

Entrepreneur's **SURVIVAL GUIDE**

How to Succeed in Your Fight for Economic Liberty



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Entrepreneurs are the backbone of the American economy.

If you are reading this guide, you are likely one of these small business owners working hard toward achieving your American Dream, while also making valuable contributions to the economy, your community and society.

And sadly, if you are reading this guide, you are likely also facing government regulations that make it difficult, if not impossible, to earn an honest living in the occupation of your choosing.

Maybe the government has enacted laws that require you to pass unnecessary, expensive exams or jump hurdles that you simply don't have the resources to jump to operate your business. Maybe there are restrictions on how, when and where you may operate your business that are based on the location or existence of your competitors. Or maybe the government has placed restrictions on your ability to honestly advertise what your business does.

Protectionism:

Using government power to protect one business from the competition of another.

If so, your situation is not unique, and you are not alone—and this guide is for you.

Sometimes, groups of established businesses engage in “protectionism.” They organize and lobby their elected officials to pass regulations that **protect themselves from the competition** of newer, less politically connected businesses. Other times, the government may pass senseless laws with no legitimate purpose that end up hurting your business.

Economic liberty:

The right to earn an honest living, free from arbitrary, burdensome and protectionist regulation.

But you have the right to earn an honest living, free from arbitrary, burdensome and protectionist regulation. We call this “**economic liberty**.” This civil right is protected by the U.S. Constitution. Do not let the government tell you otherwise. Laws that strip you of your economic liberty are unconstitutional, immoral and wrong.

You can fight back against these regulations, and you can win.

Our goal with this guide is to give you the strategies you need to organize, change the law and, most importantly, get back to work.

We have worked with entrepreneurs nationwide to fight back against these types of laws, in the courts of law and public opinion—and we are eager to work with you. Here are a few examples of entrepreneurs we’ve worked with; see if you recognize any similarities with your fight:

Street vendors

Street vending is, and always has been, a part of the American economy and a fixture of urban life. Thanks to low start-up costs, the trade has offered countless entrepreneurs—particularly immigrants and others with little income or capital—opportunities for self-sufficiency and upward mobility. Vendors also enrich their communities by providing access to a wide variety of often low-cost goods and by helping to keep streets safe and vibrant.

But, in some cities, groups of powerful brick-and-mortar businesses lobby their elected officials to pass laws that make it nearly impossible for vendors to operate, in order to protect their establishments from competition. For example, some cities have “proximity restrictions,” which prohibit food trucks from setting up shop within a certain distance of a brick-and-mortar restaurant. Other cities ban vendors from certain high-traffic areas (or from the entire city).



Hairbraiders

The art of “traditional” or “natural” hairbraiding traces back thousands of years to Africa. Today, practitioners across the country engage in the intricate crafts of twisting, braiding, weaving and locking natural styles, mostly for African-American clients. These distinct techniques are generally grouped together under the rubric of “natural hair care” because they do not use any chemicals, heat or other artificial hairstyling techniques. Nationwide, natural hair care has grown into a multi-million dollar industry.

This has upset the cosmetologists in some states, who do not like that someone can go to a hairbraider to receive her services more cheaply than if she went to a traditional salon. Some in the cosmetology industry have lobbied their state legislatures to require braiders to spend thousands of dollars on thousands of hours of cosmetology training—not one hour of which actually teaches how to braid hair. These arbitrary and excessive regulations on such a safe and uncomplicated practice as hairbraiding often have two intentions: first, they seek to create a market for cosmetology schools by forcing braiders to attend, even though the classes are burdensome and irrelevant. Second, these laws protect mainstream cosmetologists from the competition of hairbraiders, by making it nearly impossible for braiders to obtain the licenses needed to work legally.



Interior designers

The American Society of Interior Designers (ASID) is a professional and lobbying organization that tries to make it difficult for new interior designers to enter the profession in order to protect ASID's dues-paying members from competition and keep prices high. ASID lobbies for “titling” laws and “practice acts,” which require new interior designers to undergo ridiculous, lengthy and often cost-prohibitive training and exams in order to advertise as an interior designer or practice the profession at all.

ASID wants to create an interior design cartel. Titling laws, which restrict use of the terms “interior design” and “interior designer” (but not the actual practice of interior design), ensure that anyone looking for an “interior designer” on the Internet or in the Yellow Pages will only find those who are government-certified cartel members, while overlooking scores of other capable designers. Practice acts are even worse because they require a license to perform interior design services, which effectively limits the field to people who have passed the totally unnecessary education, exam and apprenticeship requirements that ASID lobbied for. (How do we know these things are totally unnecessary? Because most state-licensed interior designers were grandfathered in and possess few if any of these credentials themselves.)

The results of all of these regulations are higher prices for consumers, lower quality services, less variety and fewer employment opportunities, especially for minorities, older mid-career switchers and those on the first rung of the economic ladder.



Cartel:

An arrangement made between government officials and special interest industry insiders to limit competition from newcomers.

Industry insider:

Politically connected businesses.

A Guide to Using This Guide

Activists nationwide have used the information in our *Eminent Domain Abuse Survival Guide* to successfully protect their homes and small businesses from eminent domain abuse—when the government seizes your property not for a constitutional public use, like a road, but in order to hand it over to a private developer. In this guide, we expand on those practical, battle-tested strategies to provide you with a comprehensive roadmap for your fight for economic liberty.

Whether this is your first time fighting city hall or you are a seasoned activist, this resource contains a wealth of valuable information. We at IJ are here to help you put liberty in action.

This is a David versus Goliath battle. Goliath—organized special interests who have lobbied for the law that is hurting you—may have the influence (for now) and the money. But *you* are right. You ultimately have the power because the public is on your side. We must harness that public support and mobilize it.

Do not be intimidated by the number of strategies outlined in this guide. You do not need to use all of the strategies detailed to succeed. We intentionally include a lengthy list of tools, so you can pick and choose what will work best for your situation.

The strategies detailed can be used for any fight at any level of government, but we will focus predominantly on the local level and include illustrative examples of activism in action.

Organization is the cornerstone of this guide. Successful grassroots efforts are typically the result of effective organization. Organizing yourselves to show a united front that speaks with one voice is incredibly effective, and it allows you to fight on your terms—you set the terms of the debate.

Keep in mind: Some people may not have as much time to work on your campaign as you do. Others may expect you to do all of the



<http://www.castlecoalition.org/survivalguide>

heavy lifting or may be turned off if the work looks too hard. Accept this and move on. These fights can indeed be exhausting, frustrating and time-consuming. To keep everyone engaged, remember to keep things easy, simple and fun when possible.

Be mindful that different communities and circumstances require different activities and strategies. Unsurprisingly, newer entrepreneurs or those with smaller businesses make great targets for bigger, politically connected businesses, who want to protect themselves from the competition your niche services create. These industry insiders think they hold all the power. They are in for a rude awakening.

You and your fellow entrepreneurs may be on the first or second rung of the economic ladder. Perhaps you don't think you have the time or resources to fight back. Maybe you aren't online and neither are your colleagues. That's OK! Decades of civil rights battles were won absent the Internet and technology. Your outreach efforts will have to rely more on face-to-face and on-the-ground organizing. But the Internet is a very useful tool, so if you aren't online, call the Institute for Justice or a friend who is. They can help you set up a website, if you need one, and print information.

IJ is here to help you design your grassroots campaign to suit the needs of *your* community.

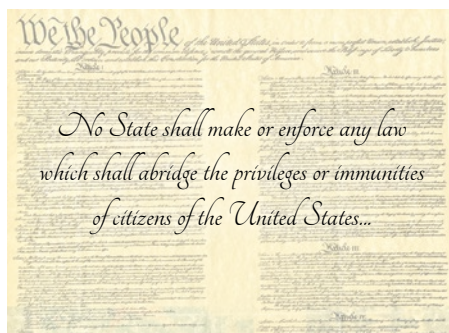
Naming the Struggle: Your Right to Earn an Honest Living

The U.S. Constitution protects every American's right to economic liberty.

The 14th Amendment was passed in response to the ongoing suppression of economic liberty and other civil rights by southern governments in the wake of the Civil War. Some states tried to keep newly freed slaves in a state of constructive servitude by depriving them of even the most basic freedoms, including the right to earn an honest living and own property.

The 14th Amendment empowered the federal government to curb these abuses by providing that "[n]o State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States...." Although it is not in common use now, the term "privileges or immunities," at that time, meant "rights."

The framers of the 14th Amendment made a conscious decision not to list every single right protected by the Privileges or Immunities Clause, including various economic liberties. They understood that it would be impossible to do so—particularly in the face of such creative and widespread abuses that were being committed against newly freed slaves and their white supporters.



14th Amendment of the United States Constitution

Unfortunately, the U.S. Supreme Court effectively wrote the Privileges or Immunities Clause out of the 14th Amendment just five years later in 1873 with its decision in the *Slaughter-House Cases*. In these cases, a group of Louisiana butchers lost its challenge to a Louisiana law that created a monopoly on the sale and slaughter of animals in New Orleans. *Slaughter-House* stripped the 14th Amendment of its power to protect economic liberty and other rights. For more information about *Slaughter-House* and its legacy, visit www.ij.org/entrepreneurs-survival-guide.

Since then, the Court has adopted a complicated, ad hoc theory of liberty under the 14th Amendment, affording different rights different levels of protection (or none) in different circumstances—which has created the outrageous circumstances you find yourself in today.

Neither the Founding Fathers nor the authors of the 14th Amendment would have approved of government power being used to limit competition or entrepreneurship.

The government shouldn't be standing in the way of entrepreneurs, making it more difficult to earn an honest living. It's hard enough out there without these barriers. Instead, the government should be embracing entrepreneurs.

LIBERTY IN ACTION

"All of us know our rights when it comes to freedom of speech, assembly, religion or the right to bear arms; but those rights pale in comparison to the right to earn an honest living. Without that right, all the other freedoms, all the other rights, mean nothing.

IJ helped me redefine my understanding of what I was fighting for. It wasn't as simple as who's right or who's wrong when it came to the government keeping people like you and me from earning an honest living. It was about economic liberty. It was about us being denied our freedoms of life and liberty. How can you have either, life or liberty—how can you expect to even feel free, much less be free—if you're not allowed to pursue your dreams of one day . . . ?

An entrepreneur is often described as someone who is in business for himself or someone who is able to earn a living without working for someone else. In truth, those things only represent the end result. Being an entrepreneur is about what's inside of you, what makes you tick, what drives you to want more than the other guy, to make a difference, not just in your own life, but the lives of others."

- Taalib-Din Uqdah, Cornrows & Co., Washington, D.C.

The Assault on Economic Liberty

Occupational licensing:

Needing the government's permission to pursue a livelihood.

Monopoly:

The exclusive possession of a market of products or services, for which there is no substitute.

And that's why today, entrepreneurship and the free market are under unprecedented assault nationwide. Economic protectionism has gone unchecked. "**Occupational licensing**" has skyrocketed.

50 years ago, one in 20 Americans needed a license to work.

Now, that number is closer to one in three.

We call these "barriers to entry." They proliferate at every level of government, through occupational licensing laws, government-created "**monopolies**" and policies designed by and for industry insiders and good old-fashioned special interests who are trying to protect themselves from competition. Regulations that are enacted to restrict how, where or when you can work or operate—absent any legitimate public health and safety concerns—only enrich a small group of industry insiders. Deregulation, on the other hand, creates job opportunities by encouraging competition and allowing people to work.



Legal Precedents for Economic Liberty

While these laws have been going unchecked by our judicial system for over a century, the tide is slowly turning as courts are starting to meaningfully consider the facts in economic liberty cases.

Visit our online compendium at www.ij.org/entrepreneurs-survival-guide to read about recent court victories for economic liberty.

DO YOUR RESEARCH

Now let's get started!

First Things First:

Do Your Research

Whether you're challenging a bad proposed policy, reforming a harmful policy or supporting a good proposed policy, start gathering information. Go to the city's website and obtain a copy of the ordinance that has been proposed. If it is not listed on your city's website, call the city clerk and ask for a copy. If she is unable to help you, contact the sponsor's office. The sponsor is the elected official who introduced the legislation.

You will also need to know what the current law says. Do some digging in the city's code or state statutes. Most cities send you to an external site called Municode: www.municode.com. Make sure you have obtained all sections of the law that apply to you; they may appear in multiple areas. Sometimes this information can be difficult to find. Call the clerk's office if you need help. Trying to get information out of your local government can be frustrating, but don't be discouraged. Be polite, persistent and courteous—even if you are not shown the same respect.

If you heard about a proposed law in the news, **collect news clippings**. This will help you assess the motivation behind the change, and help you identify everybody involved—your supporters and your opposition. If you have trouble obtaining information from city hall or your state legislature, you can contact the journalist who has reported on the issue.

At some point, now or later, you may choose to submit a Freedom of Information Act or Law (FOIA or FOIL) or Open Public Records Act (OPRA) request to the city or state to obtain information that is not readily available to the public.



FOIA instructions.

A FOIA, FOIL or OPRA request is simple. Usually it should say, "Pursuant to [your state's freedom of information law], I request the following information:"

Your state may have a website where you can obtain information about how to submit one of these requests. Be very specific about what information you want. List the ordinance numbers or names of proposed legislation. If you live in a large city or you are requesting information from the state, it's often a good idea to call the clerk first to identify the person to whom you should send your request. That will help your request get answered more quickly. In a small town, that probably won't be necessary. Your request can be sent to the municipality itself or, if you know the agency that has the information, you may be able to send it to the agency directly.

Check your state's law to see how much time the government has to fulfill your request; this can range anywhere from three days to "a reasonable amount of time." If the government does not respond within 10 to 15 days, follow up and specifically ask if your request is being denied (and for a written reason why) or, if it is not being denied, when you can expect to receive it. If an agency requests an extension of time, make sure to get the request in writing with the reason for the extension and the new deadline.

The office you have submitted your request to may be completely unresponsive. In many states, you can appeal either to the head of the agency or to a FOIA oversight office (before taking it to court). This is a good way to apply pressure to an unresponsive agency or office.

There may be a cost associated with the fulfillment of your request (e.g., shipping or copying fees). Request to know what these fees are before the agency proceeds to send you the responses to your request. Being as specific as possible can help keep costs down. But it may be the case that you don't know what documents the agency does and does not have; talking to someone on the phone at the agency can help you tailor your request, thereby lessening the costs. If you live near the capitol or city hall, you should be able to inspect the documents in person, if the cost of fulfillment is prohibitive.

After you collect the information you need, clearly identify the problem that you are facing and define a solution.

RE: Open Records Act Request

To whom it may concern:

I am writing to formally request city records under the Open Records Act (36-12-40). I request the following records/information:

Any correspondence or any other communications between any Members of the Birmingham City Council or those Members' staff or employees, on the one hand, and any members of the public, including but not limited to representatives of the Alabama Restaurant Association or any of the Association's staff, agents, employees, or representatives, concerning the regulation of food trucks in Birmingham.

The responsive dates to this request are from September 1, 2012 until the present.



The Public and the Courts Have Spoken: Let the Food Trucks Roll!

*Support for proposal to increase food truck freedom outweighs
opposition 3:1; Final vote scheduled for April 18*

FOR IMMEDIATE RELEASE
April 17, 2013

ORGANIZE

Organize

First and foremost: Do not be discouraged if your group is very small. We've seen groups of just three or four well-organized and committed activists make a huge impact. You should try to make your group as big as possible, but know that you can fight even if your army is small. If you are low on numbers, some of the strategies detailed below will not be relevant to you.

Successful grassroots efforts happen because of effective organization. There are five keys to accomplish this:

- It is important that your organization has and maintains a *clear mission*. Write this down at the outset of your efforts and refer to it frequently. Different issues may arise over the course of your fight, but don't be distracted. You will lose credibility and may forfeit your position as an expert on your issue if your group starts speaking out about different issues. Every divergent voice weakens the volume of your collective voice.
- *Ongoing engagement* is essential. Your core members should commit to attending group meetings and public hearings and be involved in recruitment efforts. This will take up time, but this fight is important, and you want to win on your terms the first time. You will also want to continually engage your broader base of support because ultimately, your fight may come down to numbers. The side that has the most supporters, shows the most commitment, speaks loudest and captures the terms of the debate wins. The more engaged supporters you have on your side, the louder your voice will be. But be mindful of the balance between engagement and burnout.
- As we will reiterate, *staying on message* is critical. You want your group to speak with one, powerful voice and stick to clear talking points.
- *Show goodwill to all involved*: your core members, your supporters, the powers-that-be and your opponents. Your opposition on city council or in the statehouse may think that what they're doing is right for your city or state. Do your research and don't be naïve, but

don't presume everyone is out to get you. With your own members, work together and appreciate the unique contributions each person is able to make. There will be some in your industry who may not have the time, resources or interest to fight. Some will allow or want you to do all the heavy lifting—then benefit from the result. You have to accept this and move on.

- *Be dedicated and determined*. You can fight, and you can win. Don't be dismayed, and don't be discouraged. Don't let your opposition bully you into accepting their unacceptable solution. There will be setbacks along the way, but that is OK. Nothing worth fighting for comes easily.

Plan your first meeting

As soon as you hear that legislation is in the works or has been introduced, immediately schedule a meeting with your fellow entrepreneurs and organize. The legislative process can be agonizingly slow or surprisingly fast. You want to get your troops in order as soon as possible so you're ready to go, no matter the tempo.

- *Plan your first meeting* in a convenient location, and hold it at a convenient time, so you can maximize attendance. Try to find a free location—a room at the library or house of worship, for instance. If

necessary and if you expect a large attendance, you can rent out a meeting room at a hotel. But that can be cost-prohibitive. For this meeting, the Institute for Justice may be able to send out a representative to speak to your group and help you organize.

- *Identify* other affected entrepreneurs and potential issue champi-



LIBERTY IN ACTION

Birmingham city officials were considering a food-truck ordinance that would limit the hours a food truck could operate and restrict them to specific areas. The proposal included a proximity ban and also created a "Mobile Food Vendors Committee" which would be in charge of approving applications for permits and regulating designated food-truck zones throughout the city. IJ met with five food-truck operators over breakfast and formed the Greater Birmingham Street Food Coalition. As a result of this first meeting and organization, the coalition was invited to be a member of the Mobile Food Vendors Committee, which gave them a seat at the table during the legislative process.

ons, and track down their contact information. Perhaps you know these people already, or they have been outspoken in the news. Anyone you can identify who may be negatively affected by a bad policy should be invited to this first meeting. If the state is issuing cease-and-desist letters to entrepreneurs who are violating a law that interferes with their right to earn an honest living, they may be interested in attending. You can sometimes find that information online or through a Freedom of Information Act request. And don't underestimate the power of word-of-mouth outreach. Ask entrepreneurs you've identified to invite others to join you. This will ultimately be your core team: those who are directly impacted by the policy.

- *Create a flyer invitation* with details about this first meeting, and distribute it to those you have identified and any members of the public and representatives from organizations who might be interested in attending. Distribute the flyer with enough time for people to make plans to attend your meeting but not so early that people forget about it. A little more than a week in advance usually does the trick, depending on the industry. Make phone calls and send e-mails; your invitation can be physical, electronic or both. Other entrepreneurs will be excited to hear from you. Don't be shy.
- *Put together an agenda* for your meeting, and stick to it. Keep it short, sweet and to the point, so you don't lose people's interest. Often these meetings are the first time someone will see that there are other people in their situation and will want to spend your meeting airing their grievances. You can leave time at the end of your meeting for that.
- *Offer snacks* if possible, and advertise this on your flyer. Never underestimate the power of food!

TOWN HALL Economic Liberty Under Attack in Nashville

Wednesday, August 10 | 6pm – 8pm
Hampton Inn & Suites Nashville Downtown
310 4th Avenue South

Do you think the government should be able to restrict your right to earn an honest living, just to protect a group of politically favored insiders from having to compete with you?

Nashville is forcing sedan and independent limo services to charge a minimum price to protect politically connected companies from having to compete with more affordable alternatives. Anti-competitive, protectionist laws like these hurt entrepreneurs—especially those on the first rung of the economic ladder—and consumers, by driving up prices and driving down quality.

Join the Institute for Justice on August 10 to learn about this assault on economic liberty and what you can do to fight back against laws like these.

Sponsored by the Institute for Justice.

Dinner will be provided.

This event is FREE and open to the public, but *you must register* by contacting Lancee Kurcab at

LKurbab@ij.org or 703-682-9320, ext. 266.

Space is limited so please register by August 8.

<http://www.ij.org>

- *Have a sign-in sheet.* Seize every opportunity to capture people's contact information. Contact information is gold! Ask attendees to print their names, best contact information and, if possible, why they attended the meeting. Are they entrepreneurs, too? Do they represent a supportive community organization? Are they an interested member of the public? Do they have a special skill? Can they take notes, write well or build websites? It's helpful to know who you have on your team.

MISSION STATEMENT: Greater Akron Food Truck Coalition: Helping Build a Better Akron

The Greater Akron Food Truck Coalition advocates for laws that will allow food trucks to operate in Akron—free from arbitrary and anti-competitive restrictions—and ensure that food trucks meet the same health and safety standards as brick-and-mortar restaurants. This will allow the city to experience all of the many benefits that food trucks have to offer the communities they serve.

- Be prepared to leave this first meeting with *a strategy for moving forward and assigned tasks*. You don't want people to leave your meeting inspired but with nothing to do about it—they will disengage. At the very least, you can ask people to recruit for the group. At this meeting, you want to establish the next time you're going to communicate, whether it's in person, on the phone or over e-mail.

Build your organization

- At your first meeting, it's time to *pick a name* for your group. The name should reflect your mission and be immediately recognizable—but you don't want it to be cute or obscure. Naming your group gives your efforts legitimacy because it shows a unified, organized front and demonstrates to the public, media and government that you are serious about tackling your issue. It also allows your group to easily serve as a point of contact for any media who are interested in your story. Do not underestimate the importance of this simple act.
- *Create your mission statement*. Clearly outline what you want to accomplish. Do you want to defeat a legislative proposal or change a current law? What provisions of the law need to be changed, and how do they need to be changed, so they respect your right to earn an honest living? Your opposition may want to work with you to come up with a solution that they claim will benefit everyone involved. Establish what compromises you can tolerate (“concessions”) and what you are unwilling or unable to live with. You then will know what your “walk-away” point is—the point at which you can no longer compromise with the opposition.

As you are developing your mission statement and establishing what you are willing to compromise, be principled. Do not settle for “special exemptions” that leave out others in your industry. Do not allow your opposition to pit you against your peers. And while you

don't want the perfect to be the enemy of the good, concessions should not be offered up front or celebrated. No matter how big or small, protectionism is protectionism, and it undermines your argument to accept any anti-competitive regulations. You cannot concede that protectionism is a legitimate government interest. And anti-competitive regulations will only grow, as more special interests and industry insiders see that they are able to bully you into accepting their terms.

For example, you may own a food truck, and you are advocating for your city to pass its first food-truck laws. The restaurant association may approach you to come up with a solution together. However, their solution may include restrictions that protect them from competition, like a proximity restriction, in addition to other potentially reasonable public health and safety regulations. While developing your mission statement, you should decide to reject any anti-competitive restrictions—whether it's 50 feet or 500 feet—and determine what public health and safety regulations you're willing to compromise on in order to get legislation passed. Perhaps you disagree on the proximity restriction, but you're willing to support the restaurant association's recommendation that you be required to have permission to use a restroom within 200 feet of your truck. If a proposed public health and safety regulation isn't too burdensome, you may need to compromise and agree to it in order to defeat other proposals that severely limit where and when you can operate.

At this time, you may also want to decide what the long-term mission of your group is. Maybe you braid hair for a living, and your state requires you to take 600 hours of cosmetology classes that have nothing to do with hairbraiding. Your immediate goal may be to strike down this anti-competitive requirement. But long term, you may decide that your group will continue to exist as both an advocacy organization for your craft and a watchdog group to ensure a bad law isn't passed in the future.

- If your group is large, you may want to establish a *leadership structure*. Let people opt into roles they feel they will thrive in. They will be more likely to remain engaged if they are doing something they enjoy and excel at. This will also help take some of the pressure off of your shoulders, so you're not bearing the burden of all of the group's activities. Officers can include a president, vice president, treasurer and secretary, but may include others depending on the specifics of your campaign.
- You may also decide to *establish committees*. This is a great way to divide up work, so everything gets done in a timely, orderly way, and again enables people to do things that they are good at and participate in a way that they are able to. Whether or not you decide to set up committees, each of these areas should be kept in mind as you move forward:
 - A *membership committee* is in charge of increasing your core group's members: impacted entrepreneurs.
 - An *outreach committee* reaches out to other organizations and the general public to join your coalition. This committee should focus on increasing your number of public supporters.
 - A *media committee* should be led by your main spokesperson. This committee is in charge of pitching reporters, coordinating

consulting with a local attorney. Ideally, you can recruit an attorney to work on your behalf pro bono—free of charge—because legal fees can pile up.

- A *fundraising committee* is in charge of raising money for the group. Depending on what strategies you utilize, costs can add up, and at the end of the day, you don't want to be held solely responsible for all of the expenses.
- The *legislative committee* is on point for all lobbying efforts and executing your campaign strategy. They should get to know the elected officials, attempt to develop relationships with key staff and ensure the group is on track to accomplish your legislative goals.
- Create a *logo*—a visual representation of your new organization, which can be used on a variety of promotional materials like t-shirts, brochures, flyers, stickers and decals, and it will serve as your letterhead. Your logo should have your organization's name on it and be immediately recognizable and easy to read. It's also important that it is in high-resolution. If possible, ask someone who has a background in graphic design to make it. If you don't know anyone, keep it simple. You don't want your logo to look unprofessional or homemade. You can simply use a strong font that reflects the character of your organization and your city.

MULLICA HILL
CITIZENS ASSOCIATION



op-eds, making sure articles are responded to with letters to the editor, organizing talk radio show appearances, writing and issuing press releases and media advisories, monitoring the news and making sure the group stays on message. If possible, this committee should also develop relationships with reporters who are covering your issue.

- The *events committee* is in charge of organizing events that recruit the public and raise awareness about your cause.
- You might create a *legal committee* if you are contemplating or have decided to challenge a law in court. If the law is complicated—and many of them are—you might consider

- Create an *e-mail list* of your current members and future supporters. You can set up your own e-mail address—e.g., taxifreedom@gmail.com—and maintain the sign-up list yourself, using a spreadsheet to keep track of people's contact information. Alternatively, you can set up a listserv that prevents people from replying all, which members can opt-in to; for example, a Google group.

Remember: It is critical to keep all sign-up information—whether collected online, in person, at events, etc.—in one place, in one spreadsheet. You will want to keep the list divided between core members and public supporters, since they will be receiving different communications.

- Some groups *incorporate* under state law. This structure can provide potential protection against certain personal liability for actions taken on behalf of the group. You might also consider *registering* with the Internal Revenue Service as a non-profit charitable organization. Registering as a non-profit may make donations tax-deductible under federal law and can provide other advantages, but this type of registration may place certain limits on the organization's ability to lobby for legislative reform. It would be wise to speak with someone knowledgeable on the issue. Each of these introduces another layer of formality that you should be aware of before either incorporating or registering.

Retain your members

It can be difficult to retain your members and keep them engaged, especially over the long haul. Everyone leads busy lives, and the members of your group—and you—have businesses to run, so sometimes your campaign will take a backseat to busy, everyday life.

- It's important to *welcome newcomers and socialize*. You don't want this campaign to be daunting—you want it to be fun and as light as possible. It's much more fun to fight alongside friends.
- Always remember to *match talents with tasks*. People want to do something that they're good at and excel at—then they will embrace their responsibility.
- *Make it easy for people to participate*. Only hold meetings when necessary, and keep them short. Only mobilize when there's a need to do so. Take notes at your meetings and circulate them to the group, if possible, so people who are unable to attend can stay engaged.
- Remember to *stay in touch*. At your first meeting, establish the best way to stay in regular contact with your core group of activists. This may be through e-mail, phone or regular meetings. If you're online, e-mail is the best way to stay in touch. But remember to only communicate with the group when you



have something to say—you don't want to become a spammer. If all of your members are not online, a phone tree can work wonders. Be sure to get everyone's phone number at your first meeting, and every time you recruit a new member. Create a phone tree that has each member calling two people to let them know about upcoming events, urgent action that needs to be taken, etc. If your group is smaller, someone from the group can volunteer to make all the phone calls. Print the phone tree out for your members at each meeting and keep it regularly updated.

If possible, and if it won't wear out your group, regular meetings can be very effective. You can publicize them more broadly and people know that there is a standing invitation to participate in a regularly scheduled meeting. You should try to have these in the same place, at the same time on a biweekly or monthly basis.

- To re-emphasize: *Follow the Mr. Ed rule*. Only talk when you have something to say, or else you run the risk of exhausting or annoying your supporters.

Remember: You will undoubtedly encounter some problems throughout your campaign. "Free loaders" will expect you to do all the work, while they reap the benefits; accept this and move on. Others may burn out from the high level of activity; give them time to recharge and talk with them about how to keep them engaged in a way that doesn't conflict with their schedule.

Fundraising

Raising money for your fight can be one of the most challenging tasks you'll face. Those trying to keep you from earning an honest living are often well organized and have lots of money and resources. You may need funds for literature, events, signs, billboards, t-shirts and other costs associated with spreading your message. But understand that many of your members may not be able to contribute to the group financially. Perhaps a bad policy threatens to put them out of work, and they're preparing for the future. Look to outside sources to supplement your group's income.

You should start fundraising as early as possible and do so while the



Photo by Zach Smith Photography

issue is hot. Take advantage of appropriate opportunities to ask for support from people who sympathize with your position and are able to contribute to the cause.

- You can open a bank account under your group's name and link it to a PayPal account, and solicit donations on your website.
- Ask supporters for in-kind contributions—things like office supplies, photocopies, use of computers and printers. You can ask local printers for discounts. Think creatively!
- Events can be successful fundraisers and will also help you raise awareness about your cause and recruit the public. Solicit financial support by charging a nominal fee to enter, requesting donations to auction or raffle (if your state law allows), or asking participating entrepreneurs to donate a portion of their proceeds to your organization's fund.
- Design and sell t-shirts with your logo on them. This will not only gener-

ate revenue but also get the word out about your cause. See the online compendium at www.ij.org/entrepreneurs-survival-guide for instructions on how to design and sell t-shirts and other branded items online.

- You can also sell advertising on your website and flyers.
- Activists have held bake sales, car washes, dinners and other social events. While these help to bring attention to your campaign, they are not usually big sources of funds. Some activists have "passed the hat" at community affairs, places of worship (with permission, of course) and town halls.

You might be considering soliciting dues from your members. This is tricky territory because some of your members might not be in a position to contribute financially. That doesn't mean you should exclude them. They may be able to find other ways to contribute. If you do plan to require dues, keep them as low as possible and keep a strict record of what you spend the money on.



BUILD YOUR WEB

Build Your Web Presence

Website

A website can serve as a very effective clearinghouse of all the information about your fight for the public and the media, and can be used to keep your members updated. You will want to drive public traffic to your site to capture their contact information and mobilize them to take action by contacting their elected officials. You can keep it clean and simple—simple does not mean unsophisticated. Remember that all your online materials must have a consistent message. See section on “Working with the Media” on page 24 for more information on messaging.

You do not need to set up your website or other social media accounts you choose to utilize before you launch your group (see below). If time is of the essence, your website should be a secondary priority, and you should skip ahead in this guide to “Launch Your New Group” on page 22. But, if possible, having a basic website created will allow you to capitalize on the coverage the launch of your group receives and drive more traffic to your site.

On the website, you will want to include all of the research and educational information that we discuss later in this guide. Feature pictures and stories of entrepreneurs. It’s important to share the “human face” of your fight and the real-world consequences of the policy.

Include a PDF copy of a flyer that you make about your situation so website visitors can download it for printing and distribution.

Your website’s homepage should have a simple explanation of what is going on and a call to action. You can get into the details on another page. You want people to understand your mission within the first 10 seconds they’re on the website, or else you may lose their interest. Also, provide a few simple action items visitors can take immediately, including a link to a page where they can contact their



elected officials with sample talking points. Include a prominent sign-up form.

Some basic pages you may want on your website include:

- **Your homepage.** As mentioned above, this will include a very brief explanation of your situation, what you hope to achieve, an immediate call to action and a place to sign up for updates.
- **About us.** This is where you can personalize, humanize and dramatize your situation. Feature stories of the entrepreneurs in your group. Include pictures wherever possible.
- **Act now.** On this page, include an easy way for website visitors to contact their elected officials, via e-mail and phone. Include talking points.
- **Media.** Keep this updated with news coverage about the fight and contact information for your lead spokesperson.
- **Contact us.** Have a simple web form that allows people to sign up for updates, or include your e-mail address so people can directly e-mail you.

LIBERTY IN ACTION

“Our website served as an important tool in gaining support from city officials who ultimately voted in favor of our proposals. We used our website to provide the public with updates and calls-to-action. We encouraged people to sign petitions, join us at rallies, attend important city council meetings and contact city officials to express their support for our cause. By mobilizing the public via the website and other social media channels, we were able to demonstrate widespread public support for our cause. Opposition groups had little support in comparison, and theirs consisted almost exclusively of interest groups. This undoubtedly helped illuminate the constituent consensus for city officials charged with representing their citizens’ interests.”

— Rachel Billow, New Orleans Food Truck Coalition

PRESENCE

It is essential that you put your website address on all of your materials. And since you'll be driving media, legislative and public traffic to your site, it's critical to keep the website up-to-date, even if it's a simple update on where things stand.



Social Media

There are also “social media” tools that allow you to easily and quickly communicate with your supporters or “followers,” keep them up-to-date on the latest news and mobilize them to take action at key times. One goal of these online posts is to go “viral,” which means your message becomes extremely popular in a very short amount of time as people share it with their own social media networks and exponentially more people hear your message. So it's important to keep your posts and calls-to-action interesting, fun if possible and alarming if necessary.

Make sure that all of your social media accounts have the same name, and list links to your accounts on your website and literature (e.g., “Follow us @KYhairbraiders and on Facebook: facebook.com/KYhairbraiders”). Use your organization's name as your username in your social media accounts. Link your accounts to one another—for example, tell your Facebook fans about your Twitter account, and vice versa.

- **Facebook** is the most popular online social networking service, which allows you to create a personal profile for yourself and a page for your group. You can link up with other people you know and share status updates, pictures and other information.
- **Twitter** is a social networking service that lets users send and read messages of up to 140 characters that are called “tweets.”

See the online compendium at
www.ij.org/entrepreneurs-survival-guide
for instructions on how to set up a website and use
these and other social media tools.



“Social media enabled us to quickly mobilize thousands of District residents and workers to contact the mayor and D.C. Council when we needed them the most, providing an effective counterweight to a small but powerful group of special interests trying to shut us down.”

— Che Ruddell-Tabisola, DMV Food Truck Association

LIBERTY IN ACTION

LAUNCH YOUR NEW

Launch Your New Group

Now it's time to officially announce the formation of your group to the media, public and policymakers. Before you launch your group, identify local and national media outlets and specific journalists at those news sources to target for coverage. Be sure to include those who have covered your issue before. The Institute for Justice can help you identify media outlets to target.

If possible, issue your press release (see section on "Working with the Media" on page 24 for details) announcing the formation of your group and its mission right before a city council meeting or public hearing or immediately after you organize. In your press release, you will want to include:

- an announcement about the formation of your group;
- its mission;
- quotes from core members and any supportive elected officials, organizations or unconventional allies; and
- your group's next steps.

If possible, provide a national context to tie your fight into others across the country. Send the text of your press release in the body of your e-mail, not as an attachment, to the list of media that you have identified. Be sure to blind carbon copy (BCC), not carbon copy (CC), your contacts. Include your logo at the top. Always send yourself a test message before you fire off anything to the press.

If there is significant interest in your issue, you might consider holding a press conference—but make sure that you have a critical mass of people to attend and stand behind the speakers at the podium. Visuals are powerful, so ask supporters to create posters and hold them. Look for a news hook around which to hold your event. Is there a hearing set for a bill you're fighting or an event that your fellow entrepreneurs will be gathered at?

If you are going to hold a press conference, you will need to identify a location and get the necessary permits and permission. Do your "due diligence" and make sure you have taken reasonable steps to satisfy any potential legal requirements to hold your event. (See section on "Events" on page 40 for more details.) Identify three or four speakers who will speak for only two to three minutes each. You want your event to be brief. The media isn't going to stay for long, so you want to make sure they get the sound bite they need to run on their newscast or the quote they need for their article. Work to make each statement by each person brief, powerful (without being shrill) and memorable in both what they say and how they say it both in words and delivery.

Send out a media advisory (see "Working with the Media") in advance of your press conference to local media. This should include a catchy headline that explains what event is taking place, the date and time, the location, who is speaking and an overview of what is being promoted. But leave some questions unanswered in your advisory to entice media attendance. At the press conference, announce the formation of your group, its mission and next steps. Stick to your talking points.



South Florida Food Trucks Form New Alliance to Advocate for Food Truck Freedom

FOR IMMEDIATE RELEASE: January 7, 2012

Sunrise, Fla - Today, food trucks from across southern Florida are announcing the formation of a new organization, the Food Truck Association of South Florida. The immediate goal of the association is to defeat the proposed outright ban on food trucks in the city of Sunrise, which is intended to protect established restaurants from competition. Once the ban is defeated, the Association will ask the city to consider legislation that will welcome food trucks into the city and keep the streets safe, while serving as a model for cities across Florida and the nation. The group will then advocate for similar reforms elsewhere.

GROUP



Working With the Media

Establishing solid talking points and knowing how to effectively work with the media will also help with your interactions with the public.

It is critical that your organization stays on its message. Again, any divergent voice weakens the strength of the collective voice. You want to speak in unison, expressing the same objectives.

The good news is that you are already the expert! It is natural to be intimidated when talking to the media for the first time, but you need not be. You know the facts. You are at the center of this storm. You are telling your story—and nobody knows it better than you.

Remember to always personalize, humanize and dramatize:

- Connect your story to the specific journalist from whom you seek coverage (personalize).
- Show how the bad policy personally impacts you. You are the “human face” of this controversy (humanize).
- Demonstrate how the status quo compares to the better, brighter future your solution has to offer (dramatize).

It’s OK to show emotion about your situation—what you are going through is difficult and may be downright horrible, and the media should know that.

Your message must focus on the simple, clear and outrageous facts of the situation. You should explain economic liberty, explain the situation, battle the myths and explain the solution.

Preparation is key. Keep your message simple and repeat it over and over again. Remember that, often at the very most, you are going to get just one quote in the media. You want to make sure that you would be comfortable with anything you say being the only thing quoted in the media.

At IJ, we call talking points “Strategic Over-riding Communications Objectives” (SOCOs). SOCOs are prepared statements you deliver with punch and passion that advance the themes you wish to convey. Developing SOCOs allows you to establish the terms of the debate

and argue on your turf. Crafting these messages together before communicating with the media ensures that you are consistent and effective in getting your point across. You may also find that this is an effective way to put your thoughts into words when writing letters to the editor, op-eds, media advisories and press releases. Make sure that your SOCOs focus on just one or two main issues about your battle. Here are some generalized examples. You will want to make these specific to your fight and industry:

- Like all Americans, we have the right to earn an honest living free from arbitrary and protectionist government-imposed restrictions.
- Cities should encourage entrepreneurship, not try to stifle it.
- This is about protecting economic liberty—the right to earn an honest living—for Americans everywhere.
- This is classic crony capitalism: expanding government power in order to protect politically powerful interests from competition.
- It’s not the government’s job to pick winners and losers in the marketplace; that’s the job of consumers.
- A business’s success should turn on how good its product is, not on who it knows at City Hall.
- The government cannot be in the business of chasing entrepreneurs out of town simply to protect a powerful special interest group from honest competition.

Remember: Do not concede points made by the other side. No level of protectionism is OK, no matter how “small” or “limited.” Your opponents may claim they are trying to protect the public’s health and safety, but that is not accomplished through limiting competition. They may argue that they are trying to create a “fair” playing field, but “fair” is in the eye of the beholder. A restaurateur may think it’s “fair” that street vendors be kept 500 feet away from his or her establishment. A limo company owner may think it’s “fair” to force her lower-priced competition to charge higher prices. Do not let the other side define your fight in terms of their definition of fairness.

It is helpful to identify a key spokesperson to speak on behalf of the group, to ensure the group’s message is consistent and the media

has a main point of contact who can be reached at any time. This person should be articulate, and other members of the group should be comfortable with this individual speaking on their behalf. The spokesperson should master the talking points (as should all of the members of the group) and be readily available to do television, radio and newspaper interviews.

Track the names and contact information of journalists who have been covering your issue in the news and start keeping a list. Also, think creatively about alternative media outlets, like community blogs and neighborhood listservs. If the mainstream media won't cover your battle, force them to by making it top news in alternative outlets.

Try to get to know the reporters who are covering your issue. Are they for or against you? What might sway them? What angle are they most interested in? Tailor your pitch to them accordingly.

When you call a reporter to pitch an event or story, there are two questions you absolutely must ask. First: "Are you on deadline?" If he or she is on a deadline, apologize for taking his or her time and suggest a time later in the day when you might be able to speak. Second: "May I give you a 30-second pitch on a story I thought you would be interested in?" This demonstrates respect for his or her time, which will be greatly appreciated. Practice your 30-second pitch ahead of time and do not take any more of his or her time than that. You can burn a bridge by talking his or her ear off. You want to be someone that the media looks forward to talking to.

And remember: the microphone is always on, no matter who you're talking to. Don't say anything you wouldn't want to read in print the next day or watch on the evening news that night.

The media is an incredibly valuable (and free!) tool to get your message out. Here are some tools that you can utilize.

- **Letter to the Editor.** If a story is printed and you think you have something relevant to say in response, write a [letter to the editor](#). You will want to keep your letter short, sweet and to the point. Check the word limit of your paper, but typically letters to the editor are 150 words, and if you exceed the limit, they are automatically dismissed. You want to make just one point very clearly with your letter—you don't have enough words to do more than that. It's often hard to limit yourself to so few words and so few points,

but restrain yourself. There will be plenty of other opportunities to express your opinion elsewhere, like with an op-ed.

If a newspaper won't run your letter to the editor, you can respond to the piece on your website or blog and promote it through your social media accounts.

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Letter: Licensing creates unnecessary barriers

5:23 PM Nov. 15, 2013 3 Comments

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Your editorial "Keep licensing law for dietitians, nutritionists" (Nov. 7) ignored how occupational licensing laws limit consumer choice and stifle free speech.

For starters, licensing dietitians and nutritionists is unnecessary.

Michigan already has a nonprofit organization, the Michigan Nutrition Association, which collects information on "healthcare providers who incorporate nutrition counseling," informing consumers on whom they intend to consult.

Open information allows consumers and employers to weed out unqualified practitioners who fail to improve their client's health, while supporting the innovative specialists that grow a field.

But as your editorial points out, Michigan's laws require dietitians and nutritionists to accrue a burdensome 900 hours of post-degree work, supervised by a current professional.

These requirements impose high barriers to entry, halting the growth and development of competitors, which needlessly restricts consumer choice.

Tellingly, the Michigan Nutrition Association favors repealing this redundant licensing law.

In addition, occupational licensing can chill free speech. Blogger Steve Cooksey ran an online dieting advice column. But in December 2011, he received a cease and desist letter from the North Carolina Board of Dietetics/Nutrition.

The state considered his advice "dietetic counseling" and went through Steve's writings with a red pen, indicating what he may and may not say without a government-issued license.

To protect his First Amendment rights, Steve partnered with the Institute for Justice, a public interest law firm, to sue the state.

Repealing Michigan's unnecessary nutritionist and dietitian licensing law would be a great way to promote consumer choice and avoid censorship.

Phil Applebaum
Maffucci Fellow
Institute for Justice
Arlington

- **Op-ed.** An op-ed is a longer piece, generally between 400 and 800 words, that is published opposite the editorial page of a newspaper. Again, you will want to limit the number of points you make—three is good—since you have limited space. You want a strong introduction, colorful language and simple points. Don't get into the nitty gritty of the law. Focus on personalizing, humanizing and dramatizing your situation. Tell your personal story and how the policy impacts you and your community. Use your SOCOs. You want the reader to be able to relate to you and feel compassion for you.

To submit an op-ed, call the paper's editorial page editor and ask what the rules are for submission, how long the piece can be and to whom you should submit it. Op-eds are typically exclusive to one paper, so if your piece hasn't run (it can take up to two weeks, so be patient) contact the paper again and withdraw the piece. You are then free to take your op-ed to another paper. Op-eds are a great way to announce the formation of your organization and its mission and establish the terms of the debate.

If your op-ed ultimately does not run, you can post it on your own website or blog or distribute it to bloggers.

- **Radio.** Radio programs may be interested in having you on their show, especially in anticipation of a big event, hearing or vote. Practice your SOCOs, have a copy in front of you and stick to them. If you don't know the answer to a question you are asked, it is perfectly OK to say that you are unsure of the answer but you would be happy to get back to them. Speak slowly and articulately, and smile while you speak. Smiling will make the tone of your voice friendlier. If you are calling into a radio program, it helps to stand while you're being interviewed. Ask the producer ahead of time how long he or she anticipates having you on the program so you can be prepared. If you're asked at the end of the program, if there is anything else you would like to add, seize the opportunity to say the SOCOs that you were unable to otherwise work into the conversation. And always remember to plug your website!
- **Television.** The same principles work for television. Get all of the information about your interview ahead of time. Will it be live or pre-taped? If pre-taped, you are given more latitude to make mistakes. If you stumble over a sentence, you can simply put your hand in front of your face and ask, "Do you mind if we try that again?"

THE BLOG
Featuring fresh takes and real-time analysis from HuffPost's signature lineup of contributors

Isis Brantley
Owner, Institute for Ancestral Braiding

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Hairbraiding Is the Latest Civil Rights Struggle

Posted: 10/11/2013 5:11 pm

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Sixteen years ago, I was arrested by seven undercover cops, handcuffed and dragged out of my own salon in Texas. I was guilty of the "crime" of **braiding hair without a cosmetology license**.

Over the next decade, I fought hard for my civil rights. In 2007, the Texas legislature finally came to its senses and created a separate **hair braiding certificate**. That requires only 35 hours of training. Soon I was "grandfathered" in and became the very first natural hair care expert recognized by the state.

I thought my struggle for economic liberty was over. But the fashion police are at it again. This time, I'm taking them to federal court.

Handcuffed hairbraider sues in federal court fo...

I've been teaching African hairbraiding since 1984. African hairbraiding has a proud lineage and dates back centuries. It's all natural so braiders don't use any chemicals, dyes, sprays, or anything that can permanently damage someone's hair or the environment.

Through my school, the Institute for Ancestral Braiding in Dallas, I've taken in hundreds of young ladies and trained them how to braid. My clients include everyone from the homeless to Grammy award-winning neo soul artist **Erykah Badu**. By passing on these skills and traditions, I've helped many women support themselves and their communities.

But if I try to teach that 35-hour course to my students, they won't be allowed to work legally as hairbraiders. The Texas Department of Licensing and Regulation (TDLR) says I have to be a state-licensed barber instructor and open a barber college to teach hairbraiding. The government will not let me teach at my own school.

That means I would need to complete 750 hours of training, even though I've been teaching braiding for almost 30 years. Meanwhile, complying with Texas' regulations would cost me well over \$20,000. In order to legally teach others how to braid hair from my own school, I would have to convert my salon into a 2,000 square-foot "barber school," complete with at least 10 chairs, five wash stations and other expensive equipment I will never use. My rent would skyrocket -- I would be forced to pay four times as much.

This is crazy. Braiders are not barbers. What I want to do is an all-natural art form. It has nothing to do with chemicals, cosmetology, or owning a barbering school.

But the TDLR would waive all these requirements if I work for my competition. Texas would let me work as a "guest instructor" at a barber college and teach braiding there, instead of my own Institute for Ancestral Braiding. Self-employment should not be a crime.

Texas is violating my constitutional rights. With the help of the Institute for Justice, a nationwide civil rights law firm, I'm taking Texas to court. Just last year, **I helped another African hairbraider** sue Utah and defeated that state's harsh braiding restrictions. Winning this case would defend the right to earn an honest living.

Isis Brantley is the proud owner of the Institute for Ancestral Braiding and is a client of the Institute for Justice.

FOLLOW BLACK VOICES

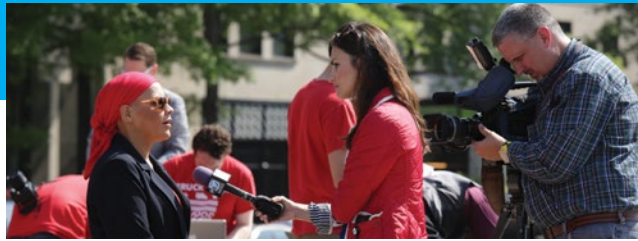
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Whether or not the producer is on your side, flubbed-up interviews don't make good TV or good ratings.

Sometimes (hopefully!) a television reporter will show up at your event and want a quick quote. Remember your SOCOs, take a deep breath and go for it. If he or she asks you a question that is leading you in a direction you don't want to go, you can redirect by answering with one of your SOCOs. And when you're asked that golden question, "Is there anything else you'd like to add?" remember those remaining talking points!

If you know you are going to appear on television, wear solid color clothing. Avoid small, complex patterns and stripes. Avoid white and black if possible. If you wear earrings, avoid ones that dangle. If you wear makeup, go with subtler, matte colors.

- **Media advisory.** At least 24 hours before any event that you hold, you should issue a media advisory. It should be no longer than one page and contain the following information: (1) date, time and location of the event (surprisingly, many press releases or media advisories accidentally omit one of these key pieces of



MEDIA ADVISORY

EVENT: "Let the Food Trucks Roll"
New Orleans Food Truck Symposium and Rally

DATE & TIME: Tues., July 24, 6 – 9 p.m.

PLACE: Ashe Cultural Arts Center
1712 Oretha Castle Haley Boulevard, New Orleans

PARTICIPANTS: Alan Williams, Neighborland
Rachel Billow, New Orleans Food Truck Coalition
Matt Geller, Southern California Mobile Food Vendors Association
Christina Walsh, Institute for Justice

CONTACT: Bob Ewing, Director of Communications, Institute for Justice
(703) 682-9320

SUMMARY:
On Tuesday, July 24, entrepreneurs, advocates and foodies will join at the Ashé Cultural Arts Center for a symposium on the need to change New Orleans' draconian street food vending laws.

The food truck revolution is sweeping the nation, but street food entrepreneurs in the Crescent City are facing onerous, out-of-date, and anti-competitive laws that make it nearly impossible to thrive. Local advocates and national experts will speak about the need to revise the city's laws to help support the growth and success of food truck and other mobile vendors, create economic opportunity, and continue to build New Orleans' vibrant and famous culinary scene.

Food trucks put people to work, provide a way out of poverty, create opportunities for self-sufficiency, and enrich the communities in which they operate. They provide entry-level opportunities for aspiring entrepreneurs on the first rung of the economic ladder, and also serve as eyes on the street. But currently, food trucks are extremely limited in how, where and when they can operate. They are prohibited within 600 feet of any brick-and-mortar restaurant and in the Central Business District and French Quarter. Food trucks have to pick up shop and find a new location every 30 minutes, and are restricted to operating between the hours of 7am and 7pm. There is also an arbitrary cap on the number of permits the city will issue.

Following the symposium, food trucks will gather outside to serve dinner, including Taceaux Loceaux; La Cocinita; Miss Linda, "the ya-ka-mein lady;" Empanada Intifada, Rue Chow, and others. The first 100 attendees will receive a voucher good towards purchases at participating food trucks. For more information, visit <http://www.ij.org/letthefoodtrucksroll>.

The event is co-sponsored by Neighborland, New Orleans Food Truck Coalition, Good Work Network, the Ashé Cultural Arts Center, the Southern Food and Beverage Museum, and the Institute for Justice (IJ). IJ is a public interest, civil liberties law firm that advocates in the courts of law and public opinion to vindicate the right to earn an honest living. As part of these efforts, IJ recently launched its National Street Vending Initiative, with legal challenges to unconstitutional vending laws in El Paso, Atlanta, and Hialeah, Florida. El Paso repealed its law that prohibited street food vendors within 1,000 feet of a restaurant in response to IJ's lawsuit. The Institute also published *Streets of Dreams: How Cities Can Create Economic Opportunity by Knocking Down Protectionist Barriers to Street Vending*, a nationwide report on the benefits that street vendors provide and the barriers that too often stand in their way. The report is available at <http://www.ij.org/streetsofdreams>.

###

information), (2) a short description of the issue; (3) a short description of the event and who the speakers will be; and (4) a contact number for questions. The advisory should go out to all local media—especially those who are following the issue. You can usually find fax numbers and e-mail addresses online. Try to do some research, so that you’re sending the information to the person who either covers these sorts of events or assigns coverage.

- **Press release.** Press releases are longer than advisories and allow you to comment on a significant event or call for a specific action. A press release reads like a news story. The headline needs to demand the attention of the editor in just a few words. It should be catchy, informative and well-written. In the opening paragraph, introduce the who, what, where, when, why and how. In other words, summarize the news you are reporting with a “hook” that an editor is likely to determine newsworthy. Throughout the body of the press release, add details and insert quotations from your group and other noteworthy supporters where appropriate. Be sure to include the contact information of your spokesperson for media contacts.
- **Press packet.** A press packet is a set of documents that you send or hand to the media whenever you want to introduce someone to the issue. The point of a press packet is to give enough information for someone to be able to write a story based on what you have given them—or at least be able to write most of the story with a little bit of follow-up.
- **Social media.** If you have decided to use social media, make sure to promote your op-eds, letters to the editor, news appearances and events through Facebook, Twitter and other social media platforms for even wider exposure.
- If your battle gets heated, you may consider forming a **media rapid response team** that is responsible for tracking and responding to all attacks in the media through letters to the editor, op-eds, radio or television commentary.





FOR IMMEDIATE RELEASE:
April 21, 2011

CONTACT: Christina Walsh
(703) 682-9320

22 Organizations Urge Florida Senate: Deregulate Practice of Interior Design

Coalition Represents Over 100,000 Floridians

Arlington, Va.—Today, a diverse coalition of 22 organizations representing well over 100,000 Floridians issued a statement in support of the deregulation of interior design.

The coalition of trade organizations, business advocacy groups and national non-profits includes Americans for Prosperity, Americans for Tax Reform, Institute for Justice, National Taxpayers Union, National Federation of Independent Business, National Kitchen and Bath Association, Interior Design Protection Council, Tea Party in Action, Florida Retail Federation, North American Lighting Association, Decorating Den Systems, Inc., Office Furniture Dealers Alliance, Small Business and Entrepreneurship Council and other industry associations and groups.

The full coalition list and letter are available at <http://www.ij.org/3745>.

“While occupations that pose a genuine threat to public health or safety are properly subject to regulation, interior design simply isn’t one of them,” said Clark Neily, senior attorney at the Institute for Justice, who is challenging Florida’s law in court. “As the Florida Attorney General’s office has stipulated and more than a dozen state studies have confirmed, there is not a shred of evidence that interior design presents any genuine threat to the public. This issue transcends any one industry, because getting rid of Florida’s unnecessary and anti-competitive interior design licensing scheme has become a litmus test separating those who are serious about eliminating job-killing barriers to economic opportunity, and those who are unwilling or unable to stand up to special interest groups demanding government protection from fair competition.”

The letter, addressed to Senator Mike Haridopolos, states in part:

Deregulating interior design would demonstrate your commitment to smaller and more responsible government, and make Florida a more business-friendly state. We ask that you stand against protectionist, anti-competitive and unnecessary occupational licensing and stand behind Florida’s hard-working entrepreneurs by voting to deregulate interior design.

Florida law expressly prohibits anyone who is not a state-licensed interior designer from practicing commercial interior design. The Florida Attorney General has confirmed that this law does nothing to protect the public health, safety or welfare, yet practicing interior design in Florida without a license is a crime punishable by up to a year in jail or a civil penalty. Only two other states regulate who can practice interior design—and there has been no evidence of any public harm in any of the 47 non-regulating states.

The House of Representatives approved the deregulation of interior design when it passed H.B. 5005, which deregulates 14 occupations. The proposal now goes to conference with the Senate.

This issue has received significant national media coverage, including a front-page feature in the [Wall Street Journal](#) and columns in [National Review](#), [Reason Magazine](#) and [Forbes.com](#).

Headlines are key:
Articles with a catchy headline are read 80% more often.

Add quotes.

List other outlets that have covered your story.

DEVELOP YOUR LEGI

Develop Your Legislative Strategy

First and foremost: Do not believe false promises. Elected officials are not held to anything they say, write or do, unless it is enacted into law. If an elected official claims that a bad proposed law won't be enforced in a way that harms your business, do not believe him or her. The government has the power to enforce whatever is passed, and there's nothing stopping future administrations from enforcing the law in a more aggressive manner than their predecessors have chosen.

Remember: If you've registered your organization as a non-profit, you may be subject to regulations that restrict how you communicate with elected officials or prohibit you from communicating with them altogether. Check with an attorney about your local, state and federal lobbying laws before proceeding.

Understanding the Process

Your goal is to demonstrate to your elected officials that your policy solution both honestly aligns with their personal beliefs about the role of government and presents an opportunity for economic growth in your city or state. You want to make it easy for elected officials to do what you are asking them to do by providing them with political cover and neutralizing the opposition.

It is critical that you understand the legislative process and hearing schedule. You may have more than one opportunity to testify on a bill, and there may be an opportunity to amend legislation.

If your fight is at the city level, you will want to learn how many city council members are on your council and what areas of your city each represents. If a district isn't represented by a member of your group, you may want to do outreach to entrepreneurs in that district so that you have core team members in each district of the city. You will need to find out when your



city council is in session and when full city council meetings are held. What committees is your city council broken down into, and which committee(s) will your bill go through? Who is the chair of that committee, and who are the members? When does that committee meet? Familiarize yourself with how an ordinance becomes a law in your city. If there isn't information online about this, contact the city clerk.

If your fight is at the state level, you will need to research how the legislature works. State legislatures (except for Nebraska) and Congress are broken down into two houses: the House



of Representatives, House of Delegates or General Assembly; and the Senate. A bill has to be voted on and passed by one house, and then it moves onto the other house. After it passes the second house, it goes to the governor for his or her signature. Sometimes identical or nearly identical "companion" bills can go through both houses simultaneously to expedite the process, and if there are differences, they can be reconciled in what's called a conference committee. Session times vary dramatically. Texas's legislature meets for just five months every other year—leaving little time to take action. Meanwhile, Pennsylvania's legislature meets year round.

You will want to familiarize yourself with the leadership of both houses, as well as the governor, since ultimately your bill will need his or her signature. Learn about what committee(s) your bill will need to go through and when its hearings are held. Familiarize yourself with how a bill becomes a law in your state. Most, if not all, state legislature websites have information for the general public on this process.

Identify Your Targets

Once you understand the legislative process, research your elected officials. Map out your support and opposition. Know as much as possible about each person.

SLATIVE STRATEGY

Identify your targets. Don't treat the entire city council or legislative body as a single target. Each person has different attitudes, constituencies and interests that you need to take into account in designing tactics. Whom do you need on your side? What motivates him or her? Continue to monitor where votes stand and what votes you need, to determine where resources should be targeted.

Remember: It's important to identify your legislative targets early, so you're not wasting valuable phone calls on policy makers who are already on your side and don't need reinforcement.

Secure support for your cause. Target each relevant policy maker with a message that is uniquely tailored for him or her. Is a council member concerned about the impact of occupational licensing on lower-income entrepreneurs? Is he or she concerned that a proposal will violate the civil right to economic liberty? Again, you need to show how your policy stance honestly aligns with his or her personal philosophy and values.

Action Items

Once you have identified your targets and developed your goals that reflect your mission, establish action items. Assign responsibility. You shouldn't do this alone. Components of a strategy supporting your legislative efforts may include some or all of the tools detailed in this guide, from op-eds and talk radio to rallies and lobbying days. Consider the materials, facilities and funds you will need and plan accordingly.

Request a meeting with your own elected official who represents you, and, if logistically feasible, request a meeting with other policy makers whose votes you need. Go prepared with a presentation tailored to their interests.

Of particular importance is the chairperson of the committee that will hear the legislation. Try to meet with the chairperson or a member of his or her staff to convey your ideas and ask for the chairperson's support of your position.

If you want to set up a meeting with your elected official, call and identify yourself as a constituent and immediately state your reason for wanting to meet with her. Explain what you would like to discuss and indicate how much time you think you'll need and any other constituents you expect to attend the meeting. If the elected official

is not available, politely ask to meet with a staff member who handles licensing or regulatory issues. Have several dates and times to recommend. Be sure to thank the scheduler for his or her time. Since elected officials' schedules often change, you'll want to call their offices to confirm the meeting time and place as it draws near.

Think about what you want to say to your elected official before your meeting. It's best to use your own words because they are more personal and genuine. Remember that legislators often hear from lobbyists who are paid to walk the halls of the capitol. Your story is real, so make sure they know that. Canned letters and form e-mails don't go nearly as far as something that comes straight from you.

Learn if your elected official has a stated position on your issue and if he or she has voted on it before. If your legislator does not share your views, you'll want to educate him or her on the importance of stopping anti-competitive and arbitrary laws that inhibit economic growth. Explain how the assault on entrepreneurship affects you, your community and his or her constituency. Anticipate questions.

Legislative Hearings and Written Comments

It is critical, especially at the local level, to attend ALL hearings. These can be boring and repetitive, but it is important to let politicians know that they will not sneak legislation through without the public noticing. Bring your core team to each hearing, and speak at each one. Reserve mobilizing your broader base of support for key hearings, such as before a vote. You don't want to exhaust your supporters, and it's unlikely someone not directly affected by the policy





will attend more than one hearing.

In advance of a hearing, prepare written comments. These will be submitted to the record. Try to keep them between two and three pages. Use real world examples of the benefits or harms of the proposed legislation. Remember, you are the expert. Be sure to personalize, humanize and dramatize your story.

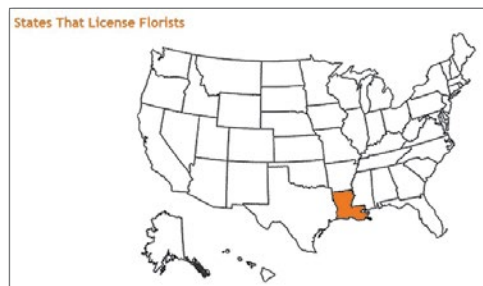
Check with the clerk about when your written comments need to be submitted and how many hard copies you need to supply to the council or committee. Sometimes your comments can be submitted electronically and circulated via e-mail to the relevant elected officials.

Find out how long you have to speak, and prepare your oral comments. You may want to prepare a presentation. Typically you will be allotted anywhere from two to five minutes. You don't need to repeat everything you said in your written comments; just hit your most important points. Don't be long-winded, don't rant and don't repeat things others have said before you.

Coordinate with others testifying to ensure that you are collectively hitting the key talking points and themes (remember your SOCOs!) and are not repeating each other. It is important for the council or committee to get a full picture of the issues you're facing, and they will tune out if you repeat one another.

You may have an expert in your group or a particularly effective witness like an unconventional ally whom you want to give more time to speak. You will probably be allowed to yield your time to that person, so she has more time to present.

Remember to always be courteous and respectful, even if you are not shown the same respect by your elected officials. Never be shrill or condescending.



The Institute for Justice used this map to demonstrate to legislators and the media the absurdity of licensing florists in Louisiana.

Be forewarned:

You may be in for a long day or night. Sometimes, elected officials put controversial issues at the end of their agendas, hoping supporters or opponents will leave before their time to speak. Other times, you may just have bad luck that your item is last on the agenda. Come to important hearings prepared to stay for several hours (or more).

Reform Proposals

If you want to propose your own reform, identify a potential legislative champion and request a meeting or phone call. Do this only after you have clearly outlined the reforms that you seek, which reflect your mission statement. Frame the issue as the positive opportunity it is for your city or state to embrace entrepreneurship and economic growth. Policy makers typically have someone on staff that is charged with drafting legislation. If you're asked to present your own proposal, consult a lawyer—or IJ may be able to help you.

Policy makers are often busy and don't have time to thoroughly research an issue, so you will want to make it as easy as possible for them to digest your argument, see why they should be on your side and vote in your favor.

You can prepare a **one-pager** or **fact sheet** on the proposed legislation. This should make it extremely easy for legislative staff and policy makers to quickly understand an issue. They have a lot of issues they're dealing with, so you want to front-load your literature with the most important facts so that you don't lose their interest. These documents should also be shared with the public and the media.

Six things you need to know about Atlanta's assault on street vendors.

- 1) For the first time in decades, you can't buy snacks, drinks, and other daily necessities from your favorite vendor. That's because the mayor of Atlanta and city council are shutting down all street vendors.
- 2) A court recently struck down a deal the city made with a company that created a monopoly over all street vending, which required hard-working, self-employed vendors to pay thousands of dollars to this one company in order to continue operating as they'd done for decades.
- 3) In response to losing in court, the city is now trying to put all vendors completely out of business, claiming its crackdown is required by the court's ruling. This is an outright lie. There is nothing in the ruling preventing the city from allowing vendors to operate.
- 4) Street vending has a long and proud tradition in Atlanta. Thanks to low start-up costs, street vending has given countless Atlanta entrepreneurs a chance to own their own business and provide for themselves and their families. At the same time, vendors enrich their communities by providing customers a wide variety of inexpensive goods and by helping keep Atlanta's streets safe and vibrant.
- 5) By forcing Atlanta's vendors off the streets, the city is destroying dozens of small businesses, putting hundreds of people out of work, and making thousands of city residents pay more to get less.
- 6) Atlanta's vendors have a right to earn an honest living. The city needs to stop playing games with their livelihoods and let vendors get back to work.

For more information, visit www.AtlantaVendorsAssociation.org

Florida's interior design law is bad for business and bad for Florida.

In Florida, it is a *crime* to perform commercial interior design services without a license from the state. Every single year, hundreds of entrepreneurs are cited for supposed violations of Florida's interior design law. Studies have shown that interior design regulations result in higher prices, less variety, and fewer employment opportunities. Despite the plainly anti-competitive effect of Florida's law, proponents of licensure continue to propagate myths about the supposed benefits of cartelizing the interior design industry, none of which can withstand serious scrutiny:

- **Only two other states besides Florida in the entire country regulate who can practice interior design.** This means that in 47 states, anybody who wants to may perform interior design services—and there has been no evidence of any public harm in any of those states as a result. See <http://www.ij.org/2724>.
- **Interior design regulations destroy jobs and harm consumers.** A recent study shows that interior design regulations disproportionately exclude minorities and older, mid-career changers from the interior design field, while driving up costs for consumers and limiting consumer choice. See *Designed to Exclude: How Interior Design Insiders Use Government Power To Exclude Minorities & Burden Consumers*, at <http://www.ij.org/2603>.
- **It is a crime under Florida's interior design law to make a drawing "relating to" the inside of any commercial building—for any reason!** For example, former BOAID enforcement expert Emory Johnson testified under oath that it is illegal for a wedding planner to make a sketch to show the caterer how to set up for the reception. Mr. Johnson even testified that he believes the legislature *intended* that result. See <http://tinyurl.com/yco3ysl>.
- In November 2009, the **State Board of Architecture and Interior Design sent letters to three of the nation's largest office supply companies—Staples, OfficeMax, and Office Depot—accusing them of violating Florida's interior design law** simply because they offer to provide space plans along with the furniture they sell, as do most office supply companies. Not only that, but the only way for those companies to come into compliance with interior design law is to make a Florida-licensed interior designer a *principal* officer of the company! See <http://tinyurl.com/ybxx7v8>.

agencies have studied the need for interior design regulation and without exception, every one of them **inst any type of regulation because it would add absolutely nothing to the protection of the public** **dy in place.** Since 47 states do not regulate the practice of interior design, any evidence of public harm **ior design should be easy to find; but no such evidence exists because there is no such harm.** See <http://Govt-Reports.html>.

justice joined with three interior designers and the National Federation of Independent Business to in Tallahassee challenging Florida's interior design law. A federal district judge has already issued state from enforcing a provision of the law that censored truthful speech by prohibiting people ial interior design services without a government-conferred license from referring to themselves, "s" or from using other, unspecified, "words to that effect."

drafted and promoted in 1994 by a small group of industry insiders looking to wall out with protecting the public and everything to do with protecting a handful of elitist interior

on's leading legal advocacy group for economic liberty—the right to earn an honest living free from **ation.** It has successfully challenged anti-competitive interior design laws across the country. **information about this case, please visit <http://www.ij.org/2724>.**

STATEMENT OF

*Americans for Prosperity
Americans for Tax Reform
Institute for Justice
National Taxpayers Union
National Federation of Independent Business
National Kitchen and Bath Association
Interior Design Protection Council
Tea Party in Action
Florida Retail Federation
Association of Design Education
American Lighting Association
Office Furniture Dealers Alliance*

*Real Estate Staging Association
Foodservice Consultants Society International
Interior Design Society
Interior Redesign Industry Specialists
Designer Society of America
Foodservice Equipment Distributors Association
Decorating Den Systems, Inc.
North American Association of
Food Equipment Manufacturers
Small Business and Entrepreneurship Council
National Association of the Remodeling Industry*

IN SUPPORT OF THE DEREGULATION OF INTERIOR DESIGN

April 21, 2011

Dear Senator Haridopolos:

The 22 organizations and associations listed above, representing over 100,000 residents of Florida, write to voice our support for the deregulation of interior design in Florida, as passed by the House of Representatives in H.B. 5005. Deregulating interior design would demonstrate your commitment to smaller and more responsible government, and make Florida a more business-friendly state. We ask that you stand against protectionist, anti-competitive and unnecessary occupational licensing and stand behind Florida's hard-working entrepreneurs by voting to deregulate interior design.

Florida law expressly prohibits anyone who is not a state-licensed interior designer from practicing commercial interior design. The Florida Attorney General has confirmed that this law does nothing to protect public health, safety or welfare, yet practicing interior design in Florida without a license is a crime punishable by up to a year in jail or a civil penalty.

Only two other states besides Florida regulate who can practice interior design. This means that in 47 states, anyone with the desire and initiative may provide interior design services—and there has been no evidence of any public harm in any of those states as a result. Indeed, 12 government agencies have studied the need for interior design regulation and, without exception, every one of them recommended against any type of regulation because it would add absolutely nothing to the protection of the public beyond what is already in place by existing building codes and regulations. Interior design poses absolutely no threat to the public's health and safety.

Interior design regulations destroy jobs and harm consumers. A recent study shows that interior design regulations disproportionately exclude minorities and older, mid-career changers from the interior design field, while driving up costs and limiting consumer choice.

Some information to consider and include:

- What are examples of how you and the members of your organization contribute to the community?
- How many jobs and how much tax revenue is at stake?
- Does this bad policy disproportionately impact a vulnerable population?
- What harmful impacts does the bad policy have at the individual level—both to the consumer and the entrepreneur?
- What are the tangible benefits your city or state will experience if the bad policy is rejected or changed?
- What is your opponent's best argument, and why is it wrong?

Include quotes from influential supporters. Use real world examples. Re-emphasize your SOCOs.

Prepare a **Myths and Realities** document that briefly counters the arguments of your opposition. Proponents of occupational licensing laws typically hide their true intentions by claiming they are trying to protect the public's health and safety. You, too, are interested in protecting the public's health and safety, through legitimate regulations that accomplish that end. Pick four or five of the opposition's best arguments and debunk them simply and clearly.

Coalition letters are great ways to convey broad support across a wide spectrum for your cause. This is also a very easy way for groups to show their support for you, who may be too small or too big to devote resources to your cause. These letters are brief statements of support for your cause, with a list of organizations signing on at either the top or the bottom. "We, the under-signed, support X."

You can also ask other organizations to submit **statements** to city council or the state legislature.

These will often go into the official record on the issue. You might offer to draft a statement if the organization you're reaching out to says they don't have the time to do so.

Your organization should take advantage of these opportunities and send these statements to the media with a short message (e.g., "Today, the Institute for Justice submitted a statement to the City Council in opposition to Ordinance No. 1, which would ban vendors from public property.").

You might be considering hiring a lobbyist. There may be an unusual situation where you need one, but these are the exceptions and not the rule. Be wary that lobbyists are expensive and have to answer to other clients, so they ultimately want to preserve their relationships with city council or legislators.

November 11, 2013

Birmingham City Council
710 North 20th Street
Birmingham, AL 35203
VIA E-MAIL

Re: Proposed mobile food vending ordinance

Dear Mayor and City Council,

The Institute for Justice ("IJ") is a public interest, civil liberties law firm that advocates in the courts of law and public opinion to vindicate the right to earn an honest living. **We urge you to reject the proposed ordinance that would establish regulations for mobile food vehicles and pushcarts, dated October 8, 2013.** The proposal raises grave constitutional concerns and will only serve to stifle entrepreneurship and rob Birmingham residents of the many benefits that food trucks and carts have to offer your great city.

Specifically, IJ opposes the proposal's following provisions:

- **150-foot proximity restriction:** Proximity restrictions based on the location of existing businesses are unconstitutional, for the reasons stated above. Laws regulating the location of where food trucks and carts may operate should be based solely on protecting the public's health and safety. For instance, El Paso's law as revised states that food trucks may operate on the public way so long as they are not parked within 20 feet of an intersection.
- **Hours of operation:** Efforts to arbitrarily limit how long a food truck or cart may operate and stay in one location are counterproductive, and the restrictions being proposed are both burdensome and are in no way tied to protecting the public's health and safety. Food trucks and carts should be allowed to stay at one location for at least as long as any other vehicle, and should be allowed to operate for at least as long as restaurants are permitted to.
- **Food Zones:** The food-zone model is unnecessarily restrictive and extends far beyond what would be needed to deal with any potential congestion issues.

BUILD YOUR COALIT

Build Your Coalition

You can win, but you need allies. Now that you've established the foundation of your coalition with people who are directly affected and are able and willing to dedicate the necessary time and energy to achieve your objectives—your core team—it's time to build upon it by recruiting other groups and the public. You want to create a broad coalition with one unifying message that represents a broad range of interests.

Always tailor your message for the different audiences you approach, whether it's an organization or the public. For example, you may be a food-truck operator who is fighting a proposal that would ban you from operating within a certain number of feet from brick-and-mortar restaurants. This ban could effectively kill your city's food-truck industry. Different organizations will care about this issue for different reasons, and it is your job to show them why they should care. A civic organization may support food trucks because of the many benefits they provide a community. A free market group will be concerned about the protectionist and anti-competitive nature of the proposal. A civil rights group will be dismayed that the negative fallout of the proposal will disproportionately target those on the first rung of the economic ladder.

Think about the relationships that you already have. The policy may mean the loss of goods or services for them as well, whether they are customers, distributors or other businesses that benefit from your services. Other businesses may fear the loss of business through the loss of your referrals or loss of increased foot traffic.

They may also recognize the importance of a free market, where a "rising tide lifts all boats." Customers may fear the loss of the affordable, quality services you provide and the loss of that accessibility if you're put out of business. The general public may simply be outraged about a group of powerful industry insiders trying to put you out of business. Remember that different factors motivate different people, and it's important for you to recognize those motivating factors and tailor your message accordingly.

Think creatively about who you can approach to join your coalition, and don't discount groups or people who you think might be against you. Tap into the following resources:

Gaining the support of other existing **organizations** is important. They already have memberships that they can mobilize on your behalf and can lend their names to your cause, which can add legitimacy, weight and caché to your efforts. Don't discount groups that seem too big or too small—you want any and all support that you can get.

Look for organizations that represent constituencies that are disproportionately impacted by the policy you are fighting. For example, if you are trying to repeal an anti-competitive hairbraiding law, the National Association for the Advancement of Colored People would be a natural ally. If your city has outlawed traditional taco trucks—loncheros—you should approach the Mexican American Legal Defense and Educational Fund. It is best to approach the local chapters of these organizations because your request will undoubtedly get lost in the busy inboxes of national offices.

Overcoming Fear

Some of your fellow entrepreneurs may fear stepping out in opposition to a government policy, because of their concern that they will be targeted by those in charge of enforcing the law. It is important that you are understanding of this fear. Once your group is up and running—even with just a small group of activists—others will likely be more comfortable joining. It is also helpful to enlist well-known members of the different communities you want involved to lend credibility to your efforts and a level of comfort for hesitant activists. While it isn't inconceivable that a state board or regulatory agency may target you for speaking out, nothing is stopping them from coming after you now. You shouldn't have to live in fear while you are simply trying to run your business. Members may also opt to remain anonymous.

Make it easy for other organizations to express their support. Have specific requests when you approach them. Do you want them to send a message to their supporters asking them to go to your website and sign up to support your efforts? Do you want them to testify at a public hearing, issue a public statement, offer a quote for your own press release or sign onto a coalition letter? Or perhaps you're holding an event soon and you would like them to speak at it.

Chances are that you won't be able to get support from all or even most of the organizations you ask, but even two or three can make a huge difference in the end—and you'll get invaluable practice honing your message through this process.

Homeowners, homeowners' associations, condominium boards and renters care about what's going on in their communities. If your threatened industry has a positive impact on the local community, demonstrate to these groups how you make your city a better place to live.

The same goes for **community** organizations. Civic associations, religious institutions and congregations, fraternal organizations and small non-profits all care about the safety and economic growth of their local communities. Explain how you are a valuable member of your community and how important economic opportunity and growth is to making your city an even better place to live, and they will be on your side.

As mentioned above, you should reach out to local **business** owners, customers, suppliers, business associations and local

chambers of commerce. Some may be against you and support limiting competition; others will recognize that protectionism is bad for everyone and be on your side. Your customers are an obvious ally, and you should enlist them to help recruit other members of the public. Solicit testimonials from them for use on your website and at city council meetings.

It's also ideal to have **political** allies. Your bill's sponsor is a natural ally, as is a bad bill's opponent. Ask them who else is on your side, and develop relationships with them. It is helpful to have a spokesperson with a bully pulpit who can warn you or expedite getting you documents, even if this person isn't influential. You will also want to try to recruit the support of local neighborhood councils. Depending on the dynamics between federal, state and local lawmakers, you may want to reach out to those at higher levels of government for their support. Although they may have no power to effect change, they can lend their vocal support, which may encourage their supporters to join your cause.

Finally, consider **academic** allies. Professors who have some expertise in your industry or on business more generally may be able to testify on your behalf, speak at events, provide you with quotes for press releases or your website or issue statements to city council or the state legislature. Law school legal clinics can help you do legal research. Students at local colleges and universities can provide valuable free or cheap labor to build and maintain your website, distribute information around your city and attend your rallies. You can also try to find classes to speak to or engage in activism. And, of course, schools may be able to provide free meeting or event space.

Raise Public Awareness

The general public supports the efforts of hard-working entrepreneurs who are simply trying to earn an honest living and achieve their own American Dream. But more often than not, when the public has no direct self-interest at stake, they will be unaware of your fight and unlikely to take action—unless you bring it to their attention and explain the important principles that are at stake, which do directly impact their daily lives.

In the end, this may all come down to numbers. Which side has more people calling city council or the state legislature voicing their support for or opposition to the proposal? Who has spoken the loudest?

That is why it is so important to get the public engaged and involved. As we have discussed earlier, always remember to meet people where they are at. Use a message that resonates, that you have honed through this guide's section on media. Here are some different tools that you can use to help raise public awareness:

Flyers

A simple, eye-catching flyer is the first thing your organization should create. The core team can distribute these to the general public and provide coalition allies with stacks to distribute to their members. Hand these out at every possible opportunity. Give

**FOOD TRUCK ASSOCIATION OF
MIAMI**



**WE NEED YOUR HELP TO BRING FOOD TRUCKS
TO THE STREETS OF MIAMI!**

Miami's laws make it impossible for food trucks to operate outside of special events. The city prohibits food trucks from parking in public parking lots and metered and unmetered parking spaces - making it nearly impossible for us to serve you.

The Food Truck Association of Miami is dedicated to reforming the city's overly restrictive laws to ensure that all of Miami's food trucks have the opportunity to serve our communities and succeed.

Food trucks enhance the quality of life and vibrancy of a city. We want Miami to experience all the benefits food trucks have to offer.

FREE THE FOOD TRUCKS!

Visit our website to sign the petition and show your support:
www.FoodTruckAssociationOfMiami.com

and like us on Facebook and follow us on Twitter!
www.facebook.com/foodtruckassociationmiami
[@FoodTrucksMiami](https://twitter.com/FoodTrucksMiami)

Questions? Contact us at ftaofmiami@gmail.com

them to supportive local businesses to keep at their cash registers. Distribute them at events or from your own business. Go door-to-door. The flyer does not need to be sophisticated to be impactful. Limit the amount of text that you include on the flyer. You don't want to overwhelm your audience with too much information. Stick to the basic facts. Your call to action should be the boldest text on the flyer. Include your logo and your organization's website and social media information.

Postcards

These are smaller, more expensive versions of the flyers described above. However, they are more eye-catching and easier to distribute, especially if you plan to do a mailing. These should have even less information on them than the flyers, and they should prominently display your organization's website URL.

Petitions

If you are thinking about spreading a petition, you should first explore the reasons a petition can be used. You may have only one chance to gather a large number of signatures, so you need to have

a specific goal in mind. If it's possible to start a local initiative or referendum in your community by gathering petition signatures, be sure your petition meets all legal requirements and specifications. You'll probably need to talk with an election attorney to be certain. Where an initiative or referendum is not possible, petitions can serve as a conversation starter—a vehicle to raise awareness, explain the local situation and, most importantly, recruit supporters and capture their contact information. It is important to note that other than getting initiatives and referenda on the ballot, petitions generally do not have legal status.

[illegible]

RENESS

If you do decide to start a petition outside the initiative or referendum context, it should have a short statement that supports your mission. There should be a space for people to provide their name, city and e-mail address or phone number. Again, while this kind of petition does not have legal status, it can give you a sense of public sentiment, garner media attention and possibly give politicians some pause. If you get a lot of signatures for your petition, be sure to introduce it into the record at one of the public meetings and give copies to the government officials who will be voting. And, of course, send it to the media.

There are third-party websites like change.org that allow you to create an online petition free of charge. Change.org is not necessarily a good tool for creating effective petitions in the traditional sense, but it does a good job of engaging would-be supporters of a cause because it's a low-cost way for people to become involved. If your signatory numbers are high, you can publicize that support through your media efforts.

Website and social media

As mentioned above, list your web links on anything and everything you have made: t-shirts, flyers, postcards, balloons, stickers, bumper stickers, etc.

Hang signs (where legal)

Always make sure you're obeying the law when hanging signs on public and private property. You might post flyers on bulletin boards

at grocery stores, staple them to trees, or tape them to light posts and at bus stops—canvas wherever you are allowed to.

Use current members to invite others

Ask each current member to recruit one or two additional supporters to come to your next meeting, or ask them to sign up their neighbors on your petition or website. Your numbers will grow exponentially.

Don't make prospective members come to you—go to them

Attend other group meetings, fairs and festivals, and where appropriate, distribute flyers and free giveaways with your organization's website on them.

Go door-to-door

Sometimes it takes bootstraps grassroots activism to get the job done. Get your walking shoes on and hit the streets with some literature and a sign-up form. You can order door hangers online that you can print on a regular printer. These have one or two sentences about your fight and your contact information.

Don't underestimate the value of individual one-on-one recruitment. The investment you spend developing a relationship with one activist could end up having more value than a cursory conversation you had with ten.

More public recruitment strategies are listed below under "Make Noise." However you recruit, always make sure to promptly follow-up, and sincerely thank your new friends for their support.



MAKE NOISE

**HELP STOP ATLANTA'S
ASSAULT ON
STREET VENDORS.**

**LET US VEND
LUNCH AND PROTEST**

Monday, July 1st
Lunch @ 11:30am
 Holiday Inn Capitol Conference Center Hotel | 450 Capitol Avenue SE

Protest @ 12:30pm
 Atlanta City Hall | 55 Trinity

The mayor of Atlanta and city council have shut down all public vendors and their employees have been out of the city. The mayor refuses to introduce legislation that will put the vendors back to work.

Enough is enough. It's time to stand up for these vendors who earn an honest living - and economic liberty for the city.

Please join the Atlanta Vendors Association and the Institute for the Study of the Americas to learn more about Atlanta's assault on economic liberty, then march to City Hall and demand that these vendors be allowed back to work.

You must register for lunch by e-mailing atlantavendo@gmail.com or calling Larry Miller at 404-838-1111

Registration to design from a CIDA-accredited interior design program: \$27,000.
 NCIDQ application and exam fees: \$875.
 ASID annual dues: \$425.
 TDAI Application for Interior Design Registration by Examination: \$1,000.
 IASD membership: \$75.

Learning interior design is **WORTHLESS.**

FREE TO DESIGN

There are efforts underway to pass an interior design practice act in Texas that threatens to destroy jobs, stifle fair competition, and put hundreds or even thousands of Texans out of work.

Learn the truth about this attempt by a small group of industry insiders to regulate practice, competition, and the careers and lives of our designers.

Join us for the **FREE TO DESIGN** Wednesday, February 18th, 4:00pm for a press conference and rally.

Speakers will include Clark Kelly, senior attorney at the Institute for Justice, and numerous interior design professionals who are threatened by the regulatory efforts of the interior design cartel.

Questions? Contact Christina Walsh at cwalsh@ij.org or 703-882-8325.

**RALLY AT THE STATE
TO PROTECT HORSES & HORSE TE**

Tuesday, April 7 @ 9am
First Floor Rotunda
 State Capitol
 Oklahoma City, OK
 Park in the South Parking lot
 and enter up the South steps.

**SUPPORT THE
HUSBANDRY
AMENDMENT
PROTECT
OUR HORSES**

Speakers include Representative Scott Bricker, author of the bill, and other legislators who support the amendment. There will be a press conference and rally on the steps of the Capitol.

Make Noise

Now it's time for the fun part—make some noise! Events and demonstrations have dual purposes: recruit public support and apply political pressure.

Events

Make events fun, and make sure you have a specific purpose and a critical mass of people. Events are great ways to get media attention. Imagine what you want the picture on the cover of a newspaper to look like—and then shape your event around it. Make it as easy as possible for the media to cover your event. Make sure that you have spokespeople armed and ready to deliver your SOCOs. Remember to always stay on message. The microphone is always on (see section on media).

No matter what type of event you plan to organize, it is critical that you do your due diligence. Find out what types of permits you need from the city or state to demonstrate on public or private property. Sometimes it can take over a month to obtain a permit, so plan early, if possible. Contact the local or state police department and find out if there are any additional regulations you need to adhere to. If you're going to be using sound equipment or a megaphone, check with the police about whether there are any noise codes you need to follow.

There are a number of different types of events that you can hold:

Rally

If you have a critical mass of people, rallies are a great way to educate and engage the public while applying pressure to the powers-that-be. Make sure to have lots of posters, signs, t-shirts (the same color shows unity), stickers and press packets. Rallies typically have a more positive tone, as opposed to protests. You're rallying

LIBERTY IN ACTION



In Texas, there were efforts to pass an interior design practice act that threatened to destroy jobs, stifle fair competition and put hundreds or even thousands of interior designers out of work. "We refused to let the interior design cartel put us out of business. We organized a rally on the steps of the state capitol, which was attended by dozens of independent interior designers and our supporters. It effectively showed our legislators that interior design freedom is an important issue that Texans care about."

— Fern Santini, interior designer



LIBERTY IN ACTION

In response to IJ's successful lawsuit that challenged a street-vending monopoly in Atlanta, the mayor shut down all public property vending in the city, putting dozens of hard-working entrepreneurs out of business after decades of operation. To protest the mayor's action, we gathered nearly 50 activists and vendors at a hotel for a brief lunch. We then marched from the hotel to City Hall holding posters that said "Let Us Work" and wearing shirts that said "Let Us Vend," with the Atlanta Vendors Association's (AVA) logo. Two days prior, we issued a media advisory notifying the press about the protest, and every major local news outlet came to cover it. The group stood on the steps of City Hall with the building behind them, and speakers from the AVA, NAACP, Rainbow PUSH Coalition and National Action Network briefly addressed the media. In between those speeches, the group's leader led chants of "Let us work" and "Let us vend." Participants then went into City Hall for the regularly scheduled City Council meeting.

"We were not asking for a hand out. We just wanted to go back to work. We have the right to work. Instead, we were abused, threatened and put in jail for wanting to work to feed our families and pay our bills. The City Council and mayor brought this injustice on us and an injustice anywhere is a threat to justice everywhere. That's why we organized the AVA and protested and marched on City Hall."

— Larry Miller, president, Atlanta Vendors Association

around a solution. Even your promotion of the event can serve as an opportunity to educate the public.

Have just a few speakers, and give lots of time for chanting. People like to participate. Tell positive stories. Your rally should promote economic opportunity and growth and the positive outcomes of your policy objectives. It should not protest negative action by your elected officials. If you can couple this with an industry-specific event or demonstration—e.g., a food truck round-up, free hairbraiding services or a home decorating expo—all the better. It will add to the fun factor, increase attendance, make the rally enjoyable, increase media coverage and demonstrate the positive impacts you have on your community. If you have elected officials who support you, invite them to speak, and advertise their presence. This may be a good opportunity to draw out their support, as they will have a public forum to champion your issue. If you are rallying at the state capitol, couple your rally with a lobbying day.

Protest

Protests, on the other hand, typically focus on objecting to a bad policy. The goal of a protest is to make people upset and motivate them to be involved. You'll also want signs here. Speakers should tell the negative impact of the policy you're fighting. Your message should always be solution-oriented, but the purpose of a protest is to call out the powers-that-be for squelching economic opportunity and growth and to demand change. Hold your protest in a high-profile location and preferably around another relevant event, such as a vote.

LIBERTY IN ACTION

Milwaukee only allowed 321 taxicabs on its streets—almost half of which were owned by a single owner. This cap sent permit costs skyrocketing, from \$85 to \$150,000, and put the dream of owning a taxi business out of most people's reach, like our client Ghaleb Ibrahim. All Ghaleb wanted was to own and drive his own taxi. But if he wanted to drive a cab, he had to do it for someone else at a hefty rental price. To raise awareness about the city's unconstitutional cap, we organized a "Freedom Ride" protest around City Hall. Drivers put banners on the sides of the taxis that said "Taxi Freedom: Let Me Own My Own Cab!"



Vigils

Vigils are somber events and often involve a march around city hall, the state capitol or some other symbolic structure. These are held in the evening, and all participants are provided a candle.

Town halls and community meetings

Similar to your initial planning meeting, holding town halls and community meetings in different parts of your city or state is a great way to reach people where they are located who otherwise would not attend your events. Sometimes it's cost- or time-prohibitive for someone to attend an event that isn't nearby—so you need to take your message to them. Advertise your event in advance through the tools detailed above. Keep the events brief and explain why your fight is relevant to them. Close with an immediate call-to-action.

Symposia

A symposium can be a great way to educate the public and policy makers about your cause. These feature experts in your field and entrepreneurs who address the different aspects of the proposal you're supporting or opposing, and result in a call-to-action for participants. Ideally, there is a fun incentive for people to attend. By their nature they're longer than other events—but only make them as long as they need to be. Longer does not mean better. Nobody has ever complained about leaving an event early—unless it's a carnival or food-truck rally and the fun and food have run out. Make sure the room is bright, the speakers are lively and the

agenda moves along at a good pace. Remember that few people are going to be as interested in your issue as you are, so make sure that your speakers are engaging and motivating. Have a call-to-action component at the end.

Put together a strong agenda that covers all aspects of the issue you're discussing and keep the event moving along at a healthy pace. Limit your speakers to those you have chosen ahead of time and coordinate messages so there is no repetition.

Film screenings

If there is a film that celebrates your industry, film screenings can be entertaining ways to gather together a captive audience to learn more about what's at stake. After the film, lead a discussion, and conclude with a call-to-action.

Lobbying days

As mentioned above, lobbying days can be powerful tools to reach your policy makers at the city or state levels. These can be coupled with a protest or rally beforehand. It's important to get everyone in one place beforehand and instruct them on how to lobby their elected officials. Provide handouts with SOCOs and maps of where the different policy makers' offices are located, and help attendees figure out who represents them.

At any event, pass out literature, and collect attendees' contact information.



LIBERTY IN ACTION

Chicago has some of the worst food truck laws in the nation, so we held a food truck symposium: "My Streets, My Eats." It was a half-day event on a Saturday morning, with three panels addressing different aspects of the food truck culture and the many benefits food trucks provide to entrepreneurs and the communities they serve. We needed to entice people to give up their Saturday morning to attend lectures, so we organized a food truck round-up immediately after the symposium, at which attendees could enjoy lunch from the food trucks we were just discussing. The first 100 attendees through the symposium doors that morning received a \$3 voucher good towards their purchase at any food truck.

Now that you've planned a great event, you will need people to attend. Start promoting your event at least two weeks in advance through flyers and postcards. Post information anywhere you are legally allowed to do so. Enlist your core team and supporters to recruit people to come. Think creatively about an incentive you can provide attendees to come—a voucher for a discount, a free service or a raffle (if legal in your state). It can be very difficult to get people to RSVP for these types of events, but, if possible, request that people do so that you have an estimated headcount. If it looks like nobody is going to attend your protest, you will probably want to cancel it and not notify the media. Otherwise, issue a media advisory several days before your event, and call local reporters and radio stations to ask them to promote it. They may be able to provide you with free advertising. If absolutely necessary, you might consider paying for advertising—but that can be an unnecessary expense.

When you're at the event, assign someone to be on point with the media. Direct camera crews to your spokespeople and help frame their television shot or photograph. If you have a small number of protestors, space them out and fill in empty spots with posters to fill the width of a photograph. Reporters want interesting stories. A picture of a dearth of protestors is boring and unappealing to the reader. But it makes a good visual if you can help set up the shot so a dozen protestors take up the full width of the photograph. Similarly, set up the television interview so the person interviewed is surrounded in the background by the other eleven protestors.

LIBERTY IN ACTION

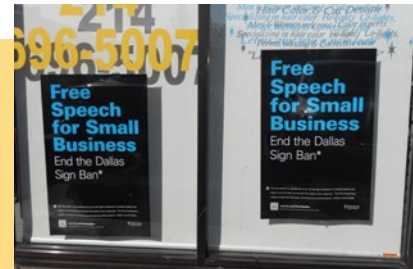
The city of Dallas banned virtually all business window signage. Yet it is not the government's place to demand, as Dallas does, that shop owners keep advertisements off the top two-thirds of their window or demand that 85 percent of a window be free from ads. The First Amendment does not distinguish between commercial and political speech. Furthermore, advertising is critical to the success of entrepreneurs. A business with no sign is a sign of no business. To raise awareness about this assault on free speech, we organized a protest. We distributed posters to businesses across the city that said "Free speech for small businesses: End the Dallas sign ban." Because the speech on the poster was political, not commercial, business owners could put the protest signs anywhere on their windows that they wanted. This provided an easy way for hundreds of businesses to voice their opposition to the sign ban in a unified way.

Advertise

You can fill your city with signs that speak out about your struggle. Design a simple sign to put in the window of local businesses and distribute. Such signs should have no more than five to ten words. Lawn signs can also be very effective and low-cost, if they make sense for your fight. You can also design these signs and make them available at-cost on cafepress.com.

Paid advertising can be expensive but effective. **Online advertising** can be used to drive traffic to your website. You should identify popular web outlets—mainstream or alternative—and talk to their advertising account manager about what specifically your organization does. You may be able to get a discount. Your ad should be simple and vibrant, and convey what you're about while leaving the viewer wanting to learn more.

You can also advertise in **newspapers**, but only if they're read in your target area. If your fight is at the state level and you know that legislators read a specific capitol-area newspaper, that would be a great target. Alternatively, if you're targeting a specific legislator, he or she likely reads her hometown newspaper. That is where you would want to advertise.





patriot
GARDEN



PLANT A SEED. CHANGE THE LAW.

www.patriot-gardens.com

LIBERTY *IN* ACTION

Being able to provide food for oneself on your own property is an exercise of economic liberty. Jason and Jennifer Helvenston grow dozens of vegetables in their front yard in Orlando. But in November 2012, the city—despite aspiring to be the “Greenest City in America”—notified the couple that their harmless garden violated city code. They would have to tear it up and replace it with grass or face fines of \$500 a day. We organized the campaign “Patriot Garden: Plant a Seed, Change the Law.” Activists from across the country could request radish seeds and a yard sign that had the title of the campaign on it from IJ, so they could then plant their own “patriot garden” in solidarity with the Helvenstons.

“One of the more powerful tools in our marketing plan was the Patriot Garden campaign signs and petitions. By engaging the community through a simple yard sign with an internet address or a petition, we were able to create a platform for an open and friendly discussion among neighbors and even strangers. Giving the community the choice to engage publicly or privately is an important approach that draws more interest and involvement.”

— Jason and Jennifer Helvenston, Orlando, Fl.

Billboards, although expensive, are a very bold way to draw attention to your cause. Keep in mind that they typically stay up for a minimum of one month, so you should not consider this option if you expect your issue to be resolved in a shorter period of time. Be sure to choose locations that are heavily trafficked and directly face oncoming traffic.

Buses are similar to billboards: They are expensive but make a very bold statement if you live in a larger city with a high quantity of mass transportation. Your message has to be even shorter than a billboard because buses pass you faster than you pass a stationary billboard.



MOBILIZE

Mobilize

Now comes the most important part: mobilization. Now that you've raised public awareness and cultivated a strong list of supporters, it's time to mobilize them with targeted calls to action at key times. Make it as easy as possible for people to express their support for you. Supply supporters with phone numbers and e-mail addresses and a way to figure out who their political representatives are. You can only ask people to do something a few times—so make it count.

You will need to balance the quantity and quality of correspondence (e.g., write-your-own message or phone call to elected officials vs.

form letter). Some offices disregard form letters, while others simply keep a running tally of who is for and who is against a policy. If possible, talk to a friendly policy maker to find out what will have the most impact. Of course, a phone call is optimal, but it's harder to get people to pick up a phone than it is to send a quick e-mail.

It is most important for you to get your supporters to the key public hearing. Hold a rally or event to gather everyone in one place before entering city hall or the state legislature. Wear the same color or, if allowed, t-shirts or stickers that demonstrate solidarity. Remember to issue a media advisory about your demonstration and the vote, and be prepared with your SOCOs.





Message Options

Calibri 14

Send B I U ABC A ABC Attach Picture

To:

Cc:

Subject: Deregulate Florida video from Institute for Justice

Senator ____:

I wanted to share this video with you this morning: [Florida: Open for Business?](#)

Tomorrow, you have a historic opportunity to demonstrate your commitment to smaller government and economic growth by supporting the proposal to deregulate interior design and nine other occupations.

This deregulation battle transcends the interior design occupation. Your vote tomorrow will demonstrate who is serious about eliminating protectionist and unnecessary barriers to economic opportunity, and who will abandon those principles under pressure from special-interest industry insiders desperately trying to protect themselves from competition.

Your vote tomorrow will tell countless Floridians who's serious about shrinking the size of government.

We hope that you are.

Please stand behind the principles you were elected to uphold.

Thank you.

BECOME A SUCCESS

Become a Success Story

By following some or all of the tools in this guide, you'll be well-equipped to defend your right to earn an honest living. We can't say that it will be easy because you will be facing long odds against well-financed foes. But Goliath can be beaten and has been time and again by political novices and communities of limited means.

Never be shy, and do not be scared, because you are right. Fight hard, and fight right the first time. Leave time to recharge. Organize the coalition so that you can step away and leave it in the hands of another person should you need a break. You can fight, and you can win. And we are here to help you.

As influential writer and revolutionary Thomas Paine remarked, "The harder the conflict, the more glorious the triumph." With determination and hard work, you can be triumphant.

Celebrate!



IJ Helps Bring Food Truck Freedom to the Crescent City

New Orleans is not known as a bastion of economic liberty. IJ has sued the city more than once on behalf of would-be entrepreneurs the government blocked from pursuing an honest living. And now we helped convince the Crescent City, outside the courtroom, to reject the idea that it can pick winners and losers in the marketplace. The result is a victory that few could have predicted.

New Orleanians love food trucks. Yet, despite their enormous popularity, food truck entrepreneurs in the Crescent City faced some of the worst laws in the nation. They could not operate within 600 feet of brick-and-mortar restaurants, had to move every 45 minutes, and were banned entirely from the Central Business District and French Quarter. These regulations, in addition to others, made operating a successful food truck nearly impossible.

But we at IJ love a challenge. For the past ten months, we worked with the New Orleans Food Truck Coalition and the city council president to reform these crippling laws. We co-hosted a symposium to generate public support, ran advertisements, secured media coverage and issued statements to the city council. When our chief opponent claimed “overwhelming” support, we went through thousands of pages of documents to prove that support for food trucks outweighed

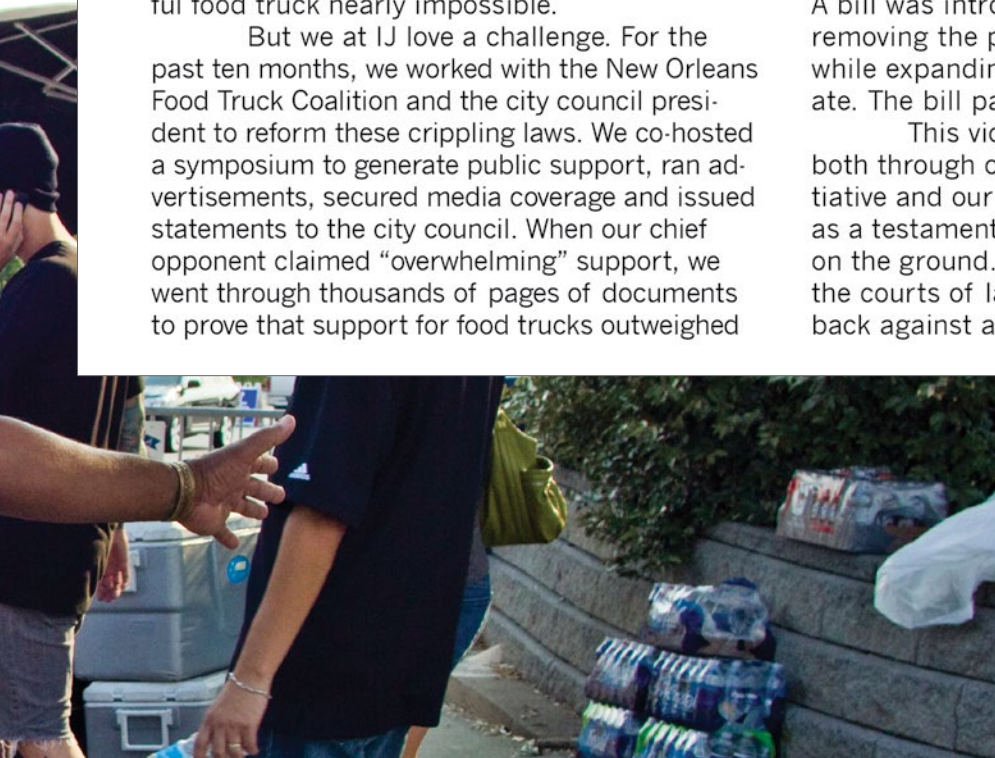
opposition by a margin of three-to-one.

Our foes were formidable, but ultimately the council passed a bill we considered a modest success. Although it would have made the environment friendlier for food trucks, it still included a 200-foot proximity ban.

Then we received word that Mayor Landrieu vetoed the bill. At first we thought the forces of protectionism were at play. But much to our delight, the mayor vetoed the legislation over concerns that the proximity ban was unconstitutional.

What caused this sudden fidelity to the Constitution? Because of IJ’s outreach to city council, the mayor learned about our victory in another Louisiana case, on behalf of the monks of Saint Joseph Abbey, and decided to support economic liberty over protectionism. A bill was introduced on the mayor’s behalf removing the proximity restriction altogether while expanding where food trucks may operate. The bill passed unanimously.

This victory is a testament to IJ’s work, both through our National Street Vending Initiative and our litigation in Louisiana, as well as a testament to the dedication of activists on the ground. We will continue to advocate in the courts of law and at the grassroots to push back against assaults on economic liberty.



Notes

[illegible]

About IJ

The Institute for Justice is a civil liberties law firm that engages in cutting-edge litigation and advocacy both in the courts of law and in the court of public opinion on behalf of individuals whose most basic rights are denied by the government. We seek a rule of law under which individuals can control their destinies as free and responsible members of society.

And we are here to help.

