

OUT-OF-THE-BOX TECHNIQUES FOR DECISION-MAKING



Linn Davis
Healthy Democracy
Linn@healthydemocracy.org

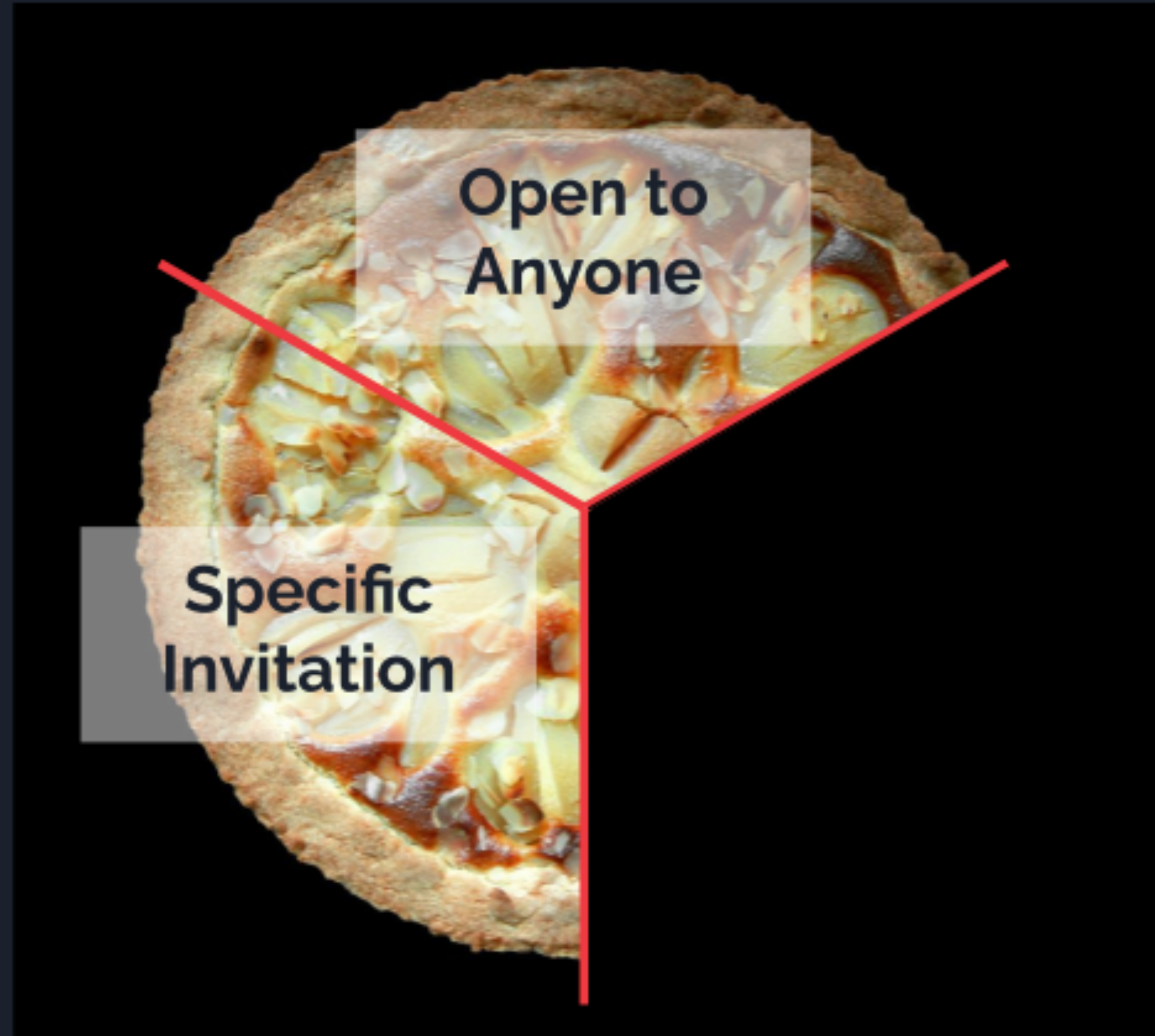
Wayne Liebman
Public Access Democracy
wayne.liebman@gmail.com



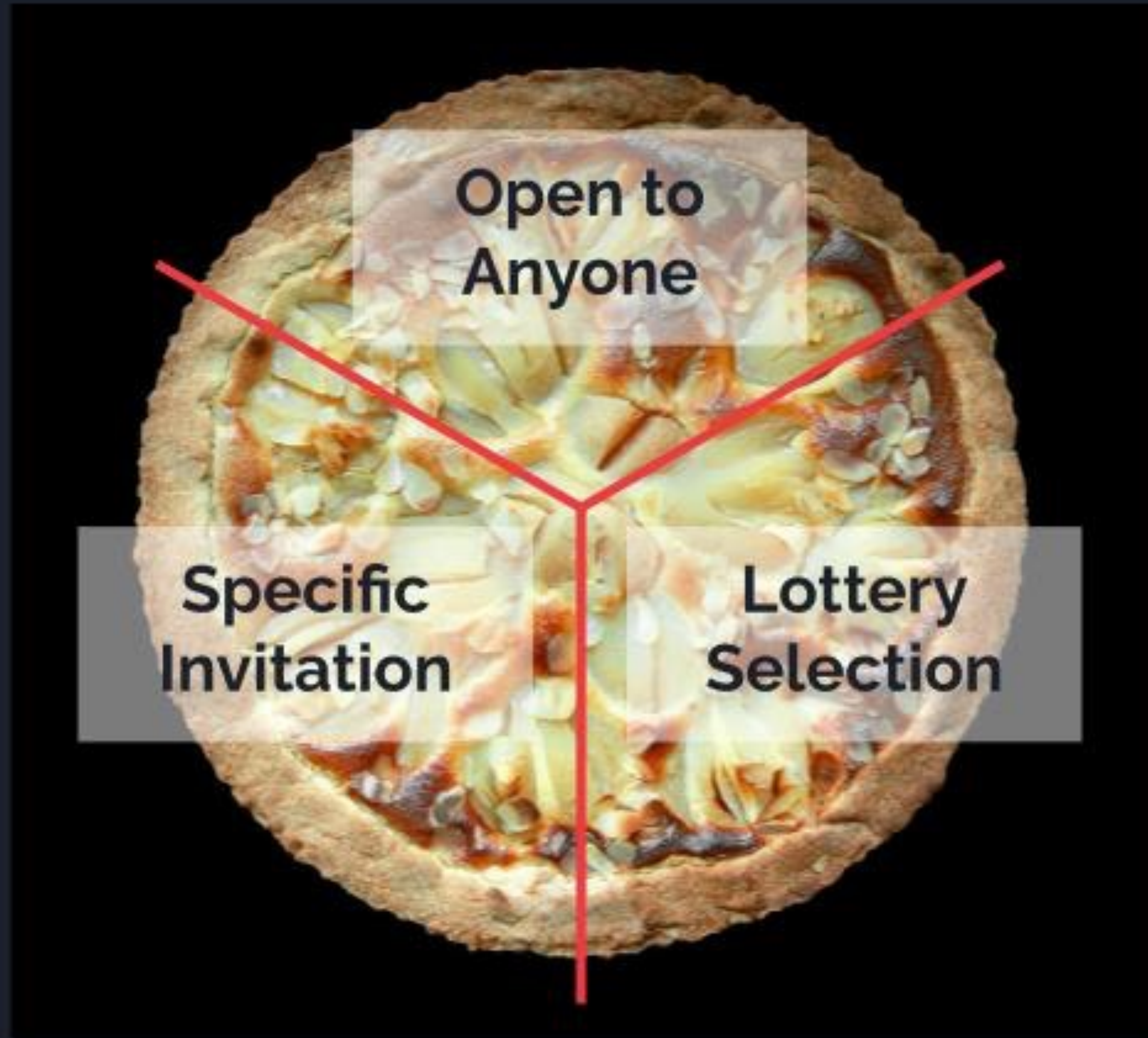
DECISION MAGIC

Wayne Liebman
Public Access Democracy
wayne.liebman@gmail.com





The Democracy Pie



The Democracy Pie



Open to Anyone

e.g., surveys, hearings, voting

- + Anyone! (at least in theory)
- Same individuals, same kinds of folks, "thin," non-deliberative



Specific Invitation

e.g., stakeholders, outreach to
marginalized communities

- + Can be targeted & specialized
- Often same individuals, often a
more top-down orientation



Lottery Selection

e.g., lottery-selected Panels

- + Guarantees new & diverse folks,
in-depth deliberation, Panelist-led
- Limited participants, takes time

Better metaphor: *more* Democracy Pies!

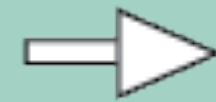
How a Citizens' Assembly Works



Use a democratic lottery to select a bunch of people.



They come together in an assembly at small tables with a neutral facilitator at each table.



Experts and others address the assembly to ensure everyone is aware of the facts, diverse viewpoints, & proposed options.



Participants deliberate, listen and talk to each other, and give reasons for their ideas.



The citizens' assembly decides on what is the best way forward.

Nine reasons to hold a Citizens' Assembly

(and here's one more)

TRUSTED

People trust the outcomes as decisions are made by 'people like me'.

(adopted from the Sortition Foundation)

FAIR

Randomly selecting participants gives every person an equal chance of being selected, regardless of age, gender, location or any other characteristic.

EFFECTIVE

Hundreds of examples from around the world have shown that citizens' assemblies work. Research shows that diverse groups of people are better decision-makers than homogenous groups.

INFORMED

People develop an informed, critical understanding of complex policy decisions, hearing from and questioning a variety of experts and stakeholders.

INCLUSIVE

They increase the diversity of voices in the decision-making process, allowing very different people to find common ground by focusing on wider community needs.

POWERFUL

They open up the space for change when tackling 'wicked problems' where interest or community groups are blocking progress. They give decision-makers increased confidence that they have broad public support for a proposal.

INNOVATIVE

You will be at the forefront of democratic innovation and citizen empowerment and engagement.

TRANSPARENT

Using stratified random selection and a clear, open process reduces the influence of vested interests — you will not be engaging with the 'usual suspects'.

DELIBERATIVE

Assembly members work together to identify the pros, cons and trade-offs of policy options, giving you high-quality public judgements backed by considered, easily understood reasons

LEGITIMATE

They increase the legitimacy of public policy-making by enabling a representative cross-section of people to inform the decision.

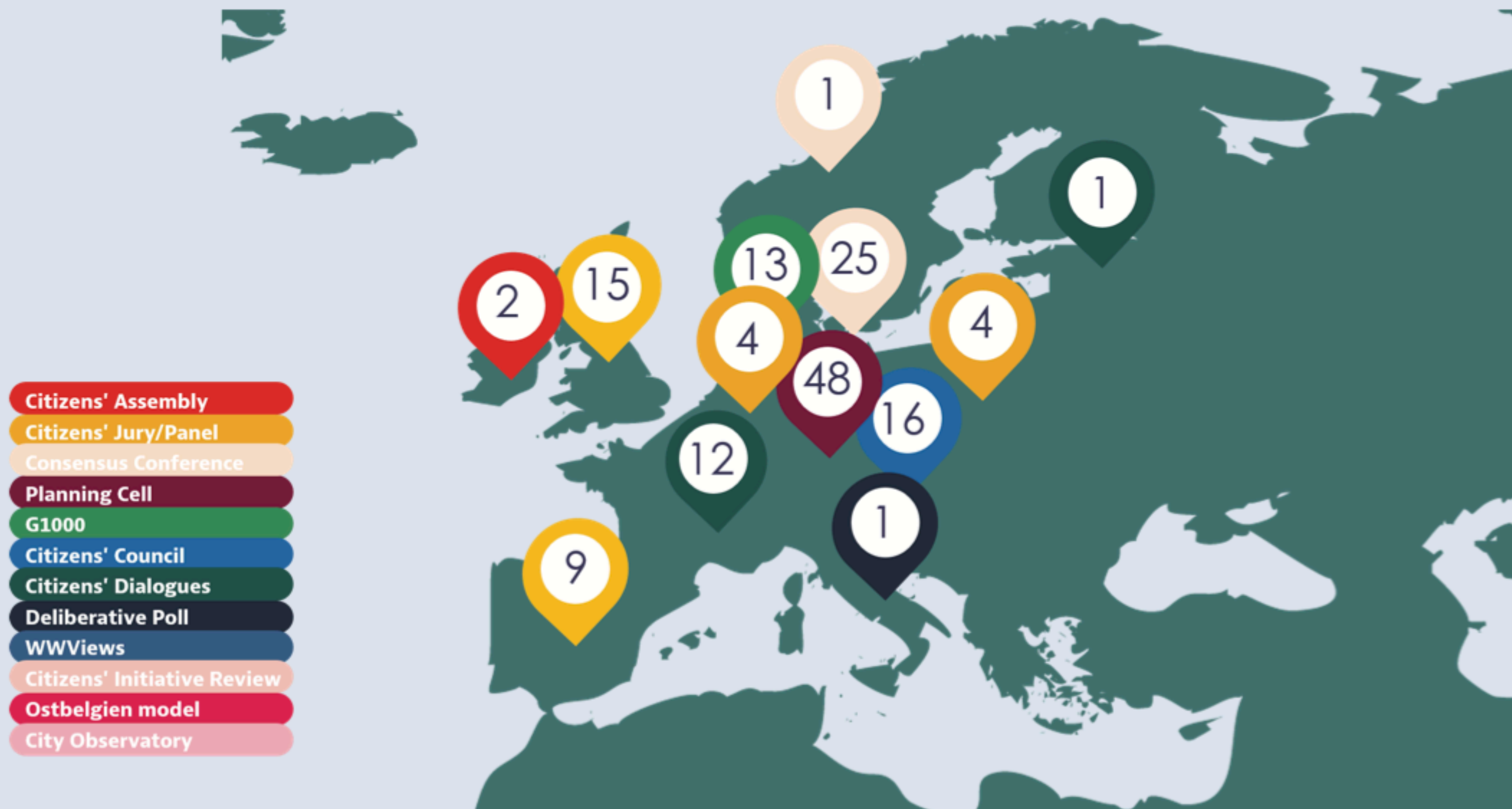
FIGURE 8. REGIONAL TRENDS OF DIFFERENT DELIBERATIVE MODELS



Note: The colour indicates the dominant deliberative model; the number indicates the total of representative deliberative processes in a country. The map excludes international processes that took place in more than one country.*

Source: OECD Database of Representative Deliberative Processes and Institutions (2020).

FIGURE 9. REGIONAL TRENDS OF DIFFERENT DELIBERATIVE MODELS: EUROPE



Note: The colour indicates the dominant deliberative model; the number indicates the total of representative deliberative processes in a country. The map excludes international processes that took place in more than one country.*

Source: OECD Database of Representative Deliberative Processes and Institutions (2020).

*This document and any map included herein are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.



Flats Arterial Community Panel



THE
WISDOM OF CROWDS

Why the Many Are Smarter Than the Few

JAMES SUROWIECKI



'Dazzling . . . the most
brilliant book on business,
society and everyday life that
I've read in years'

Malcolm Gladwell,
author of *The Tipping Point*

As the initial pool of problem solvers becomes large, the best-performing agents necessarily become similar in the space of problem solvers. Their relatively greater ability is more than offset by their lack of problem-solving diversity.

GROUPTHINK

**Harvard
Business
Review**

Diversity

Why Diverse Teams Are Smarter

by David Rock and Heidi Grant

November 04, 2016





Democratic Lottery + Deliberation

The People

- Randomly selected – new voices
- Reflective of the public – a microcosm
- Panelists paid
- Result: inherent legitimacy

The Process

- Highly deliberative
- Tightly structured, iterative process
- Product-oriented
- Transparent & public
- Result: efficient process & high quality solutions





A Different Kind of Democracy

Reimagining Civic Participation
Through Lottery-Selected Panels

Linn Davis

Program Co-Director



Core Principles:

Representation

New individuals, different types of folks,
reflects the local area, considers equity

Resources

Stipend to Panelists, all expenses paid,
professional facilitation, outside expertise

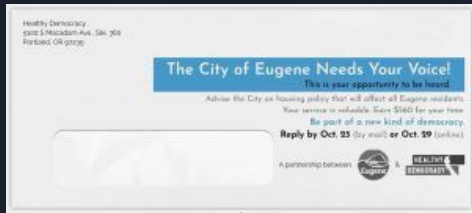
Reciprocal trust

Staff ⇌ Panel, Panel does 100% its own
work, feedback loops, indep. evaluation



The Process



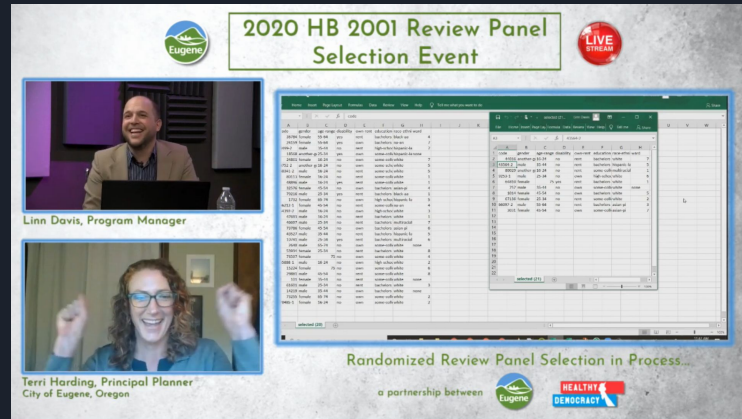


✉ Mailings sent to 5-10,000 randomly selected addresses

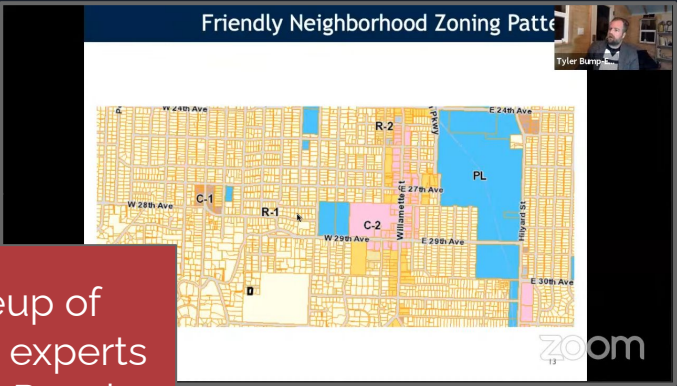
✉ ~3% of recipients respond, including demographic info


🎲 Democratic Lottery in public: random *and* representative

📅 Selected Panelists are supported with logistics & materials





Lottery-Selection Process



 Diverse lineup of stakeholders & experts presents to the Panel


 Panelists deliberate on the issue & select additional presenters


 Small group work continues, largely away from staff/public

 Panel prioritizes recommendations, drafts & edits

 Panel presents its work & follows through with advocacy for it

Throughout the Process

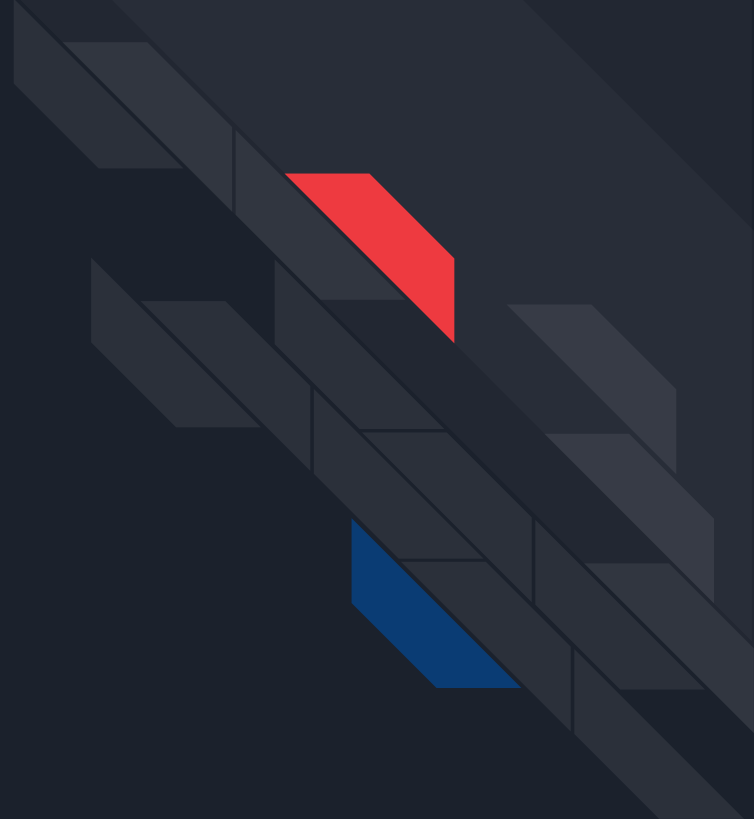
 Publicity about the Panel

 Indep. evaluation & observation

Deliberative Process

City of Eugene Review Panel on Housing

Nov. 2020 - April 2021

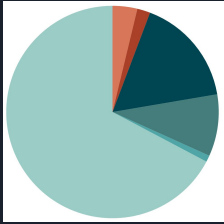




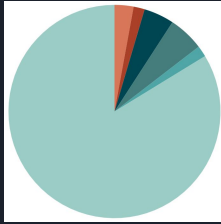
Eugene in One (Virtual) Room

Eugene Review Panel Selection

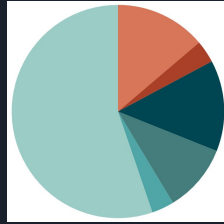
General Population



Who Replied to the Mailing



Who Was Lottery-Selected



● Asian / Pacific Islander ● Black / African American ● Hispanic / Latina/o
● Multiracial ● Native American / Alaska Native ● White

Selected: 30 Panelists (plus alts.)
After 5 months: 28 Panelists

Representative on:

- Geographic Location
- Age
- Race & Ethnicity
- Gender
- Experience of Disability
- Educational Attainment
- Renter/Homeowner



Process Overview

Fall 2020:

Guiding Principles

- Panel heard from 20+ stakeholders and experts
 - Most selected by the Panel itself, from a list
- Panel drafted and prioritized Guiding Principles

Spring 2021:

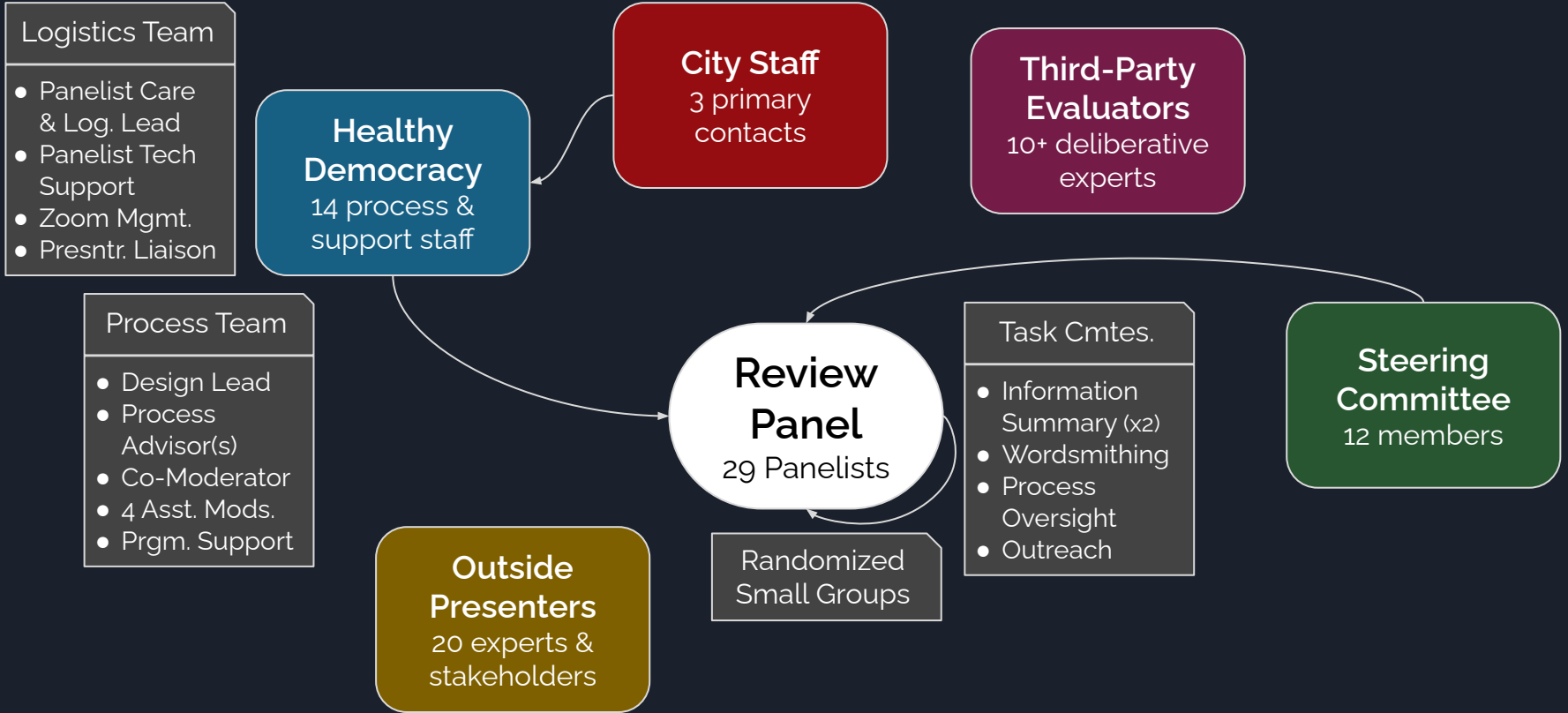
Review the City's Work

Two feedback loops:

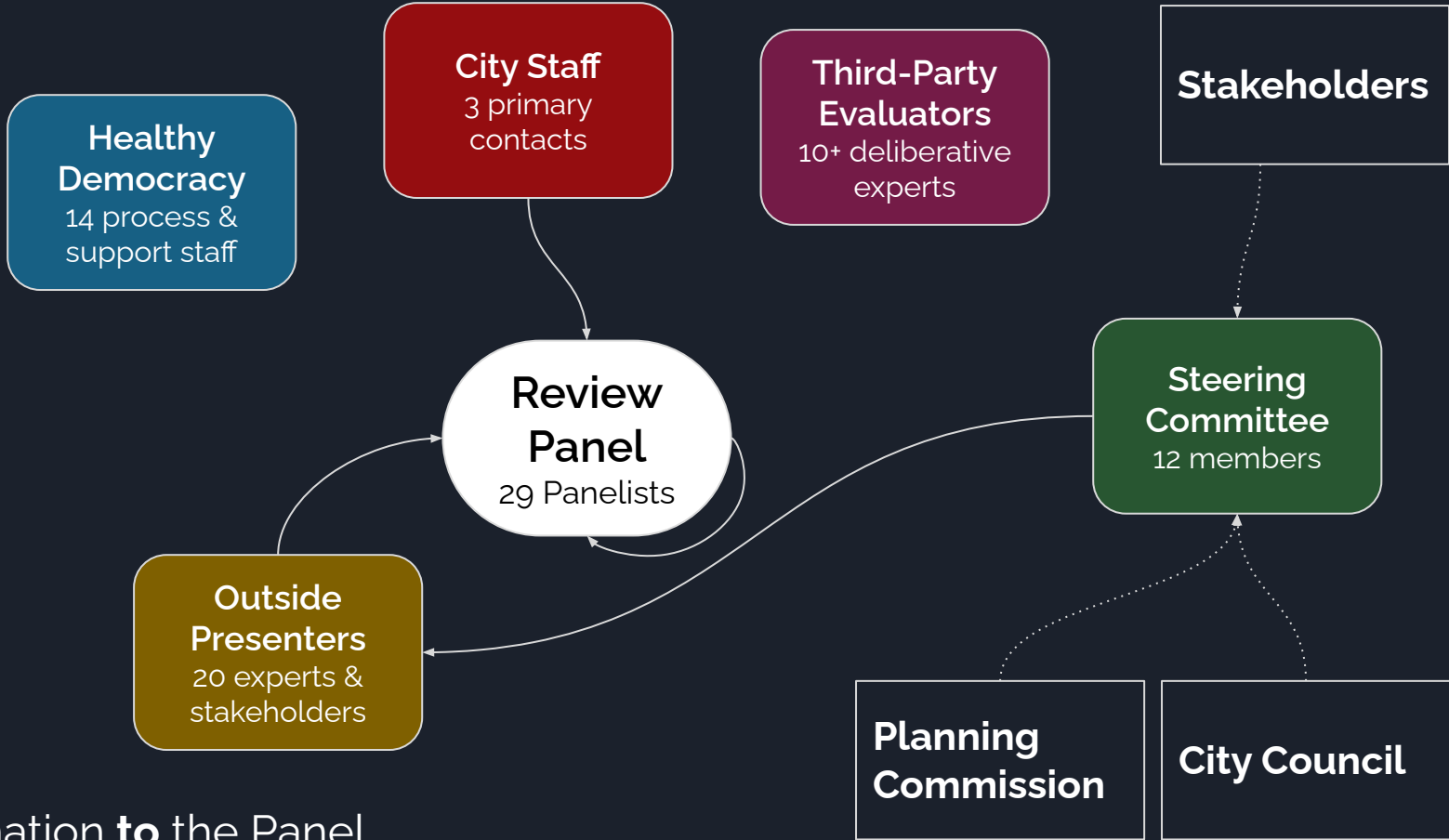
1. Panel reviewed code concepts & crafted general public engagement recs.
2. Panel reviewed draft code



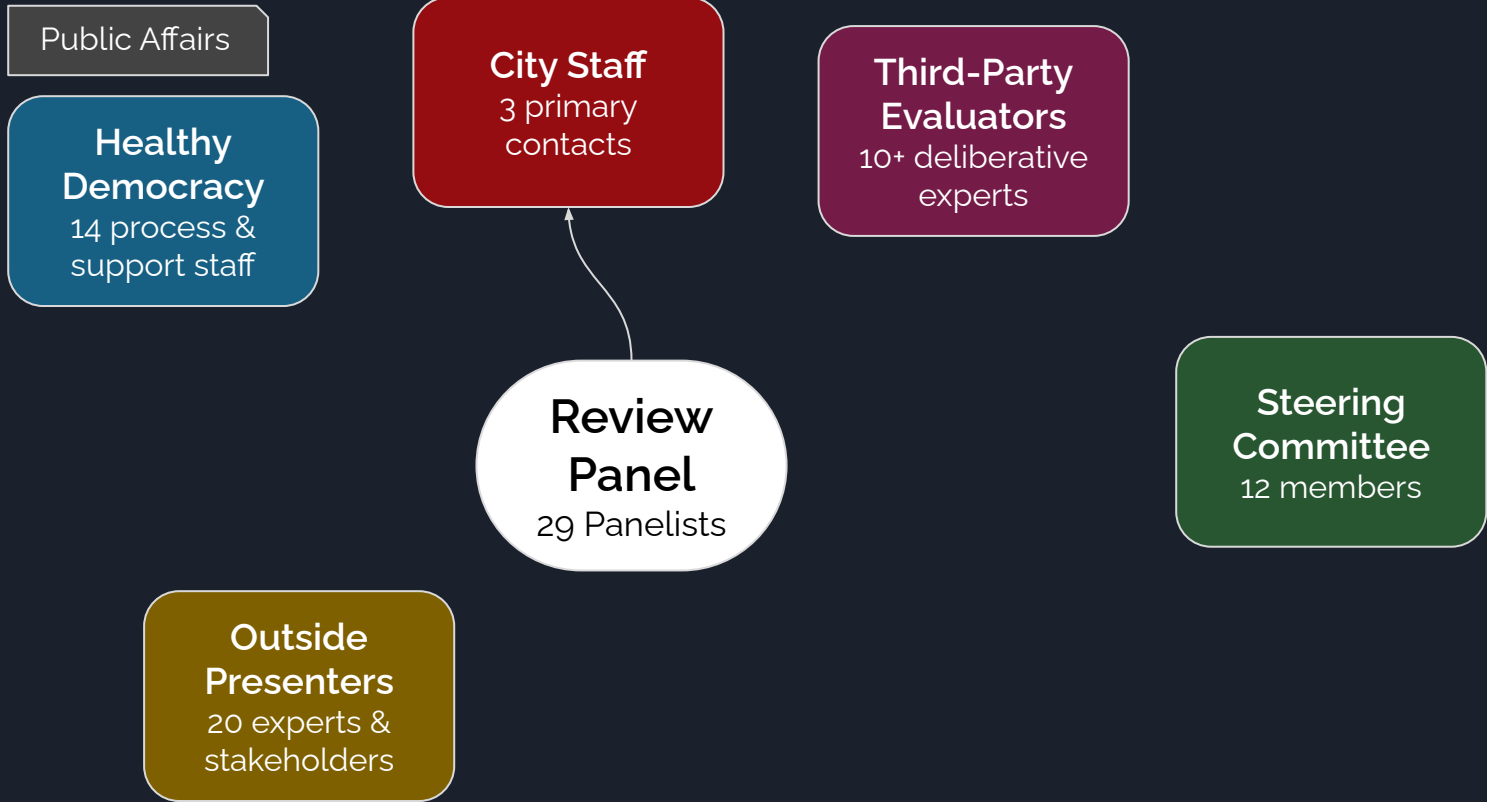
Elements of the Review Panel Process



Support for the Panel



Information **to** the Panel



Recommendations **from** the Panel

Guiding Principles

Principle 1: Affordable housing is of paramount importance.
 Weighted Score: 192.
 Votes: Strongly Agree – 25, Somewhat Agree – 2, Don't Know / Neutral – 0, Disagree – 0.

- Why this is important
 - Rent is over half a person's income – 60% a lot of the time – so affordability must be a priority.

Principle 3B: Provision for continuous improvement of policy; what we create will need to be revisited in the future. Establish a periodic form of review process on existing policy to change accordingly. Form a review process that is at least as representative as this Panel.
 Weighted Score: 189.
 Votes: Strongly Agree – 25, Somewhat Agree – 3, Don't Know / Neutral – 0, Disagree – 0.

- Why this is important
 - As an example, only three buildings have been built under an existing Eugene policy: MUPTTE (Multi Unit Property Tax Exemption). We should revisit policies after two years and see if it's working.

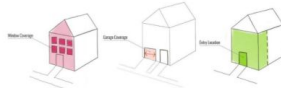
Principle 6: Expedite the process of securing affordable housing for those that need it most. Reduce red tape.
 Weighted Score: 189.
 Votes: Strongly Agree – 25, Somewhat Agree – 1, Don't Know / Neutral – 1, Disagree – 0.

Principle 2: Maintain affordability for newly constructed middle housing when replacing existing affordable housing structures.
 Weighted Score: 185.
 Votes: Strongly Agree – 23, Somewhat Agree – 2, Don't Know / Neutral – 0, Disagree – 0.

Question 3: Design Standards

Design standards define the look and feel of buildings. In many cases, the City of Eugene currently applies only very basic design standards such as building setbacks (the distance from the edge of the property to the home) and maximum height to homes in the zones) that will soon allow more middle housing types. Some design standards promote walking and pedestrian accessibility (having doors to homes face the street or reducing the width of driveways or garage doors).

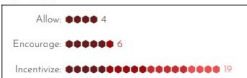
The following are examples of potential design standards: What level of standards should the City use for middle housing?



- ALLOW:** Use the highest level of design standards (followed by the state such as the location of doors or entries, the amount of the house covered by windows, and garage widths). Features will more closely match single-family homes, but the standards may limit design flexibility and may add cost to the home.
- ENCOURAGE:** Develop design standards that are less restrictive than the "allow" option. Encourages middle housing to include basic design features but leaves more options available for design flexibility and reducing costs.
- INCENTIVIZE:** Use very few or no design standards. This permits a wide range of design options for entry locations, garage width, and other factors that may make middle housing stand out more from single-family homes, but has the benefit of greater design flexibility that can result in more efficient, customized, and lower-cost housing.

7/31

Vote Count



- Key to Panelist Notes:
- Bold, Italic & Underline** - 1 Group Supported as a Key Point
 - Bold & Italic** - 2 Groups Supported as a Key Point
 - Bold** - 3 Group Supported as a Key Point
 - No emphasis - Additional Notes

Allow Notes	Encourage Notes	Incentivize Notes	General Notes
Design flexibility	Design flexibility	<i>Has to be incentivized - making less restrictive how we design middle housing if gonna make it more affordable</i>	There are no design standards for single dwelling houses
What to keep some standards leading to development diversification (see Principle 2B)	What to keep some standards leading to development diversification (see Principle 2B)	Any design standards	• This is not true, there are design standards for SF, lex, setbacks/building height, etc.
Promote sustainability. Build from green.	Promote sustainability. Build from green.		

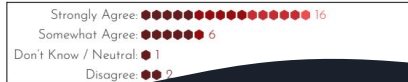
Public Engagement Recommendations

Recommendation 1: Statistical sampling is good to get an idea of what a sample of the population thinks. This kind of selection could also be useful for special committees, Boards, and Commissions.



- Rationale:** Random mailings might be more effective than other recruitment methods because they get a hold of people right where they already are - in their homes.
- Rationale:** Not everyone listens to the radio, reads the newspaper, knows the right people, or is on the right listserve to hear about openings and apply.
- Rationale:** In an informal poll, 5 Panelists on the process oversight task committee said they would not have responded to an email or an ad in the Register Guard to join this Panel.

Recommendation 1a: If direct mailings are too expensive, prioritize underrepresented groups. This may require a creative process to find where those folks live.



Deliverables (written by the Panel with no edits from staff)

Other Models



The Basics

- *Scope:* less extensive
 - e.g., City Councilor pay, neighborhood corridor plan
- *Panel:* 20-24 Panelists
- *Cost:* \$35-50,000
- *Info inputs:* 8-12

Other Creative Ideas

- Share a single Panel between multiple small cities in a region, or between multiple agencies
- Opportunities to use pieces of lottery or deliberation
- Local capacity-building

Lottery-deliberation at a **smaller** scale

The Basics

- *Scope*: more extensive
 - e.g., comprehensive plan, neighborhood-based system
- *Panel*: 40-200 Panelists
- *Cost*: \$100-300,000
- *Info inputs*: 30+ presenters, tours, surveys, listening sess., charrette

Two-Tiered Concept

- Lottery-selected Commission: democratize agenda-setting, governance & follow-up
- Commission oversees separate lottery-selected, issue-specific or agency-specific Panels.

Lottery-deliberation at a **larger** scale

Common Concerns





Random People Aren't Experts

- Random & representative Panels have an inherent credibility with the public that even experts lack
- The basis of every Panel is evidence – expert and stakeholder Q&A is the whole first half of any process
- All information requires interpretation; the question is only *who* is doing the interpreting
- Panels have a proven track-record of identifying reliable information, even in highly political contexts
(See healthydemocracy.org/impact)



Anyone Should Be Able to Participate

- Stakeholders are essential to these processes – on advisory committees & as advocate presenters
- But advocates aren't always the right deliberators
- Open-in-theory doesn't usually mean open-in-practice
 - Traditional public hearings and committees typically feature the same few voices (like mine!)
 - Let's focus on outcomes: Are we actually getting broad-based participation or just allowing for it?
- Lotteries allow us all a *chance* to engage deeply



This Seems Expensive

- This is not just public engagement; it is an investment in new civic leaders and in new civic infrastructure
- Plus, it typically costs no more than existing methods
- Benefits go beyond recommendations, both for Panelists in the room and a broader culture of trust
- Also consider the quality and credibility of decisions
 - We believe broader legitimacy and stronger processes yield better policies, more public support, and long-term savings



Isn't This Equality, Not Equity?


- Equality is a minimum guarantee
 - Democratic lotteries guarantee representation on 7+ demographic factors – all at the same time
- It's only a minimum. So many equity opportunities:
 - In setting targets (e.g., using K-12 demographics, special targets for those particularly impacted)
 - In informational inputs (e.g., stakeholder outreach)
 - In the process itself (e.g., support for Panelist-organized, identity-based caucusing)

“ Many of us consider [this process] to be
**our most meaningful
experience in politics.**

And for those of us who have struggled
to keep faith in the political system, it
helped to restore it.

—Joint Statement by 2016 Massachusetts
Citizens' Initiative Review Panelists





HEALTHY
DEMOCRACY

info@healthydemocracy.org
+1 (503) 841-6865 (office)

Linn Davis

Program Co-Director
linn@healthydemocracy.org
+1 (503) 334-9455 (cell)