

**Generating Scholarship from Public Service:
Media Outreach, Nonprofit Foundation Service, and Legal Expert Consulting**

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Abstract

Although most colleges and universities stipulate that public service is a condition of tenure and promotion, many faculty (and administrators) pay only lip service to such a requirement. Yet, there are numerous benefits for political scientists who choose to become "pracademics." Besides its altruistic and pedagogical value, public service can actually enhance a scholar's research agenda and professional trajectory. In particular, it is possible to derive scholarly benefits from the time and energy devoted to media outreach, nonprofit foundation service, and legal expert consulting.

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Most colleges and universities stipulate that public service is a condition of tenure and promotion. Yet, many political science faculty—and their respective administrators—pay only lip service to such a requirement; the “publish or perish” standard continues to shape most career decisions. As long as performance in the classroom is adequate, publishing largely determines tenure and promotion decisions, merit raises, and job marketability. Why then, with the pressure to publish as essential for advancing in the profession, should political scientists engage in public service, much less become a “pracademic?”

There are numerous benefits for political scientists who choose to engage in public service. For some, public service is an altruistic activity. It engenders warm and fuzzy feelings for those academics who step outside of the ivory tower and work to serve the broader community. Volunteering on civic boards, community associations, or even political campaigns helps them become more engaged and connected to broader social and political networks. Others value public service for its pedagogical value. Indeed, some academics view it as an essential component of becoming an effective teacher. Public service can be used to liven up the classroom, with faculty recounting their war stories from the trenches and stimulate active learning. It may even promote civic virtues among students, leading them to become more informed and involved in politic life.

There is another reason, however, why some academics engage in public service. It can make us better scholars. This is especially true for faculty whose research is driven by questions derived from the “real world.” More than altruism or pedagogy, I have been drawn to public service for two decades because it helps energize my scholarship. Contrary to the conventional wisdom, public service has not been a detriment to my professional ambitions and career trajectory. Rather, I have found that escaping the rarified surroundings of academia generates new research questions and offers me access to original data. Although there are certainly plenty of other positive externalities—such as feeling good about giving back to the community or drawing on experiences outside the classroom to capitalize on a “teachable moment”—I spend a considerable amount of time and energy doing media outreach, nonprofit

foundation service, and expert consulting for lawsuits because being a pracademic makes me a better scholar.

Media Outreach

Perhaps the easiest way an academic can become a “pracademic” is to grant media interviews. Some academics, of course, have a much greater likelihood of being contacted by the media for a developing story than others. Situated on the front lines, it should not come as a surprise that political scientists are considerably more likely to than scholars in other disciplines to be contacted by the media. Rare is the historian of quotidian life in Romantic Era Germany, the cultural anthropologist studying commodity chains in West Africa, or even the political theorist immersed in the 18th century writings of Thomas Paine, asked by local or national media to comment on current political affairs. This, perhaps, is all our loss.

In contrast, those of us studying American politics in general, and state and local politics in particular, are asked to provide commentary on a nearly endless range of issues. What should we make of the latest allegations of kickbacks to county commissioners from local developers? Do you think the latest legislative ethics violations by party leaders will hurt the Republican Party’s chances in the fall elections? What are the chances of a gubernatorial veto on the controversial teacher tenure bill? Do you think there will be an impact on the city budget from the decline in the commercial real estate market and the drop in local property tax revenues on foreclosed houses? Will racial and ethnic minorities be protected under the state legislature’s latest redistricting plan? What will be the political fallout of the BP oil spill in the Gulf of Mexico on the race for governor? The questions are as many as they are diverse, and admittedly, many fall outside the realm of our expertise. The historian, cultural anthropologist, or political theorist all would likely have just as insightful answers as those of us trained in state and local politics, with wittier anecdotes and quips, to boot. We just happen to be in the office when the phone rings with a reporter on the other end asking for a comment.

Relatively few in number, state and local faculty in particular are in high demand by state and local media. As faculty, we come in all shapes and sizes. Some are big fish in small ponds—

accomplished scholars at Research I universities in college towns, and even a few ensconced in the Ivies. Others are well established at regional state universities. Even more are small fish in big ponds—faculty who in graduate school received no formal training in state and local politics, but who are saddled with teaching an intro course at the local community college, private college, or public university. The demand from media outlets for academics who can comment on state and local political and policy developments far exceeds the supply of faculty who are actually trained in the subfield. This certainly allows those fewer scholarly credentials to chime in and play expert for a day. Of course not all our insights make scintillating copy, at least when compared to polished campaign spokespersons or colorful politicians.

It is important for those political scientists interested in becoming more engaged with the media to know what journalists are after. Journalists covering the state and local politics beats must write stories that capture the fancy of the general public. They are most certainly not interested in the latest theoretical or methodological debates consuming our discipline. Scholars only able to speak in the rarified language of Downsian rational choice, logit models, or even the seemingly less specialized terminology of dependent and independent variables, become of little use to practitioners in the Fourth Estate. As such, journalists quickly come to avoid scholars who can only carry conversations by devolving into techno-speak. As such, journalists in need of a quote will often cast their nets for the small fish—those who follow local politics closely, but who are not necessarily well-published scholars. More than sophisticated analysis, many journalists, especially less experienced ones, are interested in drawing on the insights of faculty who are able to provide background, perspective, and nuance to the story they are writing.

Working with the media can certainly be time consuming. Yet, from the perspective of the scholar, the relationship should not be viewed as zero-sum: all give, and no take. Engaging journalists on a regular basis can force scholars to reconsider their theoretical frameworks or empirical models, as journalists who cover political affairs want practical insights, not sophistry disguised as scholarly insight. In fact, a healthy interaction with the media can elicit new research questions for scholars to pursue.

I found this out first hand when I took a faculty position in Colorado in the early 1990s. My graduate training at the University of Wisconsin—Madison focused on sub-national American politics, yet when it came to Colorado politics, I was a greenhorn. In particular, I knew virtually nothing when it came to the rarified politics and practice of direct democracy in the Centennial State. Yet a couple weeks into my new job, two of the state’s most prominent journalists called my departmental secretary, asking her if they could speak to someone about state politics. Since I was teaching a course on the topic, she referred them to me. Little did I know at the time that those two conversations—each lasting less than 20 minutes—would inspire my next research project, much less shape the contours of my scholarly career. In many ways, my book *Tax Crusaders and the Politics of Direct Democracy* (1998), which offers comparative case studies of the origins, financing, and popular support of three anti-tax ballot measures as a way to problematize our understanding of the supposedly deliberative, participatory process of direct democracy, was an elaborated response to the initial questions asked by those reporters.

Building close relationships with the media can also benefit scholars when they try to reach a broader audience. Rather than being told what stories they should cover, journalists often enjoy bringing potential stories to their editors. In talking with many of the same journalists on a regular basis, many have developed an interest in my scholarly research. As a result, I have pitched numerous news stories based on the findings of my scholarly research. Journalists have written about the “educative effects” of ballot measures, the role of “veiled political actors” clandestinely financing initiative campaigns, the impact of “outside money” on candidate races, and the impact of initiatives on candidate races, in large part because of the relations I have cultivated with them over the years. Reciprocity with the media allows scholars to have a greater impact on public policy because their research has a wider readership.

Of course, responding to media requests is not entirely risk-free. Sometimes journalists get a quote wrong. Sometimes they take comments out of context. Sometimes they use academics as foils, juxtaposing the detached erudition of a scholar with the everyday concerns of John Q. Public. But these are exceptions to the rule. Far more often, journalists know the value of having an academic weigh in on a story, and will do their best to situate quotes in their proper context and emphasize the gist of what can

be rambling, off-the-cuff conversations. Experienced journalists tend to keep the conversations short, as they already know the background of the story, the main players, and their story's angle; what they're looking for is balanced filler from an authoritative, academic voice.

Being a media darling (or whore) has other potential costs, too. It is possible for faculty to become overextended, granting interviews in areas that substantively stretch one's expertise. Being the local or state media's go-to academic can also breed jealousy among colleagues. A senior colleague, after having read the morning's paper, once quipped to me, "Is there anything you *don't* comment on, Smith?" As a rule of thumb, academics should strive to comment on stories that only pertain to their own area of expertise, referring reporters to colleagues who have greater expertise in other substantive areas. Overall, though, I have found that the scholarly benefits far outweigh the potential costs of being readily available to the media.

Nonprofit Organizations

Serving on the board of a nonprofit organization is another way to become a pracademic. Often understood as purely altruistic, volunteering with a nonprofit organization can generate scholarship by granting academics access to original data.

In the late 1990s, Rich Braunstein (then a graduate student at the University of Colorado-Boulder) and I teamed up to create a registered nonprofit organization, Citizens Institute for Voter Information in Colorado (CIVIC). Our drive to create a 501(c)3 was borne out of frustration with the Colorado Secretary of State's inability—or unwillingness—to make campaign finance records available to the public in a timely, inexpensive fashion. Although her office had ample resources and technological expertise to collect and disseminate campaign finance records electronically via the web, Secretary of State Vicky Buckley steadfastly refused to do so. Instead, she directed her office to charge exorbitant fees for public access to contribution and expenditure campaign finance records. Those interested in perusing the filings could either visit the Secretary of State's Denver office in person, and in 15 minute intervals, access campaign data at a video terminal in read-only format. Photocopies cost \$.50 cents a page, with relevant records running hundreds of pages long. For those with means, a one-time payment

of \$3,000 provided an uninterrupted online access to the records. With either option, though, the data were made available only as read-only, making it exceedingly difficult to scrutinize and manipulate the data—even in the most rudimentary forms. At the time, Ed Bender, now the President of the National Institute on Money in State Politics, said Colorado's fees were by far the highest of any state that his organization had worked with in the country. Studying the campaign finance of political campaigns in Colorado was cost prohibitive for graduate students, faculty, and the general public.

Our goal from the start was to provide free, public access to campaign finance records to interested Coloradoans. We envisioned CIVIC as a non-partisan voter information resource, whereby we would purchase digital campaign finance records, make them easily accessible and searchable, and most importantly, provide them for free to the public in a nonpartisan format. Naïve as we were, we thought our mission would be well received. It wasn't. The Secretary of State stonewalled us at every turn, even claiming that our efforts would lead to security issues and tampering with public records.

After kicking in our own money and raising some small grants and seed money, we launched our website. We purchased campaign finance data from the Secretary of State and hired a computer programmer and database guru. Our efforts were met with tremendous success. In our first year of operations, we launched a searchable website providing full access to Colorado contributions and expenditures records for all political committees active in the 1998 election cycle; by 2000, our website had received more than 25,000 hits.

News quickly spread about our nonprofit. Rich and I were asked to testify several times before committees in the Colorado Legislature, which at the time was considering new campaign finance laws to require the Secretary of State to publish campaign finance records on the internet. Soon after our launch, several organizations, including the Colorado League of Women Voters, Colorado Common Cause, and CO-PIRG, contacted us to use our data to evaluate the effectiveness of Colorado's Fair Campaign Practices Act (FCPA), and we were asked by numerous media sources to assist their journalists to use our site to access data for their campaign finance news stories. Indeed, our success ultimately led to our

demise, as a newly elected Secretary of State, keenly aware of our efforts, directed the office to enforce electronic filing and to make available online all campaign finance records.

Prior to the demise of CIVIC, as President I had early access to the campaign finance data we had purchased and processed for dissemination on the website. In addition to writing op-eds and providing content for the website, I utilized the data we collected for several of my own research projects, including an analysis of the effects of variable campaign contributions on ballot measure success, a study of contributions to candidate and party committees in the state, and a study of the financing of growth and transportation ballot initiatives in Colorado. All of these projects, made possible through my voluntary work for CIVIC, led to publications.

Since the late 1990s, I also have had the privilege of serving on the board of the Ballot Initiative Strategy Center (BISC) Foundation, based in Washington, DC. Initially founded with seed money from People for the American Way, and serving for several years with fellow board member Rob Reiner, BISC has received substantial financial support from the Stern Family Fund, the Carnegie Corporation, the Open Society Institute, the Rockefeller Family Fund, among other philanthropic funders. The original motivation behind BISC—which still is the driving force today—is to provide research, education, and training to reinvigorate the use of the initiative process by progressive community. BISC Foundation is the organization's 501(c)3 educational arm, providing reports that track ballot measure developments across the states, compiling contributions and expenditures on ballot initiative and referendum campaigns, conducting public opinion research on support and opposition for potential ballot issues, and offering training workshops for state and local progressives interested in working for and against a range of ballot measures. Over the years, BISC has grown into a multimillion operation, with half-a-dozen paid staff, and is now the premier organization in the country devoted to assisting progressives becoming more effective at fighting for and against ballot measures.

BISC Foundation originally tapped me because they were interested in having a scholarly perspective on their board. My research, which at the time looked at the financing of ballot measures and (with Caroline Tolbert) at the macro-level effects of ballot initiatives on voter turnout, dovetailed nicely

with the interests of BISC. As a progressive organization, however, BISC was not particularly interested in my academic findings on increasing levels of campaign financing of ballot measures, the turnout effects of ballot measures, or even how political parties increasingly used ballot initiatives as wedge issues to divide their opponent's base. The staff found our book, *Educated by Initiative* (2004), to be helpful when trying to raise awareness among and educate the donor community about the importance of ballot measures when trying to raise funds, but quite understandably, they wanted to know how our findings translated to the interests of the progressive community.

Initially, I was concerned that my scholarship might be compromised by working so closely with BISC, a nonprofit organization with a clear political (albeit, nonpartisan) agenda. When serving on the board of a nonprofit organization, of course, it is crucial that academics do not allow their scholarship to be influenced, much less captured, by the organization for which they are affiliated. That said, academics have much to gain from being exposed to professionals whose job it is to promote a particular cause or influence elections, and not just study them. For example, while BISC was impressed with Tolbert and my findings that ballot measures could promote civic engagement and drive turnout, as an advocacy “think and do tank,” the staff wanted to know precisely *who* was motivated to vote by *which* measures on the ballot. Exactly *which* ballot measures could be used by progressives to promote a liberal agenda, and conversely, *which* ballot measures might drive conservatives to the polls? Not surprisingly, the kinds of questions asked by BISC's staff tend to be much more grounded and applied than those typically asked by academics. But BISC encouraged me to try to answer these questions. I helped to design several state-level surveys with Celinda Lake and other pollsters to ask registered voters whether they were mobilized by a range of potential and actual ballot measures in different electoral contexts. These public opinion surveys—costing tens-of-thousands of dollars—provided the initial basis for my coauthored work with Tolbert and Todd Donovan that examines who is mobilized by ballot measures and how ballot measures can affect candidate races.

As with engaging the media, serving on the board of a nonprofit board comes with considerable costs. The amount of time spent on starting and maintaining a nonprofit can be immense, as was the case

for Rich and me when we founded CIVIC. It can also be a financial drain. Most nonprofit organizations—in order to leverage outside fundraising—insist that all board members make an annual contribution, in addition to expected participation in *ad hoc* fundraisers. Unlike a seat on a corporate board that many ex-politicians receive as a golden parachute after serving the public, serving on a nonprofit board is not a ticket to getting rich. Nonprofits typically do not provide board members with an honorarium or even a *per diem* for attending semiannual meetings; board members are expected to pick up their own travel, hotel, and meal costs. But the attendant benefits of serving on a nonprofit board can be substantial, whether gaining access to proprietary data or having grounded, critical reaction to scholarly work.

Legal Expert Consulting

A final way of becoming a pracademic, one that has received considerable attention by fellow scholars, is serving as an expert witness (Eaton and Kalman 1994; Wuffle 1984, 1985). While the financial compensation serving as an expert in a lawsuit can be considerable, the potential costs have been well documented elsewhere (Horowitz 2005). The legal sirens' billable hour temptation to provide an affidavit, declaration, or expert testimony can compromise a scholar's ethics and objectivity (Aprile 2006), tainting his or her academic reputation (McGaffey 1978), which as Kousser (1984) points out, is the only significant asset a scholar possesses. Scholars need to maintain their academic integrity, even if it means providing expert testimony that does not mesh exactly with your legal team's argument. For instance, if you have established your scholarly reputation showing that the institutional mechanism of direct democracy has led to a greater diversity of interest groups across the states, you might be well-advised—despite the lure of financial gains—to avoid working as an expert in a lawsuit in which your own legal argues in court that the popular referendum is “anti-democratic” and that the dozens of citizen groups that formed to circulate referendum petition to overturn a local ordinance were shams. Frankly, it doesn't look good. In the short run, the money might be nice, but in the long run, your scholarly reputation might be irreparably harmed.

One aspect of academic expert witnessing that has gone relatively unexamined is the potential scholarly payoff from serving as a legal expert. Although much has been made of the fact that legal

experts are sometimes asked to be more of an advocate than an objective observer, much of the data that is used in legal cases can be redeployed for scholarly ends. I have used data that I assembled or acquired for several work products in federal and state lawsuits as the basis for subsequent scholarly articles. Jettisoning the legal, normative argument for a more neutral, scholarly set of theories and expectations, the empirical data used in a lawsuit are often unique, and can provide the foundation for solid empirical research.

For example, Donovan and I were hired independently as experts by plaintiffs in a lawsuit in the state of Washington that challenged the veracity of signatures submitted for a ballot initiative. Todd was hired to conduct an historical overview of fraud in the signature gathering process in initiative campaigns, and I was retained to conduct an empirical analysis of the 266,000 signatures collected on petitions submitted by paid petition gatherers. After the plaintiffs withdrew their lawsuit, I contacted the attorneys we had worked with to see if their clients, who had paid us for our work products, would be willing to grant us permission to use the data for a scholarly paper. They did, and we combined our efforts into a book chapter in a *Brookings Press* edited volume that examines allegations of fraud in the signature gathering process of ballot measures. That chapter subsequently has led to more expert witness opportunities for me in the arena of fraud in the signature gathering process of ballot measures.

Over the years, I have worked as an expert in several legal cases in Colorado. In the early 2000s, I was retained by the Colorado Attorney General to conduct a content analysis of television ads broadcasted and direct mail pieces distributed in Colorado between 1999 and 2003. The largely descriptive study examined the content of issue ads and electioneering communication ads that mentioned state-level issues or candidates running for state-level political office over the two election cycles. The Attorney General utilized my study, which was limited to roughly 100 ads that were paid for or sponsored by various groups (but not candidates or parties) in his successful effort to defend Amendment 27, a 2002 constitutional ballot initiative that among other regulations, defined electioneering communications as certain near-election communications that unambiguously refer to a candidate and are targeted to voters. After the case was decided by the Colorado Supreme Court, I was granted permission to use some of the

original data I was paid to collect for a study of campaign financing in Colorado that was published as a chapter in John Green's widely-used edited volume, *The State of the Parties*.

Most recently, in 2009, I was hired by attorneys for a group of plaintiffs who successfully challenged in state court the Attorney General's effort to enforce a 2008 ballot initiative that restricted the campaign finance activities of labor unions. Amendment 54, which Colorado voters approved in 2008, placed severe restrictions on the associational and campaign contribution activities of contract holders of sole source government contracts, including labor unions and their political committees. In assessing the impact of the implementation of Amendment 54, my work product analyzed in great detail the trend over time of campaign contributions made to candidates, political committees, issue committees, and parties by labor unions. My declaration was used by the plaintiff's attorneys in their successful argument before the Colorado Supreme Court to strike down Amendment 54, as it provided evidence that organized labor's political clout—relative to that of corporations'—would be irreparably harmed if Amendment 54 was enforced. I subsequently was able to incorporate much of the original historical analysis I did for the legal work product in a forthcoming edited volume on Colorado politics.

Conclusion

Engaging the civic realm by academics is sometimes risky and certainly takes initiative. There is no question that public service can detract from other academic pursuits, including earning tenure and promotion. But being a pracademic it is not necessarily incompatible with being a productive scholar. Public service—be it granting media interviews, participating on the board of a nonprofit foundation, or working as an expert in the legal setting—is not something that should be viewed as a negative. At times, there can be synergies between public service and scholarship. Personally, my conscious efforts to be civically engaged reflect my deep, unabated interest in the process of politics. And I have been fortunate that my engagement with the media, my work with nonprofits, and my expertise in lawsuits, have paid off in terms of my scholarly endeavors. Finding an appropriate balance between scholarship and public service is never easy, but there are ways to reap the synergy that can occur between the two realms.

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