Document Formatting and Presentation

- Header provides date, contact information, and organization name.
- Helpfully titled.
- Well formatted to enhance clarity by breaking content into sections with clear foci.
- Section headings preview text that follows.
- Appropriate emphasis added.
- Visual cues help draw the reader's eye to the relevant points quickly.

EXERCISES

1. What is the purpose of your policy history? Why are you creating it?
2. Who is your audience for the policy history? What do they need to know about your problem?
3. Think about the content of your policy history. Should you focus on legislative actions, executive branch actions, or both?
4. Write a sentence outline of your policy history. Why did you organize it the way that you did?
5. Create an effective, 1–2 page policy history targeted to a specific decision maker that gives them enough details about the relevant policies that have been proposed and/or enacted and provides the context to understand them.

BIBLIOGRAPHY

Federal Register. (2018). *Air quality designations for the 2010 sulfur dioxide (SO_2)* (rule no. 2017–28423). Washington, DC.

Glass, I. (2012, November 2). Red state blue state. *This American life*. NPR. Retrieved January 1, 2018, from https://www.thisamericanlife.org/radio-archives/episode/478/red-state-blue-state

Morgan, J. (2001). *State legislative history research guides inventory*. Retrieved January 8, 2018, from http://law.indiana.libguides.com/c.php?g=19813&p=112411

Shambaugh, G. E., & Weinstein, P. J. (2016). *The art of policymaking: Tools, techniques, and processes in the modern executive branch* (2nd ed.). Washington, DC: CQ Press.

Smith, C. F. (2015). *Writing public policy: A practical guide to communicating in the policy-making process* (4th ed.). New York: Oxford University Press.

CHAPTER

10 The Decision Memo

Decision-forcing memos, commonly called *decision memos*, are documents that focus decision makers on a pressing problem on which they need to take action and persuade them to take a particular action using evidence and logic.[1] Emergencies, actions by opponents, or new information about how a situation is changing may call for new action by decision makers.

If decision makers recognize these decision points in advance, they may request a decision memo to trigger the careful consideration of the problem by subordinates. Other times, subordinates may see the problem first and write these 1–2 page memos to force decision makers to make a decision. Because decision memos are focused around action, they have a highly standardized format. Decision memos frame the problem, discuss options for action, and make a recommendation about what to do.[2]

Like any policy genre, *thinking* is key to success. To succeed, you must decide what the core problem is, create multiple options that address the problem, determine the criteria you will use to decide between them, discuss the trade-offs, and make a recommendation, all in 1–2 pages. The format forces concision, and concision forces clear thinking. These page constraints demand your best *thinking* and *communicating*.

Distinctive Aspects of Decision Memos

The audience for a decision memo has a pressing need to make a good decision about the issue you are presenting to them. That's good news because they are more likely to give your memo sustained attention than many of the other policy-writing genres. The bad news is they are still in a hurry and, with enormous pressures of the decision weighing on them, they are just as demanding readers as in any of the other genres.

[1] Depending on the setting, decision memos may be referred to by different names. For example, the White House refers to them as decision-forcing memos (Shambaugh & Weinstein, 2016, chap. 6), while the Veterans Administration refers to them as executive decision memos (EDMs).

[2] Garfinkle (2012, chap. 6) provides strategic advice about when and how to use decision memos to shape policy.

Memo Format

Decision memos are, first and foremost, memos. As such, you must begin your memo in a standard format with "To," "From," "Date," and "Subject" lines. These are important, so don't overlook them. Remember that your decision memo, even if requested by the decision maker, is one of dozens of documents they might see on a given day. Orient them by assuring them the document is addressed to them, who wrote it and what your title is, what the date is, and what the memo is about. The date is particularly important because in fast-moving situations, they need to make sure your memo is still relevant.

The subject line serves as the functional title of your memo. Make sure your memo is descriptive. Don't just say the noun involved (i.e., DACA). Instead, provide a title that is both descriptive and orienting (Options for Passing DACA Given the Current Political Landscape in the House).

Finally, make sure to use the various formatting practices described in Chapter 7. As you will see in the examples, decision memos use headings, subheadings, bullets, and spacing liberally, as well as italicized and bolded text when appropriate. All of these are useful and appropriate tools in decision memos.

The information in the header is also important because it's likely that your memo will end up in the hands of others. For example, you may be writing to the chief of staff, but if it's good he may pass it up the chain of command to the senator. Or if the governor requested the decision memo, she might have it distributed to the cabinet before the meeting. In either case, make sure the heading is complete and correct so everyone can be on the same page.[3]

Abbreviated Policy Analysis

At its heart, a decision memo is a policy analysis compacted to fit a 1–2 page memo. While you can intuit how to organize a policy analysis by using the headings below, your *thinking* will be sharper and your analysis better if you've already had some training and practice in policy analysis.

Policy analysis is a difficult skill to master (Cooley & Pennock, 2015). Deciding on the right problem definition is notoriously difficult. It's a challenge to discern crisp and distinct alternatives. Deciding which criteria are appropriate is surprisingly problematic. And that's just the *thinking* bit; once those are in place, then you have to do the long, hard work of gathering data, considering trade-offs, and making the decision (Bardach & Patashnik, 2015). If you haven't learned about policy analysis, or it has been a while since you've studied it, it's worth reading or reviewing a guide on the topic.[4]

[3] It is, of course, possible that people outside your office may read it too. It might be distributed by staff, it might be leaked, or it might be read by outsiders using the Freedom of Information Act to request a release.

Example Outline for a Decision Memo

To: President Trump

From: Joe Smith, National Security Analyst

Date: January 10, 2018

Subject: Foreign Intelligence Surveillance Act (FISA) Renewal

Executive Summary: The Foreign Intelligence Surveillance Act (FISA) . . .
. . . I recommend that you support passage of the law.

Background: The original legislation was . . .
. . . *the issue on the table now is whether or not to renew FISA in its current form.*

Options: In response to the actions by Congress, you should choose one of the following options based on . . .

Option 1: Support FISA Renewal

Paragraph 1: Detail option.

Paragraph 2: Detail impacts and discuss pros and cons.

Option 2: Oppose FISA Renewal

Paragraph 1: Detail option.

Paragraph 2: Detail impacts and discuss pros and cons.

Option 3: Push for FISA Changes in Exchange for Support of Renewal

Paragraph 1: Detail option.

Paragraph 2: Detail impacts and discuss pros and cons.

Recommendation: I recommend that you support the law. It is the best option because . . .

[4] See Kraft and Furlong (2013, pt. II), Bardach and Patashnik (2015), or Weimer and Vining (2017) for training or a refresher on the context behind this.

While decision memos are usually focused around policy, they are also appropriate for overtly political situations. A political decision is still a decision. An issue is on the table, options need to be considered, and a recommendation needs to be made. The same set of principles apply to political decisions (or any decision, really), and the same format can help move toward a good outcome.

Highly Standardized Structure and Headings

Decision memos are organized around a standard structure. They contain an executive summary that allows decision makers to overview the memo quickly, a background section to bring the reader up to speed, two to four options (or alternatives) for action, and a recommendation. Each section has a descriptive header that helps quickly orient the reader.

Deciding About a Criteria Section

The one nonstandard aspect of decision memos is where to put the criteria section. You have three choices. The first is to have a standalone criteria section between the background and the options. This mirrors the standard format of a full-length policy analysis where there would be some discussion of why you chose the criteria and how they are operationalized. But in decision memos you have other choices. The second choice is to insert a brief paragraph at the beginning of the options section that details what they are. The third is to include the criteria as you discuss the options.

Which should you choose? If you can, do what is standard in your arena. Look at samples or ask people what is normally done. If you're writing without explicit guidance or samples to review, then consider the following advice: Have the criteria stand alone if the criteria are controversial. This allows you to defend why you chose them. If they are important but not controversial, then consider including a brief paragraph about them at the start of the options section, before you begin detailing the options. If they are obvious and noncontroversial, then I suggest working them into the discussion of each option in the details.

Assuring Alignment

Finally, as you write, make sure to keep alignment in mind. The parallel structure of a decision memo focuses readers on your argument. If you don't align your argument throughout your memo, people will notice. For example, writers of decision memos often struggle with evaluating each alternative using the same criteria. If one of the benefits of Option 1 is that it saves lives and reduces costs, then you need to talk about whether or not Option 2 saves lives and reduces costs as well.

Similarly, it can be difficult to maintain alignment of the terms throughout the paper. Make sure to use the same language throughout. Don't refer to the same set of people as constituents in the background section, voters in the options section, and citizens in the recommendation section. Align the language throughout and your reader will be able to follow along more quickly.

Example Decision Memos

The rigid analytical and visual structure of the decision memo means there isn't the same amount of variation as in most policy genres. However, there are some differences in style. The memos below have been selected to show you how these differences function. They are by three different authors, and each slightly varies the format without breaking the rules. Let's take a look at each of them to learn from what they do well and where they could improve.

Example 1: Responding to Lead Poisoning in New York City[5]

In the 1960s and early 1970s, New York City (NYC) began to grapple with the lead poisoning epidemic facing the city's children.[6] The effects of lead as a neurotoxin were just beginning to be fully faced at the time and lead would quickly be removed from new paints and from gasoline. However, lead remained in paint in and around buildings around the United States, and this posed a particular danger for children. They were especially in danger because they were more likely to be exposed to lead by crawling and putting things into their mouths, and they were more likely to be harmed by the neurotoxin because their brains were still forming.

In NYC, political activism surrounding a number of high-profile lead poisoning cases pushed the mayor to consider making lead poisoning a policy priority. In response, the new health services administrator, Gordon Chase, had to decide how to respond to the mayor's interest. The following memo addresses that question directly.

[5] This memo is a sample decision memo written using information from the time period (Rosenthal, 1992). *It does not reflect current understanding of lead poisoning, lead in NYC, or lead effects in children.* If you are interested in this topic, many current resources and research are available online, especially given the lead issues in Flint, Michigan.

[6] See Rosenthal (1992) for details.

To: Mr. Gordon Chase, New York City Health Services Administrator

From: Aiden Brown, Policy Analyst

Re: Responding to Lead Poisoning in New York City

Date: January 3, 1970

Executive Summary

Lead poisoning is a preventable disease with 120,000 children at risk in New York City. Though the City has historically lacked a large-scale plan or a reasonable budget to fight this health problem, public support for a government response has grown in recent years, and now Mayor Lindsay is prioritizing reducing the prevalence of the disease. Consider these two options to address the issue: allow Commissioner McLaughlin to implement her strategy as planned, or create a task force to rewrite the department's lead poisoning policy to actively fight the disease. Continuing with Dr. McLaughlin's plan is the most effective, feasible, and beneficial to the department's relationships.

Background and Problem Definition

Lead poisoning is a serious medical condition that, if left untreated, can cause mental retardation, epilepsy, kidney and nervous system problems, coma, and death. The disease threatens children in low-income homes who may ingest lead paint chips from tenement walls. Caring for afflicted children poses a significant financial burden to society, but patients face little long-term risk if treated quickly.

The current process for dealing with lead poisoning involves many different city departments, doctors, and tests. There is no active search to find and treat cases in at-risk populations. Instead, most diagnoses come from children showing signs of symptoms in standard physical examinations. In October, Commissioner McLaughlin secured $150,000 funding to begin to improve the Health Department's policy related to lead poisoning. Her efforts further increased the pressure from prominent politicians and interest groups to take a more decisive action. Neglecting lead poisoning will leave many children with lasting health problems and reflect poorly on the Mayor's ability to accomplish his priorities.

Alternatives

I will evaluate these two alternatives based on three criteria. First, the effectiveness of the policy in identifying and treating possible cases of lead poisoning. Second, the feasibility of implementing the policy given constraints of Health Department resources. Finally, how the policy will affect the Department's relationships in-house and with outside parties.

Alternative 1: Allow Continued Implementation of the Commissioner's Strategy

This option follows the plan set out by Dr. McLaughlin when she secured $150,000 from the Budget Bureau to fight lead related ailments. She aims to revise the health code to make landlords cover lead-painted walls, develop a small staff to handle lead issues, study the ALA test (a urine test for lead-poisoning that has not proven to be effective), and purchase equipment to measure lead levels in walls and potential victims.

This plan appears an effective use of funds. It will increase identifications by 2,500 cases at a cost of $60 per case. The estimated lifetime costs of a brain-damaged child to society include $17,000 for special education and $220,000 for institutional care. This plan saves many children from short and long-term damage and saves society the money needed to care for them. The Department can feasibly proceed to implement it. The current funds appear sufficient, but the Health Department and the Budget Bureau agree additional future funding is needed to significantly fight the epidemic. Allowing Dr. McLaughlin's plan to proceed will also ease the transition between administrators. However, by taking a more passive approach to the problem, politicians and interest groups will continue to express discontent, but this could benefit the department by drawing more attention to the issue in order to secure more funding.

Alternative 2: Actively Fight the Epidemic Through Redesign of Department Procedures

This option proactively overhauls the Health Department's policy on lead poisoning. The first step is to create a task force to deal specifically with lead poisoning issues. This group will simplify the treatment process by having all cases referred to the Social Hygiene Clinic; requiring public health stations in sixteen poverty districts to routinely test for abnormal lead levels in children ages one to six; and sending out simple informational flyers in English and Spanish with welfare checks.

This option addresses lead poisoning more aggressively than the first alternative, so we can assume it would identify at least as many cases (>2,500 case increase annually). It is important to note that the costs of this program will be relatively more expensive, but the Budget Bureau has recognized the need to increase funding for lead poisoning. They will decide to increase the budget

based on the results of a case study in December. This risk makes the project less feasible, as the funding is not there right now to implement it. Announcing a program before it receives adequate funding could reflect poorly on the Health Department and the Mayor. It is important to account for the effect this action would have on the relationships within the department and with politicians. Taking such a bold plan as a newcomer to the department could serve to alienate established and more experienced members. However, it could appease public and political outcry for a response. There is an upside to retaining public displeasure, as the more attention activists and politicians draw to the issue, the more funding the department will receive to fight it. This alternative would have a mixed effect on relationship dynamics.

Recommendation

I recommend allowing Commissioner McLaughlin to proceed with her plan. This decision is more effective, feasible, and department-friendly than an aggressive approach. The cost effectiveness is clear. There is an estimated 2,500 case increase at a cost of only $60 per case. The low financial costs also make the plan more feasible. Deferring to the health care expertise of the Commissioner will help build relationships in the department as the newcomer. The more passive response will also allow time to study the disease and to formulate the best robust response for when funding increases. Finally, this action will increase public and political outcry, raising awareness about the issue and helping to secure more funding. If the Health Department and Mayor's office clearly communicate their desire to do more if given the funding, this could prove to be a successful first step in solving a major health problem.

Discussion of Example 1

What do you think? The effectiveness of a memo like this can be hard to judge without knowing the technical or political details of the situation. Without that context, let's take the memo at face value and see if it does its job well. Does it clearly lay out the decision to the decision maker? Are the trade-offs evident? Is Mr. Chase ready to make this decision?

Let's start by discussing what the author does well. First, perhaps my favorite part is how he ends the background section. This is a key spot in the memo because the ending of any section provides a chance to focus the reader. He ends this first section with the sentence, "Neglecting lead poisoning will leave many children with lasting health problems and reflect poorly on the Mayor's ability to accomplish his priorities." With that he clearly and succinctly encapsulates the whole of the problem, both in terms of the children and the effect of that problem on Chase's boss (the mayor) and his agenda. That's memorable.

Second, he does a nice job of only including details in the background section that are relevant for the decision itself. He could have included stories about the particular children who have been in the media, or the names of the activists who have been driving the issue forward. Instead, he neatly packages them and moves them aside to focus on what should be done now.

Third, notice how he chooses to discuss the criteria included at the beginning of the options section. This choice works in this memo because it provides a frame for you to begin to read the options themselves and know what he will be discussing in them.

So these elements work well. What could he have improved? I found the second paragraph in each alternative section hard to follow. Was the discussion aligned with the criteria he laid out? Hard to tell; the writing wasn't cohesive enough to really follow. He would have been well served to focus on making those paragraphs work or breaking them up to make sure we could follow them.

Example 2: H1N1 and School Closures in Texas[7]

Now let's shift gears and years and look at another example. This example is a memo written to Dr. Valadez, the Assistant Commissioner for Prevention and Preparedness Services at the Texas Department of State Health Services. In 2009, Texas became the first state to be hit by the H1N1 influenza virus, popularly known as swine flu. At the time, the death rate from the virus was unknown and many feared that it would be as deadly as SARS, which killed one in 10 victims in 2003 before it was contained.

The first cases in Texas appeared in a high school in Guadalupe County, near San Antonio. Quickly, the local school district had to consult with the Texas Department of Health and the CDC to decide whether or not to close the school. They did close the school, and as the flu spread across Texas more schools closed, with nearly 500,000 students missing school that spring (Giles, 2011). In the after-action report the following summer, both the State Department of Health and the schools faced a choice about how they would respond to flu outbreaks in the winter. This decision memo puts that choice squarely before the policy makers. Take a look.

[7] This memo is a sample decision memo based on the information in the case (Giles, 2011). *It does not reflect current understanding of pandemic response or school closures.* The U.S. Centers for Disease Control and Prevention (CDC) has excellent resources on current state-of-the-art responses to flu epidemics.

Date: August 12th, 2009

To: Dr. Valadez, Asst. Commissioner for Prevention & Preparedness Services, DSHS

From: Charlotte deButts, Policy Analyst

Subject: H1N1 Caused Texas School Closures

Executive Summary

With the outbreak of H1N1 in Texas, state officials must find a way to keep its citizens safe. This past spring, Texas closed schools with confirmed cases of H1N1, but this is not the only policy option. For a second option, Texas can take a more drastic approach and shut down all schools and public facilities in districts with cases of H1N1. It is also possible to keep schools open, while only sending home infected children. This third option allows most children to stay in school and stay safe.

Background & Problem Statement

In March of 2009, a new strand of influenza called H1N1 started spreading throughout Mexico. People panicked, flocking to hospitals, and Mexico responded by closing all schools and public facilities. Naturally, we began to prepare for the virus to spread across the border. The first case came in late April 2009 at Steele High School. This marked the beginning of the first flu pandemic in 40 years. Little was known about H1N1 at first, but it spread quickly and was also relatively mild.

In 2005, the Bush Administration put together guidelines for pandemic cases like H1N1. It laid out how federal, state, and local governments should handle these emergencies. The Texas Department of State Health Services (DSHS) decided within the first few days after the first H1N1 case was confirmed that the pandemic was a Category 5, the most severe rating. Based on this assumption, and with the recommendation of the Centers for Disease Control and Prevention (CDC), many counties throughout Texas closed their schools and cancelled inter-district activities. 500,000 students had their school year disrupted and there were 5,200 cases of H1N1. As we are about to start the new school year, we must balance the safety and wellbeing of Texas students and with the value of an undisrupted education.

Criteria

Safety: One of the most important roles of government is to ensure the safety of its citizens and their wellbeing is a top priority.

Feasibility: In emergency situations with little time to plan and react, the feasibility of policy is very important. It is not enough for the policy to sound like it would work, it must actually work effectively and efficiently.

Personal Freedom: People should have as much choice as they can without harming society. This includes going where they choose, working when they want, and seeing who they wish.

Alternatives

Alternative 1: Selective School Closures

This is the policy that Texas state officials used this past spring. Many districts shut down schools for two weeks, disrupting 500,000 students' school years. This also means that many parents had to miss work to take care of their children. This policy was meant to keep children from spreading H1N1 to each other at school, but many children simply shifted their interactions to other public spaces like the mall or to each other's houses.

Alternative 2: Widespread Closure of Schools and Public Facilities

In this policy option, every possible closure is utilized. If a total quarantine is desired, then every affected county should shut down all schools, public facilities, and any activities that involve cross district mixing. This option prioritizes the safety of Texan citizens above all else. Though it may seem extreme, if the goal is to keep citizens from each other and especially the infected, this is the most effective way to keep contamination at a minimum.

Alternative 3: School Closures When 10% or More of Students Are Ill

In this policy option, schools would only be closed when 10% or more of the students are ill. This middle ground allows schools to stay open even if children are sick while allowing for school closures in extreme cases. This would allow most students to continue uninterrupted and most parents to continue working.

Recommendation

I recommend that you choose Alternative 3 and only close schools in extreme cases. This option allows families to keep their personal freedom to attend school and extracurricular activities. It is also very feasible because it requires little work on the part of state or local government. Keeping schools open does put more citizens at risk of illness, but with a disease that spreads so quickly, but is relatively mild, an extreme quarantine is not necessary.

Alternative 2, which requires shutting down most of the state, would keep people the safest, but the effects on personal freedom are extreme. It is also not very feasible. Economic activity in Texas would be reduced for a substantial amount of time and it still won't keep people from interacting privately. Alternative 1, which requires that any affected school close, worked in that it kept rates of infection down, but it kept an immense number of students from school. It limited people's personal freedom and was only feasible on a small scale.

Alternative 3 is feasible, allows citizens freedom of choice, and still protects their safety. Going forward, it is the best policy option when responding to H1N1.

Discussion of Example 2

What do you think? Again, the effectiveness of a memo like this can be hard to judge without knowing the technical or political details of the situation. Without that context, let's take the memo at face value and see if it does its job well. Does it clearly lay out the decision to the decision maker? Are the trade-offs evident? Are government officials in Texas ready to make this decision?

Let's start by discussing what the author does well. First, she uses the headings to create a clear road map of the memo. Each one of them has a descriptive title, including the criteria that are pulled out from the alternatives (options) section and discussed separately. Second, her short paragraphs in both sections allow the reader to move through her analysis quickly. Finally, she also keeps her alternatives section clean by moving the discussion of the trade-offs to the recommendation section.

So these elements work well. What could she have improved? Alignment is one area. Alternative 1 discusses the drawbacks to parents of children missing school, but that theme isn't touched on in the others, even though there would be a clear impact on parents in each course of action. Another area is the content of the background: Why does the reader need to know about H1N1 coming from Mexico? That background doesn't set up the rest of the case and could be cut.

Example 3: Raising Virginia's Felony Larceny Threshold

For our final example, let's take a look at a criminal justice issue: felony larceny thresholds. Simply put, each state chooses a cash value that divides petty larceny (or small theft) from felony larceny. This distinction matters because a felony conviction carries much higher consequences for the convicted including higher fines, more jail time, and in some states loss of voting rights. This threshold varies from state to state and is therefore often under debate. This memo steps into that debate. Take a look.

To: Del. William Howell, Speaker of the Virginia House of Delegates

From: David Smith, Legislative Aide

Date: October 9, 2016

Re: Raising Virginia's Felony Larceny Threshold

Executive Summary: Virginia's $200 felony larceny threshold is the lowest in the nation. As a result, criminals in Virginia often receive felony charges for crimes that other states would consider misdemeanors. The General Assembly last updated Virginia's felony larceny threshold in 1980 and bills have been introduced to raise the threshold many times since. These attempts have all been successfully blocked in large part by retailers' groups, who fear that raising the threshold will increase shoplifting. *Virginia should raise the felony larceny threshold to $585, index the threshold for inflation, and include a specialized statute to increase the petit larceny punishment for stealing from a retailer.*

Background: Felony Larceny in Virginia: Virginia's felony larceny threshold is $200, the lowest in the country and well below the national average of $1,005. The General Assembly last updated Virginia's threshold in 1980 when they raised it from $100.6 to $200 in 1980, which is equivalent to approximately $585 today.

In Virginia, felony larceny charges contribute significantly to the felon population. From 2008 to 2015, the average number of felony sentencing events in which larceny was the most serious offense was about 5,500. In all other states except New Jersey, many of those convictions would have been considered misdemeanors. Many studies show that having a felony greatly limits the opportunities of people returning to their communities after incarceration as felons often face barriers to housing, employment, and education once they return from prison or jail.

For the past decade, lawmakers have worked to raise Virginia's felony larceny threshold. In the 2015 General Assembly session alone, both the Virginia House and Senate introduced bills (HB 1369 and SB 1234) that would have raised the felony larceny threshold to $500.80. The Virginia Retail Federation

and the Virginia Retail Merchants Association successfully blocked each bill. As this issue will likely come up again in the next legislative session, this memo explores Virginia's options for changing its felony threshold.

Option 1: Keep Virginia's felony larceny threshold at $200.

This option maintains the status quo, keeping Virginia's felony larceny threshold at its current $200.

Pros:

- *Supported by powerful advocacy groups:* The Virginia Retail Merchants Association and the Virginia Retail Federation support this option.
- *Falling burden of felony convictions:* Policies across the state have lessened the consequences of a felony larceny conviction. This year, Gov. McAuliffe has worked to restore voting rights to all felons. Further, several cities have removed questions about prior convictions on city job applications. Both lower the impact of a felony conviction.

Cons:

- *Current policy doesn't reflect original intent:* Virginia's felony larceny threshold is much more severe than lawmakers intended when they raised it from $100 to $200 in 1980. $100 in 1980 is worth $292.30 today.
- *High costs:* In 2008, the Virginia Department of Corrections estimated that increasing the felony larceny threshold to $500 would save $3.5 million in prison bed costs in 2013 alone.

Option 2: Raise the felony larceny threshold & index to inflation with retail carve out.

This option would raise the larceny threshold to $585, the equivalent of $200 in 1980. Further, it would include a provision to index the threshold for inflation. To make this change less objectionable to opponents, a special provision is included to punish stealing from a store.

Pros:

- *Reduced costs:* According to the Justice Policy Institute, raising the felony larceny threshold from $200 to $600 could save Virginia approximately $22 million over six years.

- *Reduced burden of felony conviction:* Raising the threshold to $585 would reduce the number of low-level larceny offenders up for felony conviction.
- *Inflation indexing keeps limit in line with original intent:* An indexing measure will maintain the current intent of the law over time.
- *Retail carve out reduces political opposition:* The Virginia Retail Merchants Association and the Virginia Retail Federation are staunch opponents of efforts to raise the threshold but a carve out may reduce opposition.

Cons:

- *Burden shift to local jails:* Local jails see more misdemeanor offenders because they are no longer felons.
- *Carve out privileges businesses over individuals:* Current law treats stealing from individuals the same as from businesses. Punishing theft from businesses more severely implies that individuals' property is less valuable than business property.
- *May increase theft:* Lower punishments may result in higher crime rates. However, the DCJS finds no conclusive evidence that neighboring states saw crime increases when they raised their larceny thresholds.

Recommendation:

I recommend Option 2, raise the felony larceny threshold to $585 and index the threshold for inflation. Option 2 reduces policy drift and saves the state money by reducing the number of felons. At the same time, you should work to educate the Virginia Retail Federation and Virginia Retail Merchants Association, about evidence that raising the limit does not increase theft.

Discussion of Example 3

What do you think? Let's start by discussing what the author does well. This memo is straightforward in its language and argumentation. Readers can get through it quickly. Part of this is because the issue is relatively straightforward, but notice how the writing helps. First, the executive summary is helpfully written. If you've read the executive summary, you really have the bones of the argument. The remainder fills in the details, but it

ends with a clear takeaway, helpfully italicized in case you were tempted to skip over it!

Second, she takes the memo format and breaks it up even more than the previous example. Here, the pros and cons of each option are clearly listed separately. The bullets and italicizing mean the reader can get through the argument even more quickly.

So these elements work well. What could she have improved? The end of the background section is a lost opportunity. It ends with, "As this issue will likely come up again in the next legislative session, this memo explores Virginia's options for changing its felony threshold." The end of a section, especially a background section, is a chance to memorably frame the problem. Instead, the author provides a bland overview of the memo halfway through it. She could have used this spot as a chance to highlight the need to win over these interest groups. Or she could have used it as a chance to focus attention on the gap between the intent of the law 40 years ago and how it functions today. Either way, this was a missed opportunity.

Conclusion

The three examples above will have given you a flavor of decision memos. You've seen how they vary within the strict framework by which they are bound. Each example is drawn from a different context and was used for a specific purpose. Now that you have seen a few examples and know the basic principles, it might be helpful for you to search for other examples in your area. After looking at a few of them, you'll have a sense for what works and what doesn't.

As you begin to write your own decision memos, make sure to keep the *thinking* front and center. Once you know the format, following it is easy. Deciding what problem you should focus the reader on, what alternatives you should propose, and how to decide between them—that's hard. As with all genres, the more time you give yourself to think and to get feedback, the better-quality product you'll produce.

Finally, enjoy writing these! Decision memos, by definition, are produced when there is an opportunity to shape policy. Issue briefs and legislative histories lay the groundwork for change, but decision memos are written for the moment of change itself. When you're in the middle of writing one, frustrated by how hard it is, it can be helpful to remember that this is the reason why most people go into public policy; to help make the change on difficult issues to help people. That's work worth doing.

CHECKLIST

Content and Analysis

- Executive summary contains all vital information.
- Background section provides relevant information without unneeded detail.

Background

- Demonstrates thorough and coherent understanding of the problem and its implications.
- Correctly identifies every important issue and provides the precise amount of information for the reader.

Analysis and Recommendations

- Presents clear, distinct, and specific options appropriate to the problem.
- Appropriately analyzes alternatives and counterarguments.
- Final recommendation clearly and logically supported by analysis.
- Analysis aligns across the memo as a whole.

Writing

- Is directed to an intelligent reader unfamiliar with specifics of topic.
- Short, precise, readable sentences that are actor centered.
- Paragraphs are cohesive, coherent, and properly emphasize important ideas.
- Discussion flows logically.
- No grammar or spelling errors.
- No jargon.
- Passes *Washington Post* test.

Document Formatting and Presentation

- Header provides date, contact information, and organization name.
- Helpfully titled.

- Well formatted to enhance clarity by breaking content into sections with clear foci.
- Section headings preview text that follows.
- Appropriate emphasis added.
- Visual cues help draw the reader's eye to the relevant points quickly.

EXERCISES

1. What is the purpose of your decision memo? Why are you writing it now? What has changed in the world that makes this the right time for action?
2. Who is your audience for the decision memo, both in terms of to whom it is addressed and who else might see it? What background will you need to know about your problem?
3. How will you organize your decision memo? How will you incorporate the criteria into it?
4. Create an effective 1–2 page decision memo targeted to a specific decision maker that makes a clear recommendation between different alternative courses of action.

BIBLIOGRAPHY

Bardach, E., & Patashnik, E. M. (2015). *A practical guide for policy analysis: The eightfold path to more effective problem solving* (5th rev. ed.). Washington, DC: CQ Press.

Cooley, V., & Pennock, A. (2015). Teaching policy analysis through animated films: A Mickey Mouse assignment? *PS: Political Science & Politics, 48*(04), 601–606.

Garfinkle, A. (2012). *Political writing: A guide to the essentials* (1st ed.). New York: Routledge.

Giles, D. W. (2011). *On the frontlines of a pandemic: Texas responds to 2009 novel H1N1 influenza* (case program no. 1940.0). Cambridge, MA: Harvard Kennedy School of Government.

Kraft, M. E., & Furlong, S. R. (2013). *Public policy: Politics, analysis, and alternatives* (4th ed.). Washington, DC: CQ Press.

Rosenthal, B. (1992). *Lead poisoning (A)* (case program no. C14–75–123.0). Cambridge, MA: Harvard Kennedy School of Government.

Shambaugh, G. E., & Weinstein, P. J. (2016). *The art of policymaking: Tools, techniques, and processes in the modern executive branch* (2nd ed.). Washington, DC: CQ Press.

Weimer, D. L., & Vining, A. R. (2017). *Policy analysis: Concepts and practice* (6th ed.). New York: Routledge.

CHAPTER 11

Op-Eds

When you open a newspaper, or read one online, you will see two kinds of content: news articles and opinion pieces. The news of the day comprises the vast majority of content: reporting on what is currently happening with current political drama in Washington, D.C., economic trends in the heartland, or turmoil abroad.

While there is no place for opinions in the news section, there are two places in the paper where opinions are published (Shipley, 2004). In the editorial section, the editorial board of the paper shares its opinions on the major topics of the day. It endorses candidates and derides specific pieces of legislation. In contrast to the news, editorial boards often have a distinctive liberal or conservative slant. They publish their editorials on the editorial page, which you can usually find on the third to last page in the main section.

Opposite the editorial page in a printed paper, on the second to last page of the main section, you will find the opinions of individuals who are not on the editorial board of the paper. These articles are called *op-eds* because they are opposite the editorial page in a printed paper. Op-eds are published with the aim of presenting challenging ideas to the public, ideas that challenge both the public's opinions and the opinions of the editorial board of the newspaper in which they appear. For example, the *New York Times* says the objective of the op-ed section is to:

> afford greater opportunity for exploration of issues and presentation of new insights and new ideas by writers and thinkers who have no institutional connection with The Times and whose views will very frequently be completely divergent from our own. (Tumin, 2017)

With this in mind, major papers employ columnists who represent a diversity of viewpoints (Republicans and Democrats, religious and nonreligious, different racial backgrounds) to produce about half of the op-eds they publish.

The other half of the op-eds newspapers publish come from writers outside the paper who submit op-ed pieces with their perspectives on important issues of the day. Sometimes the paper solicits writers, but most