

# Public Participation in a Polarized Era: The Good, The Bad, The Future

An Initial Report  
December 21, 2017

## Introduction

Over 100 people gathered at the East West Center on December 1, 2017 to listen to and take stock of how public participation is faring in Hawai'i, gather ideas for changes to the way public consultation takes place, and offer techniques and approaches to improve civic engagement and improve civility in the face of large controversies.

Conference participants were asked to generate as many specific "actionable" ideas as possible with the promise that the full list would be provided after the conference organizers assembled, consolidated, and then categorized the ideas and comments voiced during presentations and breakout sessions. The list that follows is essentially an inventory of the many observations, suggestions, and recommendations heard during the conference. They reflect the opinions and brainstormed ideas of those who attended the conference but should not be viewed as positions necessarily taken by the conference sponsors or organizers.

Margaret Mead famously said, "Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." Conference organizers' next step is to produce a short list of specific initiatives for interested individuals and groups to act on if they choose. Future actions will be entirely dependent on the initiative and leadership of those who are willing and interested to be involved. We anticipate this short list will be announced in early January 2018.

Thanks to everyone who attended the gathering and contributed their thinking.

- Peter Adler
- Keith Mattson
- Katie Ranney
- Jana Wolff

## Public Participation in Hawai'i: Reform the Systems and Rules

- Keep the current biennium legislative structure, but use the first year for research and the second for bill introduction, and thus introduce fewer bills that are more likely to have merit and "legs."
- Attach a social/economic/environmental analysis to each bill.
- Move from a 60-day Legislature to year-round and allow more public notice for comments and input.

- Increase neighbor island participation in testimony by allowing electronic testimony; there are many web-based technologies that would work; there are a host of challenges for testifiers from neighbor islands and this would help.
- Encourage legislators to meet with knowledgeable constituents before the session starts so that they will be better informed and allocate more funds to support this.
- Pass a law specific to public-private partnerships requiring legislative approval for agreements over a sum certain when the partnership agreement involves the nonprofit taking over a government function.
- Create more transparency in conference committees; the chair has too much power.
- Train committee chairs to rein in testifiers who testify not on the bill, but on people who had previously testified, sometimes making derogatory comments about them which hurts the civility of the hearing, so as to avoid the mob mentality.
- Ask each committee to have a mission and to start off the hearing with stating that mission; this goes hand and hand with the statement above.
- Review best practices of governments engaging the public and for transparency. (Example: [www.wearemaui.org](http://www.wearemaui.org))
- Bring issues into the planning process early on.
- Identify ways that government can support community groups that are leading the processes.
- Identify funding sources and/or raise funds for community problem-solving using facilitator.
- Bring local budget issues down to local neighborhood boards for discussion.
- Identify ways and means to get active in government. Attend meetings and hearings, participate, testify, and stay current on issues.
  - Actively petition for change; propose and petition for better or new policies
  - Run for office; or help somebody run for office.
- Ask public officials for better access to information—hearing testimony/discussions/decisions—and prioritize development of websites.
- Examine Sunshine Law to determine the problems or issues that may be hampering good governance and policy.
- Compare different sets of admin rules to clarify and standardize.
- Eliminate administrative rules and put them into ordinances.
- Establish ombudsman or public information officer who can help with communication of rules.
- Write administrative rules in active tense, using commonly understood words so that laypersons can understand them.
- Post administrative rules on department website.
- Encourage officials to get out into the community.
- Ask legislators and city council members to support the development of safe zones for public participation.

- Reform laws governing community meetings to make them more productive and encourage deliberation.
- Have government agencies inform stakeholders what the government's limitations are at the outset of the engagement.
- Make government responses to stakeholder comments more prominent, particularly on websites; don't just bury them in long documents.
- Consider running parallel or complementary participation processes when there are legally prescribed public consultation steps an agency must follow. Don't simply depend on what's legally required—go above and beyond when possible/feasible/desirable.
- Get the right people in office.
- Propose legislative reform that would give conference committees and fiscal committees more power without negative repercussions when they exercise good leadership and voice what is right.
  - Reform to give more power to the people's voice
  - Get legislators to speak out without losing their leadership position
- Propose legislation for mandatory voter participation (see Australia).
- Make lobbying illegal.
- Exercise the right to litigate.

#### **Public Participation in Hawai'i: Improve the Process Design**

- Convene smaller groups of stakeholders before organizing larger group meetings.
- Engage in more talk story in the initial meetings.
- Conduct stakeholder network mapping before holding meetings on highly controversial issues.
- Conduct issue surveys of stakeholders before holding meetings and report the results at the meetings.
- Create 'safe zones' for public discussion, where stakeholders will not feel threatened for sharing their views.
- Create model Rules of Engagement for use in public meetings to encourage more civility.
- Develop a tool/discipline to add credibility to deliberative processes based on "Fair Witness" from Robert A. Heinlein's "Stranger in a Strange Land."
- Develop templates for participatory process design. Based upon Colin Moore's suggested three stages: 1) selecting participants; 2) decision making and communications process; 3) action, but add 4) a way to measure credibility of messengers, conveners and facilitators relative to the community being engaged.
- Develop a template or model for a public participation process based on the Envision Maunakea project, which involved engaging communities directly with the entity proposing a project or policy instead of just inviting them to a public hearing.
- Get participants to break out of their 'tribes' by creating activities or structures that require people to work in heterogeneous groups.

- Provide alternative ways for meeting attendees to participate and provide comments; not everyone wants to speak in front of others.
- Provide computer tablets or other technologies at meetings to allow more access and participation by shy people.
- Have project or policy sponsors spend more time up front building relationships with community.
- Develop better ways to follow up on community meetings to help build relationships. Don't just cut and run.
- Solicit opinions of broad community before planning starts; include cultural voices and leaders.
- Consider having independent evaluators/observers at stakeholder meetings to assess and advise the convener, and possibly stakeholders as well.
- Provide better/clearer executive summaries for complex documents.
- Provide better advance information about specific meeting issues.
- Allow for more open dialogue between decision makers and stakeholders at meetings.

### **Public Participation in Hawai'i: Improve the Conversation**

- At the beginning of each meeting, facilitators should impress upon participants that being polite and truthful is important because they are likely to see other participants again.
- Enforce accountability for personal behavior.
- Conduct pre-meeting surveys and share information from them at the beginning of meetings.
- Develop a participant self-assessment tool that enables participants to monitor themselves for polarizing behavior.
- Establish and state shared objective(s) up front at meetings.
- Improve ground rule management and enforcement to curb bad behavior.
- Define what "consensus" means in the specific context to facilitate reaching common ground among participants.
- If dealing with distrustful stakeholders, address 'low hanging fruit' issues and initiatives first to help build trust.
- Model civil discourse by responding responsibly to people's comments to show what respectful, factual dialogue looks like.
- Identify those at the edge of their positional groups who can see others' points of view. Concentrate on involving these types of participants.
- Moderate online discussions for respectfulness and ask for sources behind wild claims.

### **Public Participation in Hawai'i: Broaden Access**

- Create social media sites to give public access well before first public meeting to ask questions and present ideas in a moderated forum.
- Consider new tools and technologies that: 1) give people in meetings a voice; 2) give people who were not there a voice; 3) allow people to engage in ways that

are sensitive to personal comfort and culture. Examples: market studies; charrettes; [MeetingSift](#); statistical modeling tools.

- Develop methods for informing people who are not at the table and soliciting their opinions.
- Use social media more effectively to engage people online.
  - Use Facebook streaming of meetings and outreach by community leaders
  - Use Facebook forums for *de facto* moderation through “civil” mediators
  - Use Facebook (and other technology) to extend meeting access
- Use talk radio, Facebook, YouTube to make meeting announcements.
- Integrate various online tools into established public engagement processes.
- Provide better information and guidance on how stakeholders can engage.
- Find and engage people where they are rather than having them come to you.
- Ask community groups to share their recollections of the past to get more engagement.
- Generate ideas and ways for how to more easily get involved at a grassroots level.
- Convene special focus groups to include non-traditional stakeholders.

#### **Public Participation in Hawai'i: Increase Competence of Leaders and Participants**

- Develop methods for sharing ideas and examples with large numbers of people about what works and does not work in participation processes.
- Examine case studies of participation processes.
- Create a repository of participation process tools and techniques that can be shared by facilitators and planners and develop a platform for the network to access it.
- Train participants in public meetings about regulatory processes and how to be more effective with their participation (e.g., ‘citizens’ guides’)
- Develop and implement a training program for neighborhood board members that includes conflict resolution management and facilitation skills.
- Train citizen moderators for managing online dialogues.
- Create a peer-learning network of practitioners in community facilitation.
- Build a dynamic network of public participation coaches to help people who are planning projects (i.e., Conservation Coaches Network).
- Have a set of best practices for effective public interactions and input with government agencies. Distribute to government agencies and make available to the public.
- Include civic education in DOE curriculum. Teach:
  - Civic participation process
  - Peer mediation
  - Student government
  - Communication skills
  - Civility (how to debate)
  - How to acknowledge and understand the perspectives of others.
- Develop education program for people entering public service to learn how to:
  - Plan meetings

- Run meetings
- Advocate effectively
- Manage open and productive conversations
- Teach stewardship
- Acquire experience in different sectors to be able to better understand different sides of issues.
- Subscribe to relevant professional newsletters or blogs; or join relevant community forums to stay current on issues and latest information.
- Develop a public involvement newsletter with case studies, skills, tips, articles and best practices.
- Create content for YouTube programming: skills videos, etc.
- Promote body of knowledge related to public engagement not only regarding environment, but also around other critical social issues: health, homelessness, and education.
- Include in subsequent public engagement conferences and workshops a wider breadth of experience and expertise.