

## Preparing Legislative Testimony

Testimony is a powerful tool to communicate your position on an issue during legislative hearings and get your message in the public record. Testifying at a hearing is an opportunity to educate legislators and policymakers about the impact that proposed legislation might have, provide recommendations, and allow your organization to take an official position on the record. Writing effective testimony ensures your voice is heard and can influence decision-making.



### Purpose:

1. Elevate/educate on an issue and share community stories with legislators, organizations, and media
2. Ensure legislators consider all possible impacts of legislation
3. Pressure and influence legislators
4. Go on the public record, laying the groundwork for future litigation
5. Stand in solidarity with marginalized communities
6. Promote your organization's advocacy work

### Written Testimony Preparation:

**Research the Hearing:** Understand the purpose, context, and scope of the hearing. Tailor your testimony to address specific aspects of the legislation being discussed.

### Tips:

- Read the entire bill, relevant sections of the bill, and/or the hearing notice to ensure that your testimony is accurate.
  - Don't assume that all legislators have read the entire piece of legislation.
- Identify where in the legislative process the bill currently stands.
- Sign up for notices about the bill.
- Research what proponents and opponents are saying.
- Connect with other groups submitting testimony.
- Research the committee process and your prospective audience.
- Identify your organization's position and history of work on this issue.
- Research the legislature's testimony guidelines, including:
  - Submission requirements (e.g. your organization, author, date, and committee name);
  - Page limits;
  - Whether you need to register to testify;
  - What the deadline is for submission.
- Find your state legislature's website: <https://www.congress.gov/state-legislature-websites>
  - To find out more about the formal process for submitting and/or delivering testimony to your legislature, you can also do a simple web search: "testifying in x state legislature." Your state's guidelines will usually come up in first few results.

**Write Your Testimony:** Outline your position clearly and communicate your ask of legislators. Start by looking for content from any memos your organization has submitted on the bill or issue in the past for ease and continuity of messaging.

Written Testimony Structure:

- **Intro:** Introduce yourself and the organization you represent
- **Position:** Clearly state your position of support for or opposition to the proposed bill or policy (if it's legislation, include the bill number)
- **Support:** Support your position with facts and data

Written Testimony Content:

- **Personal Stories:** Incorporate personal stories, anecdotes, or real-life examples that illustrate the impact of the legislation on individuals or communities.
  - Support your position with pertinent and compelling anecdotal evidence that speaks to your membership or individuals whose interests you're working to represent.
  - Stay within your expertise and emphasize what you know best.
- **Data and Evidence:** Back your claims with reliable data, statistics, research findings, and expert opinions to reinforce the credibility of your arguments.
  - Apply a diversity, equity, and inclusion (DEI) lens, explicitly naming communities that will be impacted by the legislation.
- **Address Counterarguments:** Anticipate potential counterarguments and address them respectfully. Demonstrating a comprehensive understanding strengthens your testimony.
- **Recommendation:** Give a clear action for legislators to take, like supporting or opposing a bill.
- **Closing:** Restate your position/recommended action and thank the committee.

### **Oral Testimony:**

Oral testimony is often similar to written testimony in terms of the content conveyed, so much of the above content will likely be applicable for oral testimony as well. However, there are some differences in the length of the testimony, the depth of the detail provided, and other factors specific to testimony rules in your state.

Tips:

- Connect with allied groups giving oral testimony. Understand what they will discuss in their testimony to ensure you bring some unique perspectives.
  - It is okay to cover some of the same content and messaging as partners' testimony to underscore the importance of an issue, but ensure that some of your content is unique.
- Attend/watch another public hearing of the committee to whom you plan to present testimony. Try to understand the committee process and your prospective audience.
- Research the legislature's testimony guidelines including:
  - Time limits (be brief; often 1 – 5 minutes, depending on committee guidelines);
  - Whether you must submit something in advance of oral testimony;
  - Whether you can follow up with additional details in writing after the hearing;
  - Deadline for responding to questions from the committee after the hearing; and
  - Whether you must deliver the testimony in-person or virtually.
- Anticipate questions you may be asked and practice your responses.

- Decide if you will read the testimony, memorize the testimony, use speaker notes to guide your speech, or just speak. Oral testimony tends to be stronger if the speaker is not reading directly from a piece of paper, but notes are very helpful to stay on track and help ensure accuracy when sharing statistics or quotes.

### **Common Hurdles and Things to Consider for Written and Oral Testimony**

- “Unfriendly” committees/legislatures
  - Showing up and going on the record with “unfriendly” committees/legislatures consistently is important to building collaborative relationships.
  - Emphasizing the nonpartisan nature of issues (e.g. voting rights) and your organization can help build bipartisan support.
- Lack of results in the past
  - Change is incremental. We work to shift attitudes over time.
  - If we don’t show up when we don’t think it will change the outcome of a bill in the current legislative session, we won’t establish a track record of support for good legislation and opposition to bad legislation, which is necessary to make change over time. This is our civic responsibility.
- Geographic disadvantages making it hard for advocates to get to the state capitol to deliver testimony in person
  - Leverage technology to deliver testimony virtually.
  - Work to build a base of members local to the capitol.