know before...”

The literature did not provide insight into the importance of refraining from using too much partisan rhetoric but provided a great deal of insight into the motivation behind a minority member using media to pressure the majority to act. According to Cook (1989), legislators in the minority have three paths to move their policies forward: work on compromise measures with the ruling party, highlight their alternative positions in the media, or use the media to shine a spotlight on the issues they feel aren't being made a priority by the government (p. 130). Thesen (2013) said the media spotlight can be a powerful motivation for the party in control of the government because "opposition parties respond to bad news because they reflect negative developments in social problems for which the government could be held responsible" (p. 365).

Baldassari said a legislator from either the minority or majority party can use the media to pressure the majority party. The literature said "government actors have a clear structural advantage when it comes to the media as an arena, opposition actors are more served by the media as a source of information" (Van Aelst & Walgrave, 2016, p. 508).

It's possible to conclude that both legislators in the minority and majority party can use the media to pressure the majority party into action however, the minority party has a greater motivation to use the media because of their lack of legislative power. It is also possible to conclude that the minority legislator offering facts and inside information instead of partisan rhetoric can become a sought-after source for the media.

#### **Research Question 4: How does the public benefit when a legislator works with the media to provide information about a failing government agency?**

All respondents agreed that there is a public benefit when a legislator pressures the government into making improvements. The Anonymous PR expert said taxpayers benefit by an "agency getting its act together." Patterson agreed that taxpayers benefit but added that media coverage also benefits voters as well as the media. Baldassari said the public benefits when abuses of power, government waste and mismanagement are exposed creating a better

government for all which is the goal of journalists. The literature says without a legislator willing to “speak out against prevailing government claims, there is no engine to drive critical news coverage” (Bennett, et al., 2008, p. 10).

The respondents each had a unique perspective about the role the media plays in a minority legislator’s attempts to successfully move the majority party to act on an issue. The Anonymous PR expert said the majority party can be pressured into action but it requires the media to begin “taking the ball and running with it.” Baldassari explained that the media is the “fourth estate” and plays an important role in holding government officials accountable regardless of party affiliation. The literature speaks to this issue clearly. According to Bennett et al. (2008), the press keeps a “skeptical eye trained on the government, guarding the public’s interest and protecting it from misinformation” (p. 184). The literature discusses “blame attribution” as a method used to shame the government into action, however, Thesen (2013) explains there is a lack of evidence regarding whether or not legislators respond to blame attribution with action (p. 369). Regarding his use of the media to spotlight issues facing the DMV, Patterson provides an answer to Thesen’s question about the government response to blame attribution. Patterson said he was “able to embarrass and scare them into making changes from the top down.”

It is possible to conclude that there are benefits to the public and to the media when a legislator’s criticism results in improvements in the government. The media keeps a watchful eye on the government but without criticism from a trusted source within the government, media coverage suffers. When a legislator speaks critically of the government, the majority party does respond.

**Research Question 5: How did the continued media interactions of a state legislator force a reluctant bureaucracy to implement policy changes to improve the California DMV?**

The respondents answered this question with varying degrees of certainty, with Patterson

expressing confidence that as a result of sustained media coverage he was successful in forcing, “the ruling party, the administration, to admit the DMV is in serious trouble.” The literature explains that “the extent to which media attention is capable of moving policy makers from the attention phase to the action phase that seems to be worthy of scholarly attention” (Yanovitzky, 2002, p. 447). Baldassari said the goal of the media is to inform, educate and advocate but whether or not media coverage of an issue causes the majority party to make systemic improvements at the DMV is unknown. The Anonymous PR expert said changes the DMV appear to be as a result of the pressure created by the news coverage.

The respondents all agreed that the addition of inside sources including Assemblyman Patterson was an important addition to the news coverage of the issues at the DMV. Patterson said his interaction with the media made him a, “proven trusted alternative voice that the media” relied on for information. According to Skelton (2018), “Patterson, a former Fresno mayor, began agitating to shake up the DMV in spring, when few outside the Capitol were listening. Wait times at DMV offices had billowed to six hours or more in many locations, an increase of 50% or higher in the last year. Then some newspapers and TV news shows...started shining a light on frustrated citizens lined up for hours outside DMV offices. That made it a hot issue the politicians couldn’t ignore” (Skelton, 2018). Baldassari and Patterson noted that whistleblowers and other sources from within the DMV also provided vital information that enhanced media coverage. Baldassari said Patterson provided the media with updated information about the DMV’s budget hearings, policy changes and provided documentation but it was connections with constituents, whistleblowers and DMV employees provided by Assemblyman Patterson added a perspective that, “that we wouldn’t have been able to access otherwise or without a significant amount of legwork on our part.

With the information provided by the experts and the literature it is possible to conclude that the majority party government was forced to take action to improve the DMV based on the continued media interactions of Assemblyman Patterson who according to Baldassari provided

consistent information to the media about the DMV which she otherwise would have had trouble accessing.

**Research Question 6: Did members of the majority party in California resist efforts to implement policy changes to improve the DMV?**

All the respondents agreed that the audit requested by Patterson would have been a powerful tool. The Anonymous PR expert said the results of the audit could have been used by Patterson as ammunition against the DMV. (Skelton, 2018). Baldassari said results of the audit requested by Patterson would have provided her with a tremendous amount of valuable inside information that would only be available to the media in an audit saying, “there are only so many resources that I can access as a journalist through public records, to talking with employees, talking with customers.” Patterson said his audit request was denied by the majority in a politically-motivated move to prevent a member of the minority party from leading efforts to reform the DMV. The Los Angeles Times Editorial Board (2018) said, “It’s hard to believe that an audit would be controversial, yet three Democratic senators — Sens. Ben Allen (D-Santa Monica), Jim Beall (D-San Jose) and Ricardo Lara (D-Bell Gardens) — withheld their votes during a Joint Legislative Audit Committee (JLAC) hearing Wednesday, effectively killing the proposal. Why would they refuse such a sensible request? No doubt because the request came from Republican legislators.”

Baldassari said the majority’s refusal to allow the audit, “...doesn't engender trust in the government.” Patterson said the majority party’s rejection of his audit request demonstrated why the audit was needed in the first place. Patterson explained, “the best approach for Jerry Brown is not to have allowed the minority party to take the lead in reforming the DMV. His stubbornness and his ability to basically dictate to a handful of senators because a Republican was getting too close to the truth actually helped demonstrate why we needed the audit in the first place.” This is reflected in the literature. “Government cannot afford to ignore negative issue developments indefinitely as this would reflect poorly on its ability to respond to, and

successfully deal with, policy problems” (Thesen, 2014, p. 368).

It is reasonable to conclude based on both the expert interviews and the literature that the majority party thwarted Patterson’s attempt to audit the DMV in an attempt to avoid further embarrassment from continued media coverage and likely due to avoid the appearance of a member of the minority party leading the charge to improve the DMV. Refusing Patterson’s audit had negative impacts on the public and media who were both denied important information about the many problems impacting the agency. Rejecting the audit reflected poorly on the government’s willingness or ability to fix the DMV.

### **Recommendations for Practice**

After a great amount of study, including data collection and analysis on the topic of legislators using the media to create policy change, it is important to provide recommendations for legislators, journalists or public relations practitioners about the use of the media by legislators.

Some recommendations for legislators interested in using the media to effect policy change include developing relationships with the media, becoming an expert on a newsworthy issue, and using blame attribution to compel the majority party to act.

#### **Legislators should develop relationships with the media**

Legislators need the media to get their message out to a wide group of people, but the media need the legislators, as well. Baldassari said, “there’s a long-standing relationship between people in politics in state, local, federal government, and members of the media.” This symbiotic relationship is a two-way street that legislators should use as a tool to reach constituents, voters, other legislators, and the general public. Media need the information provided by legislators. According to Cook (1989), legislators and the media are “different but complementary parts of the same process” (p. 9) Legislators should provide the media with

newsworthy, factual and tangible information on issues that require the attention of the government.

### **Become an expert on a newsworthy issue in need of action**

Patterson became aware of concerning issues at the DMV and became a continual source of factual, verifiable information to the media. "I found it effective to simply be a watchdog for the people, and a fact checker, and a fact finder, and a willingness to spend time and research staff getting to the bottom of things and then putting it out to a media that is suspicious of all politicians." Van Aelst & Walgrave (2016) said "The Legislators who attempt to use the media to raise awareness about an issue important to them can generate momentum in their efforts to effect change" (p. 502).

Regardless of party affiliation, it is important that a legislator's criticisms of the party in control of the government be less partisan and more fact based in order to be taken seriously by the media. The Anonymous PR expert said, "If members of the minority make effective arguments about how an agency is failing the people, basically, how the majority is failing the people, most folks in the media are going to look at that, and as long as you're not using partisan rhetoric or too much hyperbole, I think is effective in putting outside pressure and adding that sunshine to an issue..."

Knowing what the media finds newsworthy is vital to being able to provide that type of information to the media. Cook said legislators must anticipate "what a reporter will find newsworthy" (Cook, 1989, p. 8). Baldassari used information and whistleblowers from within the DMV to tell a story with "the inside perspective of how frustrating it was for them to deal with a really antiquated system, a really cumbersome top-down bureaucracy that wasn't very responsive to changes or wasn't responsive to new technology. And they were able to provide a perspective that we wouldn't have been able to access otherwise or without significant amount of legwork on our part."

### **Blame attribution works in the right circumstances**

According to all the experts interviewed for this study, legislators in the minority can use the media as a bullhorn to amplify their concerns about the majority party. Baldassari said, "People in the media have a different objective, which is to expose government abuses, to highlight the experience of underrepresented populations who may not be represented-- otherwise represented, and to explain the changes in policies and in culture and in their communities to the wider public."

While blame attribution can be used by a legislator in either political party, it is an effective way for a legislator in the minority to force action by the majority. Thesen (2013) said, "...blame attribution in news should improve the likelihood of generating negative government attention, reinforcing incentives to respond (p. 369). With the right message, and sustained media coverage, the majority party will respond or, "run the risk of being blamed for having done nothing" (Cook, 1989, p. 122).

### **Study Conclusion**

In conclusion, this study contains data from experts in the field of politics, public relations, and journalism. The data provided by these experts, when combined with literature on the subject of legislators using the media to effect policy change using the DMV as a case study, can be a resource for politicians at any level of government interested in getting media coverage. It can also provide information for journalists or concerned citizens who seek to hold the government accountable for waste, fraud, and abuse of power. Further research should be done to build on this study in an effort to determine whether a legislator's use of the media to effect policy change results in action by the majority party. Future studies on the issue should include additional data as well as provide examples of effective or ineffective uses of the media and whether or not there was a subsequent policy change.

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## Appendix A

### Interview Transcripts: Anonymous PR Expert

For this study, an expert from the field of public relations was interviewed using the same questionnaire which was written to address the original research questions about how a member of the legislature can use the media to effect policy change.

Interviewer: Alisha Gallon  
Respondent: Anonymous PR Expert  
Date of Interview: May 13, 2019

#### *Interview Transcription:*

Alisha Gallon: Have you as an expert in your field, ever experienced a legislator or politician using the media to get coverage to promote themselves or an issue that is important to them? And please give an example.

Anonymous PR Expert: So on multiple fronts, having worked on your side of the fence as a staffer for 12 years, we implemented that strategy often. More recently with your boss on the Gavin's Law example. I think that him and his staff has provided great megaphone in cooperation with the Gladding family and the campaign apparatus, which I'm a part of, to bring the issue to public attention. So the media is incredibly valuable in getting the message out. Effective politicians or legislators they're probably not worth their salt unless they engage frequently with the media. So I can site the Gavin's Law example.

AG: What are some of the other reasons why a politician might seek media coverage?

APRE: Right. So, I mean, what this does for politicians-- why they do it, I mean, it increases name identification. It gives feedback to their constituents that they're actually engaging in the work that they were elected to work on. They do it to build goodwill. They do it to pressure the process. The more that the public knows about an issue, the more likely it is for it to be successful in the legislative or public policy process. I would say that media coverage from a political standpoint, building Name ID, it helps you to become more influential on numerous issues just as a politician in general, both within your own legislative caucus under the dome, in addition to being more effective and more influential locally on local issues. So they also do it to build that name identification. It wards off potential challenges, it makes beating them in an

upcoming election cycle more difficult, it increases their potential fundraising base, and it widens the net of folks that they are communicating to on a daily or weekly basis. Your office has been fantastic at that. I don't think any other legislative office in this region gets as much media attention as you guys do, and that's part of staff expertise. Name ID, building name identification, expanding your influence, giving feedback to your constituents, increasing awareness to your constituents or stakeholders about issues that you're working on. For instance, Gavin's law, we had 800 signatures and went to almost 10,000 within a couple of weeks, by some combination of you guys utilizing talk radio, utilizing your social media assets, press releases, press coverage, pitching, and then, utilizing some tragedies that happened with - a tragedy that was unrelated to the Gavin's law issue, that did happen and we used that to basically launch our website. So that, right there, is an example of leveraging the media in order to build awareness for public policy initiative. I also think that Mr. Patterson's use of media stories has put-- I'm going to speak to the DMV example, but I'm going to speak a little more generally. When you essentially are bringing spotlight to challenges within state agencies and leveraging the media, you increase scrutiny, and therefore, more sunshine on an issue. And that's what the media is usually, traditionally there for. That's what they're supposedly there for. Some people don't believe that as much nowadays. People, they believe they have an agenda but I think, in the example of Mr. Patterson, he has effectively brought a ton of attention to the DMV issue, and therefore put a lot of pressure on them to make changes.

AG: A lot of the research that I've done has shown that there can be benefits for minority party members to who use the media, and I know we were talking about this the other day, so why do politicians from the minority use the media to criticize the policies are decisions made by the party in control of the government, and who benefits?

APRE: So I think as long as it's reasonable, isn't easily cast aside because if it's a partisan argument, a purely partisan argument, I think it falls on deaf ears. If members of the minority make effective arguments about how an agency is failing the people, basically, how the majority is failing the people, most folks in the media are going to look at that, and as long as you're not using partisan rhetoric or too much hyperbole, I think is effective in putting outside pressure and adding that sunshine to an issue to where it causes an agency such as the DMV to-- especially the appointees who, ultimately, are going to be held responsible. I think it's very effective, and as long as it doesn't come across as personal in nature or petty, if there are legitimate arguments pointing out how the agency is failing the people or not fulfilling their mission, it resonates with the populous. And the media is there, not to pick winners and losers, but to point out these issues, and I think members of the minority party, especially in the state of California,

this is almost what they're relegated to. But I also think if members of the minority party utilize a strategy and are also seen as trying to help an agency improve its service to its constituents and be effective for the taxpayers, I think that does nothing but help improve the situation all the way around.

AG: So the taxpayer then benefits is what you just said?

APRE: I think the taxpayer does benefit. Most taxpayers want a return on their investment and they want to make sure their taxpayer dollars are being utilized effectively. And I think if you're pointing out legitimate issues of concern and the agencies have to respond and have to be transparent; I think that the sunshine that the media lights a story up with can be extremely effective. I think it can help advance change and reform. So the public benefit is a more efficient use of the constituent-service component, efficient use of taxpayer dollars and assets, better-served constituents, so yeah.

AG: When the criticism of the legislator in the minority party results in action by the majority party, how does the public benefit, I think is kind of an interesting corner on that question. How did the taxpayer benefit?

APRE: So I think the taxpayer benefits by that agency getting its act together. I think the public benefits by the oversight responsibility undertaken. The outside scrutiny forces them to answer questions. One provides knowledge to constituents about what's really going on and will eventually, hopefully, improve service, improve service to DMV's clients so.

AG: What role does criticism of the majority party play in media coverage?

APRE: So with the DMV, back to Mr. Patterson's legislation, I mean, they own it. The Dems own this-- and own the executive branch of the State of California, and it's an example. Mr. Patterson is putting pressure on them by highlighting this issue. When the media is looking at something-- it's one thing if Jim Patterson is saying it through a press release, but if the media is actually taking the ball and running with it, it forces them to have to answer questions. And ultimately, they don't want to fail. I don't think that they want their agencies to fail. They don't want stakeholders to fail. You have management issues in that agency. So I think by that pressure ultimately, puts pressure on the Governor, puts pressure on appointees. It puts pressure on committee chairmen and committee staffs because of the oversight responsibilities. So I mean,

they ultimately own it. And they're responsible for it. Do all voters understand that? No. But some do.

AG: Did the sustained news coverage of the DMV as informed by Patterson, result in the government addressing serious issues impacting customers at the DMV?

APRE: So in my mind, as somebody who's followed it, but not followed it closely, I think that the follow up of additional issues-- and supposedly they have made some changes or what have you. And now they've had a whole other issue-- this whole other deal with Real ID come about. I mean it shows systemic problems in the management structure at the DMV. So I think that from my perspective, sitting at the coffee shop reading the paper in the morning, that-- I think the DMV is undergoing reforms because of all the pressure.

AG: How did the addition of a knowledgeable source from within the government. If you can't speak directly to this issue, then in general, having an inside source from within the government to speak critically of the majority party in an instance like the DMV...how does that enhance the coverage by the media of that topic?

APRE: Well, the media thrives on controversy. So we'll start there. I mean, Mr. Patterson has standing being a legislator and has oversight responsibilities. And from a constituent service standpoint, I mean, that's newsworthy. He's obviously probably heard about this because his staff or himself has been approached by constituents to where this has become an issue. There's been complaints. That's usually how things kind of percolate up to the top. So savvy use of this knowledge-- a precise issue. You can't just speak in generalities. I mean, there's precise instances over things-- they're failing their clients, their stakeholders, their constituents. DMV is. And when you have that question, that's legitimate and it's newsworthy, and I think it would definitely enhance the coverage because he's a legislator. He has standing. He's supposed to be working on issues. He's supposed to be our advocate. And I think that with an articulate message and not sounding like being over the top and being hyper-partisan and just questioning things, insisting on transparency. I think that's ultimately how DMV will improve. So I mean, I think that when people question things-- members of the legislature, or even just news reporters on their own. But ones that are savvy and knowledgeable and understand how to think critically and investigate a story, I think that it makes the process better. So It's not that somebody's trying to cover up something or hide something. I think that outside scrutiny always improves government agencies. And I'm just talking basic stuff. I'm not talking grandstanding or gotcha or any of this stuff. I'm talking just scrutiny. Forcing agencies to answer questions. Be

transparent. I think that accountability is what makes our country great. Do I always like it? No. No, I don't. Because I've been on the other side of it. I'm on the other side of it now in certain instances. But it's valuable part of the process. The process doesn't work without it. But most legislators don't know how to effectively use that.

AG: DMV director, Jean Shiimoto, and Governor Jerry Brown and several Democrat members of the Joint Legislative Audit Committee openly opposed Patterson's request for an independent audit of the DMV's budget, staffing, and technological shortcomings as they relate to impacts on customers.

APRE: When you do an audit, it provides unbiased feedback about where things stand. So an audit provides transparency and allows you to basically look at the books, almost. And data doesn't usually lie. It can be manipulated, but data's power. And interpretations can always be what they are, but an independent audit is that it usually does a pretty good job on breaking stuff down by the independent auditors.

AG: So would preventing an audit of the DMV benefit the agency or members of the majority party and if so, how?

APRE: They want time to fix it, and they don't want time to air their dirty laundry. And they don't want Jim to have it. That's my impression. And it shows potential failures. More, it shows they're missing the mark on issues. Yeah, I mean, they were probably, at the same time, doing their own internal audit. And they don't want that to come about. You know what I mean? They want a chance to make stuff right. And all it does is it provides ammunition for Jim moving forward. It gives him more talking points which keeps him more relevant, which keeps his name in the press which helps his re-election efforts. But that's the cynical side of politics. It also helps Jim keep the issue alive and to be able to effect change so we can show results. Because ultimately most legislators want to do a good job.

Because they get unbiased facts, and they can draw their own conclusions without the help of the media and legislators. But also, 99% of people don't ever read the independent audit. People only engage in confirmation bias and only see what want to see. Right? So the public benefits, though, because the media - hopefully, they're doing their job. Hopefully, they're-- what are they, news editors, assignment managers are going to actually check the data and make sure that it makes sense, that their narrative is fitting and fitting the facts and how they're presenting it. But I mean, it's more sunshine. It's transparency. And transparency is, ultimately--

I've been working in and around the government for 25 years in a law enforcement, congressional, and contractor capacity. And I've never once come across somebody wanting to do a bad job. I also think nowadays people are incredibly suspicious of partisan politicians. So Jim has been known in the past as kind of being a firebrand and coming at things from a very, very conservative approach which benefits certain-- people that fit his philosophy in this area are probably 33%. So people automatically label a legislator. There's going to be some people that always doubt anything. Sixty-six percent are going to question, "What's going on?" What are you saying?" I think Jim has, since he's been a legislator, has approached things in a more reasonable way, especially through the use of the media. And I think people are listening. And especially when he's been on the mark on a few issues where he's questioning the state about issues, I think it adds credibility. And I know the majority may not like it, but I think, ultimately, by him doing that, he's helping advance the process about helping to improve these agencies. And ultimately, he's doing it for a partisan scorecard at some point. Okay. Without a doubt, I mean, that's what they do. But at the same time, I think the scrutiny has helped improve the Department of Motor Vehicles. And I think people fall asleep. They get in their routines; they get in their patterns. People work in these agencies. There's probably some stuff that shouldn't be going on. But at the same time, I think people want to do a good job, earn a fair paycheck for fair work. I don't think people want to do a bad job, but when they get found out, it's embarrassing. They could lose their jobs. So I think the scrutiny and the pressure improves the overall process. I mean, there's some people that are bad apples, and they get found out through an audit process. And then they lose their jobs, or they get sanctioned. You work for the state; you take state money. I mean, you're an employee, you're a contractor; you're anybody. I mean you better have your stuff together. Ultimately, you're dealing with public money. You have a responsibility to the public. It's just best to do a good job. And I think audits are an effective tool. Actually, audits are an effective tool. More effective is the media because they're always going to have access to this stuff. And then Jim can blow it up. But ultimately, I think, in the big picture, he's helping advance the process. And he's helping improve the agency, even though it could be painful for some.

## Appendix B

### Interview Transcripts: Erin Baldassari

For this study, an expert from the field of journalism was interviewed using the same questionnaire which was written to address the original research questions about how a member of the legislature can use the media to effect policy change.

Interviewer: Alisha Gallon  
Respondent: Reporter at San Jose Mercury News  
(Erin Baldassari)  
Date of Interview: May 10, 2019

#### *Interview Transcription:*

Alisha Gallon: Have you, as an expert in your field, ever experienced a legislator using the media to get coverage to promote themselves or an issue important to them? Please give an example.

Erin Baldassari: It happens pretty regularly where legislators will attempt to use the media to receive coverage of the issues that are important to them. For example, looking at my inbox, I get about a half dozen emails from legislators attempting to get coverage of issues that are important to them or bills that they're working on. Just this morning I got an email from Senator Scott Weiner about the "Complete Streets" bill that was just passed. As a journalist working with legislators regularly, what are some of the reason why they most often seek media coverage? Well, I guess I can't really speak to the motivations of the legislators themselves. But I think that traditionally there's a long-standing relationship between people in politics in state, local, federal government, and members of the media. As a reporter, I might look at what-- I don't necessarily rely on press releases from legislators to find out what bills are being written or going in front of committees. I might go directly to the legislative website and see what bills are going before what committees, what's been introduced. I do searches on specific keywords, some things that I cover. So since I cover transportation, I will just do a search early in the year for transportation-related bills to see what I need to cover. So I can't really say why legislators might want to reach out to the media. But I can say that there's been a long-standing relationship where there's sort of a partnership, if you will, between people who are-- policymakers have an incentive to get their message out to their constituents. Newspapers are a vehicle for getting that message out. And it's helpful for us to have information when it's happening. So sometimes the best way for us to get that information is to work with members of policymakers' staff to hear about the latest

development in a bill or policy that's being developed.

AG: In your opinion and in your experience, why would a politician from the minority party use the power of the media to criticize the policies or decisions made by the party in control of the government?

EB: I think it's just a way to get their message out. I don't really know much about state politics in the sense of like-- I don't really know whether or not someone in the minority probably might-- feel like their voices aren't being heard when a different party is in power. But the media amplifies-- is a way to amplify your voice. So working with the media is a way to have your voice amplified.

AG: Where the criticism of the majority party results in a policy change, who, in your opinion, who would benefit from a policy change?

EB: Well, I don't know if it needs to be a difference between the minority and the majority party. I think that every politician has an agenda for what they want their message to be. And they will often try to have that message amplified to the media. People in the media have a different objective, which is to expose government abuses, to highlight the experience of underrepresented populations who may not be represented-- otherwise represented, and to explain the changes in policies and in culture and in their communities to the wider public. So whether or not-- I don't think it's relevant to say that it has to be a minority member of the legislature criticizing the majority. It could be someone in the majority party criticizing a policy from the majority or a perspective from the minority. I think that the public benefits when abuses of power are called into question, when government waste is called into question, when mismanagement of the government is exposed and everybody benefits from a more efficient, productive, and accountable government.

AG: So you mentioned that the public benefits-- how would the public benefit from something that you mentioned, where there's abuse, waste, or mismanagement like you mentioned? How would the public benefit from a policy change that would improve or stop abuse, waste, mismanagement?

EB: Yeah. So taxes fund the government and-- that means that everybody's money is funding this system that we're all buying into. And when the government is being wasteful with that

money or otherwise using their power to abuse their position and steal money from taxpayers, then the taxpayer funds are not going to goods and services that are intended to be funded. And they are not receiving the services that they're paying for. So if that, either corruption or mismanagement, can be exposed, then taxpayers will not see their money wasted.

AG: What role does the criticism of the majority party play in media coverage?

EB: So the idea that media is the fourth estate of government is the idea that media is meant to serve a check to government power. Whenever decision-making and resources is accumulated in the hands of a few, the risk for abuse increases. So media's role is to serve as an extra tool to hold people in power accountable whether they're in the majority party or the minority party.

AG: Did sustained news coverage of the DMV as informed by Assemblyman Patterson result in the government addressing serious issues impacting customers at the DMV?

EB: I would like to think so, but I really couldn't answer that question because I'm not privy to those conversations, and I'm not sure how those decisions were made. I do know that part of the reason why-- it does seem that if Jerry Brown had not left office, I'm not sure that we would have seen the same kind of response. I think part of the response we saw was related to the fact that Gavin Newsom was elected and entered office with a different type of agenda and with a different style of management, and I really don't know what motivated him. I think, in some ways, it puts pressure on-- highlighting these issues raises the awareness amongst the constituents, and it can help put pressure on politicians to take action. So I don't know how many calls and emails state representatives and senators received as a result of the extensive-- not just from our paper, but from many papers across the state played, and radio and TV outlets across the state played, but we always hope that it does. That's the goal is to raise awareness and motivate change, but you just never know. Rarely can you draw causation.

AG: Did the addition of a knowledgeable source from within the government, Patterson or others, enhance media coverage of the DMV's issues? Their wait times? The budget? And the question is did the addition of a knowledgeable source from within the government enhance or add to the coverage of the problems at the DMV? And if you can't speak to that directly, then how would the addition of a knowledgeable source help you?

EB: Well, let me think about that. I think that from my perspective as a reporter, it's definitely

helpful to have a source within government who is paying attention paying close attention to the issue and to a particular issue that I'm reporting on. So in this case, I was reporting on the DMV. It was helpful to have someone in the legislature paying close attention to sort of every angle along the way, every step along the way, whether that was policy changes or different reports that were coming out or budgetary hearings, to keep me informed about what was happening. Really, the most helpful thing for me was being able to connect to constituents that has reached out to Assembly Member Patterson's office. So being able to connect to whistleblowers or concerned employees at the DMV that I wouldn't have been able to access maybe otherwise, and it would have been more difficult for me to access otherwise, I think that was probably the most helpful.

AG: And just to follow up on that, how does having those voices help you as a reporter to tell that story?

EB: Whenever I'm writing a story, I'm always looking for eyes on the ground. So while it's helpful to have someone in government who can give more of a bird's-eye view of an issue from a statewide perspective or even a regional or local one, the best stories are told from the perspective of the people who are most impacted by them. Whether that's DMV customers which we were able to access despite going to DMV offices, or by the employees who deal with the day-to-day grind of bureaucracy, basically, they really had the inside perspective of how frustrating it was for them to deal with a really antiquated system, a really cumbersome top-down bureaucracy that wasn't very responsive to changes or wasn't responsive to new technology. And they were able to provide a perspective that we wouldn't have been able to access otherwise or without significant amount of legwork on our part.

AG: DMV Director Jean Shiomoto, Governor Jerry Brown, and several Democrat members of the Joint Legislative Audit Committee openly opposed a request for an independent audit of the DMV's budget, staffing, and technological shortcomings. How would that audit information have helped efforts to affect policy changes at the DMV in your opinion, as a journalist?

EB: We never know what we don't know. And unless someone is trying to seek out that information, we may never know what that information-- we may never know what the issues are. There are only so many resources that I can access as a journalist through public records, to talking with employees, talking with customers. There are some types of information that only a mechanism like a state audit could uncover. A state audit has far greater access to the finances, to the IT infrastructure, to security-sensitive networks and systems that is unlikely to

be uncovered without a whistle-blower offering that information at great risk to themselves. So the more sunlight there is on government, whether it's local or state or federal, the better it will be able to perform in the long run.

AG: Would preventing an audit like that benefit the agency or the members of the majority party or not?

EB: I think it's always helpful when there's-- not as journalists, but everybody-- every member of the public has information about how their government works or doesn't work. And ignoring a problem is not a way to solve it. So by not performing the audit, by not having that information come to light, it may defer a problem to a later date, but it doesn't engender trust in the government. And it ultimately just kicks the can down the road or perhaps allows the government-- people who work in government to address the problem internally. But I think doing so doesn't help engender trust with the public.

## Appendix C

### Interview Transcripts: Jim Patterson

For this study, an expert from the political arena was interviewed using the same questionnaire which was written to address the original research questions about how a member of the legislature can use the media to effect policy change.

Interviewer: Alisha Gallon  
Respondent: California State Assemblymember  
(Jim Patterson)  
Date of Interview: May 19, 2019

#### *Interview Transcription:*

Alisha Gallon: Do you as an expert in your field ever use the media to get coverage to promote either yourself or an issue important to you and please give an example.

Jim Patterson: Yes, I use it all the time. As a member of the minority in the California Legislature it is often a tool at that allows the minority a voice and can press the majority to explain their positions. My experience has been that that when you have one party and a significant majority a position, you have limited access to committees, you're never the chair of the committee, at the best of vice chair, and so the oversight opportunity and the opportunity to make the majority own its own policies and own its own policy failures is sometimes limited. The majority party has for a long time essentially controlled criminal lawmaking in California and it has essentially decriminalized former felonies in to misdemeanors and has pushed criminals that used to be in state prison down to the county, resulting in a sort of a catch and release. The consequences of increase crime rates, innocent individuals being victimized. The majority party often at claims certain aspects of the policy is being helpful when local law enforcement, crime victims district attorneys and people in the public are experiencing something very different. Broadcast, print and social media provide the opportunity to gain attention to the problem focus on the excuse making and provide alternatives. My effort to get the DMV into the 21st century is another example. The majority party up until recently has made excuses, not wanting to take responsibility for something that they control as the majority party - unwilling to allow oversight hearings and inquire into the problem and we've used social media and all other types of media to outline the problem. It resonates with the people of California that have to experience it. It gains attention and push back to the majority party: 'What are you doing to fix this? Why aren't you doing your job?' and it also provides an opportunity to demonstrate that the DMV is so

messed up that often times my office is the office that gets the DMV to stop mistreating individuals and stop turning their back on the problems they create and get something fixed. High speed rail another example. It's a legacy project for the former Governor Jerry Brown. It has had self-evident that problems for a long time. In this instance I was able to get a high-speed rail audit which uncovered all a lot of the internal problems as to why it was such a messed-up project and I was able to start getting the truth out. In these three instances without the media and an experienced and savvy use of it, and without that social media, much of that effort would have been blocked for me. So free press, and a free and open social media in a political context, is a tool to hold that super majority accountable and an opportunity to demonstrate cover up. In other words, transparency. Provide alternative solutions. I'm convinced that gains members of the minority party a certain standing in front of the community. It builds a sort of trustworthiness that says 'I didn't know that...he's telling me something I didn't know...do they really do they really do that?' and it starts the thought process of individual voters that maybe a super majority holding way too much power can abuse that power. It is the availability of really good investigative journalists, it's the availability of an of an unfiltered platform on social media and it provides an opportunity to have a bullhorn. When the majority party would just assume you go away be quiet, surrounded by others, it's an opportunity to effectively agitate and I use that word precisely - to agitate a majority party that can, in the instance of trying to do something for you, can actually do something to you, and it gets so bad that in the California legislature there are at least two cases working its way through the courts right now that have huge constitutional issues of free speech, free association, freedom of religion and it has been the media and it's been social media and the ability to go around, over and through a ruling supermajority to make the case that they are using their power in some unconstitutional ways

AG: What are some of the other reasons why a politician such as yourself might seek media coverage?

JP: The media is the eyes, the ears, it's the window for voters to know what's going on and super majorities when they think they can do just about anything they want to can oftentimes stray into areas that are a very troublesome for the people they say they represent. If you're going to challenge a super majority you're going to have to find ways to make a clear distinction between what the minority party would do in a certain circumstance and contrast it with what the super majority's doing and I think if you can contrast it in ways that cut past the bureaucratic speak and get right to the cause, the effect, a solution and a suggestion and I think that the media is there to be used as a tool to persuade and to gain attention, hopefully to win

hearts and minds and then you can win elections. Margaret Thatcher said, "first you win the argument and then you win the election." I think the media provides the opportunity to talk, to win the argument.

AG: Why do politicians from the minority party use the media to criticize policies or decisions made by the party in control of the government?

JP: I do it because it's effective. Super majorities can overplay their hand and it's the media that can help you catch them at that overreach of power. Presenting the consequence of that overreach and then being able to pivot to add a different approach is fundamental I think to political decision making by voters. The more you know, the more you can contrast. The more you can contrast it, the more you can get to a place of making a decision that can have fundamental impact on the results in the outcomes of elections. We talk about it in terms of earned media, free media, paid media. In an election you can use the media because you can pay for it but in circumstances which I believe are currently in California where there is presently a substantial overreach by the current ruling party, you get an opportunity to demonstrate that. It's a soap box. It's a modern execution of essentially retail politics at its best, but you've got to be really good at it. If you're using media and you're reflecting the concerns that people have it every day, across the dinner table, in the workplace, at the water cooler. If the ruling party is creating a cost of living that most Californians can't afford, it's really helpful for election purposes that you can go to the media and demonstrate that. I talk about it in terms of moving the pendulum swinging. It's apparent that the pendulum has swung entirely, in the case of California, to the hard left and media. Both earned, paid and social gives you the opportunity to go around the establishment efforts of the super majority to essentially be the producer of the narrative. Super majorities are often times, the media has to kowtow to them. It's rare when you see California media in particular stab at them. It is it is rare when you see California media holding a supermajority accountable and I think that the consequences of a super majority in California are pretty self-evident. When you use media at a professional savvy effective way an individual in the super minority can crack the door open to really good investigative journalism and really good earned media. I give an example the High-Speed Rail Authority. For a long time, the presumption of the media really was that everything was going along fine. It's this big idea and California's going to be the first in the nation, and when a member of the of the minority pays attention, learns the facts, digs in and has a staff that can actually investigate and get information, you begin to be an alternative voice that has earned the ability to have influence with the media because you've helped them to discover something that they did not know before and break through the presumptions that a lot of the big media organizations bring.

AG: Does the public benefit when the criticism of a legislator in the minority party results in action by the majority party to improve a facet of government? If so, how does the public benefit? What role does criticism of the majority party play in media coverage?

JP: In general, the public benefits, but at a higher level we can be dramatically effective in changing hearts and minds. In California, people experienced the DMV horror story. They knew the lines were long but were at the mercy of a bureaucracy controlled by the majority. The media benefits as well because it provides them with an alternative source of information. You can open doors for alternative points of view within the media, but you can't do this if you don't know what the media wants. You have to be able to provide them with real, tangible, meaningful facts that the majority party cannot dispute but instead has to answer for. The voters also benefit. Voters are a subset of the public. Not everyone votes, but those who do need to be informed about just what the ruling party is doing to them in the name of doing something for them. This kind of information can sway elections. What we have done with the DMV is to essentially shame the ruling party into action. With the effective use of media, with verified facts, we have been able to embarrass and scare them into making changes from the top down. This is an organization that came into my office and told me there was nothing wrong with the DMV and no problem with the wait times. It was all supposed to be under control. That wasn't the case at all, and we knew it. We proved it to the media and over and over again we were shown to be right.

AG: Did sustained news coverage of the DMV, informed by you result in the government addressing serious issues impacting customers at the California DMV? Did the addition of a knowledgeable source from within the government enhance media coverage of the DMV's wait times?

JP: We are now at a place where the DMV is under huge scrutiny and high-speed rail is has been audited by the state of California. With respect to the DMV, there's a history of incompetence and essentially pretending that it's somebody else's fault that the lines are that long. As the leading member of the minority that took on the DMV and high-speed rail, I have been successful in turning the narrative. Facts matter. Investigative media matters. Utilizing social media to tell people things that the mainstream media may not be telling them. But you've got to be very careful that you have discovered the truth, you know that you're being factual and that it will pass the test of the media scrutiny. With the DMV and high-speed rail, we've been able to force the ruling party, the administration, to admit the DMV is in serious trouble and now, often times the majority now is singing in concert with me. I felt for about the last three years

kind of like the Lone Ranger. Facts matter, and you can be prophetic with facts. In other words, if you know that there has been significant technological failures at the DMV, if you have the inside people who talk with you seeking whistleblower status and they have a trust in your office that you will hold confidences, and that you will go out and find the truth...once you have established that then you can force super majority to have to admit that something's going wrong and that changes not only the narrative but it starts to change the actual decision making of the of the super majority. I found that the most effective way to challenge the presumptions and the talking points of a of the of the ruling party is to is to basically check it against the real-world experiences of people who have to live with the policy that the ruling party has is either protecting or making excuses for. And there's two great ways to have that happen by the people affected by it directly. Meaning people have to have to get through the DMV with all of the problems and the employees on the inside that don't like this anymore than the general public does. And the same thing has happened with high speed rail. We have inside people from the High-Speed Rail Authority who are now coming forward and saying they you know they did some things that they regret. Some quit. Some were fired. And they're talking. Then you know when you're satisfied that you've documented serious charges-- if you have good trustworthy relationships with the media you can go and say 'look here's what we've discovered. We think it leads in a certain direction. We'll give you all the detail here. Here's the information here's how we reach you if you confirm it. Fine. Publish it. If not, you know at least it's a starting point.'" Time and time again my experience has been the real danger of the super majority not taking the minority seriously is that facts catch up with them and those facts are embarrassing both with DMV and high-speed rail. If all you are in the minority is a strident finger pointer and charge maker without facts, without history, without something that can be confirmed by the media, you're not taken seriously. You are you're just another political voice another politician that spouting off. And I have to say the temptation to get out ahead of your facts for a politician is pretty high. I mean the temptation is to get out ahead of it.

And part of having a good staff and part of having it and my case some experience with media for a period of time you can kind of damp down that getting out ahead of it and saying what are the facts and what can the media confirm and then what can we demonstrate in social media from the reporting that confirmed that we were right. So yes in fact I think insiders wishing to be a part of whistleblowing and a part of telling the truth inside government offices is especially important and they need to be given whistleblower protection and they need to be able to know that their careers aren't going to be damaged because they come forward and tell the truth. I'm not sure we would have had the kind of success that we've had before so far without insiders whistleblowers and victims. Victims of crime which come out and say "look what they did to me." insiders in high speed rail who says "look what they did how they spent the money," and

insiders in the DMV that said “we've been telling the management forever your technology is a dinosaur.” And so, I think in all three of those instances I don't think you gain any traction and I don't think you change. You don't win an argument. I don't think you change elections unless you first can be a proven trusted alternative voice that the media goes to on a regular basis. Which is also a warning: “Don't squander that relationship by either abusing it or exaggerating it.” In other words, pick your fights where they can be effective with the facts you have and the whistleblowers and insiders. Too many politicians are Don Quixote is that tilt at windmills. Over and over and over again. And part of the lesson I learned in 30 years of broadcasting was the absolute junk that you would see in our newsrooms from politicians I mean who are always self-serving. They always had more I “me, me, mes” in them. Many of them were ripped up and thrown in the wastebasket. And so we developed a “different by design” approach to this. And although the “different by design” is subtle it is based on earning credibility through trustworthy information that is confirmed so that the next time you approach the media on another issue that you think merits this attention because the ruling party is ignoring it. You'll get a hearing and people will say well good thank you appreciate that. Why? Because they had experiences with you before when you presented information and they locked it down and they said it sometimes with the Patterson office and with how they're doing these kinds of things they're finding out stuff and that's what the media needs in order to get past a majority spin because the majority is usually have all of the cash they have all of the media experts right they can buy everything that their money can buy them and they can basically spin it any way they want to. And the best you have is to counter that is fact and what amounts to abuse of power. I think we've demonstrated in a couple of instances abuse of power and we've done it because facts matter and we confirmed them before we presented them. And one fact led to another and to another into another until you get to a position where it becomes very interesting to media that really is serious about performing their role as a as an investigative accountability to the power structure.

AG: Last question and there's a few of them and we spoke about audits previously. DMV director Jean Shiimoto, Governor Jerry Brown and several Democrat members of the Joint Legislative Audit Committee openly opposed your audit request for the DMV on budget, staffing, and technological shortcomings. How would this audit have helped you to affect policy changes at the DMV?

JP: I think the fact that it that the establishment and the ruling party essentially ganged up on me to deny an audit was part of the facts that got us to where we are today. It becomes apparent to the media when Jerry Brown decides he's going to try to influence three members of the Senate and then my audit request fails by one vote. That is fact. Those Senate members

in an open public hearing said so, so it set the stage to continue to press the ruling party to open up, let the DMV get audited and the pressure was mounting and the pressure was mounting and then a new governor comes in. What does the new governor do? He says in the State of the State speech that the DMV is a big problem. I never heard Governor Brown say that. He turned loose a pretty good internal auditing team. He had nothing to lose by "happy talking" the DMV. It's on his watch now. He's responsible for it and then he put in place on the DMV Strike Team someone that I worked with when I was mayor of Fresno and she was in the Wilson administration so there's very different signals. So, we are beginning to get to the truth even though the audit that I had requested was politically sabotaged. So, what would preventing that audit of the DMV benefit the DMV or the members of the majority party. And if so how. Well I don't think it did. I don't think it did. If facts are on your side and the experience of the people of California is on your side, you can play games politically but sooner or later it becomes pretty obvious and you know, I think we actually got a sort of effective audit of the DMV from the media reporting on the DMV and we had a place at that table. We were providing facts. We had whistleblowers on the inside and we now have a very different approach to the DMV by the ruling party. The Budget Chair is reluctant to give the DMV more money. The Transportation Chair is reluctant to basically give the DMV a pass. I understand the reality of that but I think that the history here demonstrates that if you try and hide the reality, and if you try to use politics to shut me up or others and you're flying in the face of what the public is experiencing and you see that the media is concerned about that experience and is regularly reporting on it, I would contend that Jerry Brown's decision actually helped me not hurt me. What would have been the best approach for Jerry Brown is not to have allowed the minority party to take the lead in reforming the DMV. His stubbornness and his ability to basically dictate to a handful of senators because a Republican was getting too close to the truth actually helped demonstrate why we needed the audit in the first place. And it got the media sniffing around this whole thing. Why? What? What are you afraid of in an audit? Partly that's because Elaine Howle is highly regarded and she goes where the facts take them and the media that covers that kind of stuff knows that as well. So, I think in a in a sort of a perverted way, I think the reality of the DMV forced the incoming governor to be very different than Jerry Brown. And I think the media continuing to report and then follow up and then report again and follow up continues to be a set of facts and a set of points of view that are very helpful to the minority party and has been damaging to the super majority party. And I think that they've learned a political lesson and that's why I now have more Democrats helping me and flying information with me and as outraged and as pushy for 21st century reform as I've been. But it took persistence, facts and an inquiring media. And if you can bring those factors together and you've been able to earn a reputation that you're telling the truth, and if they fact check, they'll find it to be the truth, you can turn a big ship of state like California. I'm just a member of the Legislature from Fresno, California and I got on the DMV

three years ago and thank goodness now I'm not alone anymore. Six years ago, when I went to the legislature and I was the mayor of Fresno when this whole high-speed rail thing came down. And when you started to see how it unfolded you knew something inside was really wrong. And I've been feeling like the Lone Ranger on high speed rail for some period of time. Finally, we get an audit finally the truth starts coming out. We get good investigative journalism up and down the state. I mean I think some of the things that the L.A. Times has done some of the things that NBC Bay Area has done. These are the kinds of things that open it up. You don't win these matters and you don't affect change if all you're doing is presenting an alternative hyperventilation that's political that sounds and feels kind of like the hyperventilation and the political language of the other side. If you've got the truth on your side and facts are bearing it out stay with it, and I think sooner or later with the help of an inquisitive and fair media, and social media, to go around media that might not be interested in it at the moment, are all ingredients in moving from a place where I was ignored to a place where I was born out to have discovered some important and interesting things to 'Patterson's becoming pretty expert on high speed rail DMV. Some of these other things maybe ought to be listening to him a little bit more...' and to now where we have a very, very serious crossroads with high speed rail that finally the truth is really starting to change hearts and minds. And I think we were at a place where although it's still too slow for my for my timeline the DMV is at least being kicked and prodded not just by me but by the ruling party as well. That's how you get real policy, and budgetary, and decision-making change. It's complicated, it's nuanced, but there are parameters there that are examples, guidance, directions: You've got to have fact on your side and it's got to be able to be demonstrated and corroborated. And if you get to that place where the media says 'Gee I didn't know that that is really interesting let me follow that up...' The battle's on almost won. Why? Because in your heart of hearts you know that you found the facts and you traced them down and you confirm them. And anybody that looks over your shoulder to check it out is going to find the same thing.

What politicians oftentimes fail to do is they rely more on political rhetoric and finger pointing name calling and all of that. And there's a place for that. Elections you know things of that nature. But I think the place that I found it effective is to simply be a watchdog for the people and a fact checker and a fact finder and a willingness to spend time and research staff getting to the bottom of things and then putting it out to a media that is suspicious of all politicians. And once you get past that suspicion of politicians because of the quality of what you're presenting you can get to a place where you can have an open door an invitation to be at the table for these solutions, not only in the government and political world but in the media world as well.