

# **High Stakes Communications and the Media: What Environment, Health, and Safety Professionals Need to Know**

**Richard S. Levick, Esq.**

## **Abstract**

Environment, health, and safety professionals knowledgeable on the powerful dynamics of high-stakes communications and the media will be major contributors to their organizations' success in both protecting their own reputations and enhancing public welfare.

Failure by default to be present in the media means that the organization will likely be misrepresented or simply overtaken by events. Internet ubiquity in the last decade dramatically intensifies the consequences of inaction. In addition to the traditional print and broadcast outlets, media gatekeepers include numerous bloggers and Web sites. Unfortunately, easy Web accessibility does not guarantee factuality. Often the very opposite is true.

Environment, health, and safety professionals are proficient in assessing the facts of a crisis, but there is much opportunity to improve in public response. By studying alternate industries, they learn universal lessons. The response must be timely. It must also accurately and sensitively address the emotional, perceptual aspects of the crisis. Companies that do so significantly reduce the likelihood of litigation. Integral to this response is a rapid Internet presence supported by daily search-engine optimization strategies. Such strategies ensure that accurate information dominates Internet search results.

Healthy, functional teams maximize an organization's ability to navigate crises. If key officers have been given the opportunity to offer professional expertise and assessment, then the team will make the best decisions. Teams lacking such established trust degrade their ability to make the best decisions, often with disastrous consequences.

## **Introduction**

As the adage says, "90% of life is just showing up." Nothing could be truer in the world of high-stakes communications and the media.

Nature abhors a vacuum. So does crisis. Environment, health, and safety professionals must plan ahead for crisis. Once a crisis occurs, they must be proactive in how it is handled. Failing to do this means that the information vacuum created will be filled but not likely in a way

the organization would like it filled. It is therefore imperative that professionals understand today's playing field—as opposed to yesterday's.

Just within the last three to four years, the topography has dramatically changed. There was a time when companies had many days to respond to a crisis. In the Internet age, hours is the new expectation. Today, companies must have people trolling the Internet daily to see what the blogs and the Web sites are saying.

### A Hyper-Democratized Environment

Traditional media remains very important, but the problem is that corporate leaders still tend to look at the world as if the gatekeepers were *only* traditional media. With the rise of the Internet, that gatekeeper function has radically changed. In a recent collection of *Washington Post* articles, several historians, including such “traditional” scholars as Eric Foner, discussed how the President would be recorded in history and what the White House should do. Their analysis included various bloggers, with rather unseemly consequences for Mr. Bush.

The *Washington Post* is hardly alone. The *New York Times*, television news programs, and many others routinely interview the “high-authority” bloggers deemed to be particularly credible sources of information and insight. At the same time, the Internet revolution can be considered a hyper-democratization of the media and, as a result, the new gatekeepers may be people who actually do not have more knowledge or expertise than the average citizen. Simply because they have a well-populated, well-received blog, they have now become highly influential in their silo as opinion leaders. In an ideal world, these bloggers are subject to the same scrutiny as any traditional reporter or news anchor. But we do not live in an ideal world.

In the real world, the information disseminated about a public safety crisis may be inaccurate, and it may contribute to, rather than ameliorate, the potential for widespread panic.

### Assessment Is Crucial

If organizations don't do the right communications job in the first 24 hours of a crisis, they lose on numerous fronts. They often become cast as the “sinner” – the irresponsible party who has caused a public problem and shows no signs of adequately fixing it – while other parties are cast as “saint” and “savior.” (The “saint” is often the sinner's victim and the “savior” the expert hero who comes to the rescue with timely sound bites and insightful ideas about what should have been done or what should now be done.) Organizations avoid this bad-actor scenario by advance planning for all types of disasters.

From a communications standpoint, creating an online keyword search strategy and dark sites ahead of time will ensure the ability to respond rapidly when the actual crisis does occur, thus mitigating risk and creating the basis for an ongoing public relations strategy. As we discuss below, that advance planning needs to include a careful selection of words and visuals. Pictures always overpower words.

In order to “do the right communications job,” the initial assessment of the crisis must be comprehensive, encompassing both the raw facts and a spectrum of likely public emotions. Specific tasks include:

1. The organization needs to anticipate likely crises in public confidence by monitoring (at least twice a day) the references that surface online when key words and topics that relate to your company and industry (e.g., “oil spill,” “product recall,” company name, product name, etc.) are typed into the search engines. The company thus needs an Internet monitor on call 24/7. This person is tasked with searching the Web for company-related material that will then allow for immediate efforts to disseminate accurate information on damage control initiatives.

2. This critical assessment should likewise allow for a Search Engine Optimization (SEO) program, which will drive interested parties, including reporters, to the company Web pages where they will find the company’s own version of events, past, present, and future, when a crisis occurs.

3. Companies should recruit third-party subject matter experts so that supportive opinions from presumably disinterested sources can be presented immediately. These experts should be available for quoting, and they should underscore the company’s version of events, forthcoming action items, and remediation initiatives. Ideally, these supporters should be recruited in advance, before a crisis occurs.

4. The organization must know who the high-authority bloggers are and, if appropriate, design, populate, and post its own blog or enlist one of its third-party supporters to do so. If the blog strategy is elected, it needs to focus both on accurate discussion of what has happened, and why the company’s efforts going forward are credible and effective.

### Be Humane, Be Quick

So far, we have been looking at how organizations begin to frame their response. Equally critical: What messages and themes should those responses convey?

Environment, health, and safety professionals can learn much about crisis management by observing how it’s done in other contexts. The best practices are indeed fungible and apply to a broad population of industries and interests. For example, all professionals dealing with toxic chemicals can learn something from a jet crash regardless of whether or not they happen to work in the airline industry. Similarly, the earnings restatement cases that have plagued American business are likewise relevant to food professionals confronting a product recall.

That said, for environmental, health, and safety professionals, the “story” is usually most exigent because the crisis situations can be life-threatening. While there are global lessons that guide all crisis managers, the best practices related to the content of organizational communications must naturally be refined to address these atypically urgent requirements. In particular:

- Organizational response should first express concern for those who have been injured or killed. People are willing to forgive mistakes, even fatal ones, but they are not willing to forgive arrogance.
- Organizations should only utter the words “No Comment” in very specific situations and for very good reasons. “No Comment” *implies* culpability. It also cedes the story to outsiders who may be very happy to tell their own version of the crisis, which may disserve both company reputation and public welfare. At the very least, organizations should

catalog the possible consequences of saying “No Comment” before they do so.

- Organizations must be able to communicate *something*, even when *everything* is still unknown. During crises, the instinctive response is, “We don’t know all the facts, so please wait until we do.” All the public sees is inertia, even though company officers are feverishly researching and gathering information.

A practicable initial statement could satisfy our two overriding criteria – of being both humane and prompt. The statement could read something like: “There has been an accident. We are aware that there may have been some injuries. Our hearts go out to every employee and family member who may be involved. We want to assure everyone that we are applying all available internal and community emergency resources to investigate this situation. We will make additional announcements as soon as we have new developments.”

Studies repeatedly show that, when companies run *to* the crisis rather than avoid it, they are far less likely to be sued by the survivors or their families. A silent period, in which information is fully gathered, might be smart from a purely trial standpoint (though its greater legal value needs to be questioned, as it is likely to increase the likelihood of litigation). From a public relations standpoint, however, the liabilities – including permanent damage to the reputation of the organization and stock value – often outweigh the narrow benefits of a conservative legal strategy.

Even from a strictly legal standpoint, the careful lawyerly approach often backfires. Malcolm Gladwell cites several revealing studies on medical malpractice and patients’ decisions on whether to file lawsuits (Malcolm Gladwell, *Blink: The Power of Thinking Without Thinking*, New York: Little, Brown and Company, 2005, pp. 39–43, 256–257). The research clearly shows that the strongest predictor of the patient’s decision to litigate is not the malpractice itself. Instead, the key determinant is the doctor’s *tone of voice* when communicating with the patient.

Doctors may blunder medically but, if they speak with concern and respect, their patients generally choose not to sue. In cases where doctors tended to address patients with less concern and respect, enter the lawyers!

### The Indispensable Dynamic

Teamwork is the glue that ties the “what to say” of crisis communications to the “how to say it.” Environmental, safety, health, government relations, and internal relations professionals, lawyers, executives, and other company officers must work together as a team.

Easy to say, of course, but the teamwork imperative goes beyond the comforts of an existing formal crisis plan. To re-pattern the collaborative DNA, crisis managers can pursue a number of supportive preliminary steps, including:

- Run practice sessions and conduct media training several times a year. Outside professionals can guide these events, which often employ videotaped role-playing to maximize effectiveness with the media.
- Set up a rapid response system in which every team member knows how to reach every other team member at 3 am on a Saturday.

- Ensure personnel and technology back-ups.

Organizations need as much art as science – as much “getting to know you” as setting up automated systems – to establish the trust that will prove so crucial once a crisis occurs. To be sure, it is too late to establish trust in the moments after a disaster occurs.

Established trust is a practical asset. It means that information can be gathered more quickly. It means that decisions can be based on multidisciplinary expertise. In one recent environmental crisis, the company’s specialist and the lawyer recommended the implementation of a particular test for a toxin. The test had a turnaround time of 24 hours, but its accuracy was only 85 to 90%, which meant, of course, that there could be a fairly high false-positive ratio. The initial decision was to go forward anyway.

The input of the crisis communications advisors proved decisive in reversing that decision. Based on the counsel of the communications professional, the company would not affirm that it knew the full ramifications of the toxin. Instead, since the issue was not yet public (but could become so at any time) and because there was no perceived immediate threat to health and safety, it would sweat out two weeks of media uncertainty until that data was available.

The rationale was that, if the company initially declared the toxin to be present, but then two weeks later announced a false positive, the genie could not then be put back in the bottle. The credibility loss would be enormous, unjustified by any communications/reputation risk-benefit analysis. Bottom line: such critical decision-making is only possible when each team member has an equal place at the table.

### Worst Case Scenario, Worst Case Response

Unfortunately, the horror stories outnumber the success stories. The most flagrant recent example – equally instructive as an example of what not to do – was, of course, Hurricane Katrina. Juxtapose these missteps to the best practices enumerated above:

First, a crisis occurred. The crisis created a vacuum. No one at FEMA or in the Oval Office filled the vacuum. Therefore, the sights and sounds of despair filled the vacuum, compliments of CNN and the other networks. The government became the “sinner” and a handful of private sector companies that were able to do limited “good works” became the savior, if only symbolically.

Second, the administration over-promised and under-delivered. The administration promised safety and delivered absentee management.

Third, the pictures overpowered words, as pictures always do. If a spokesperson makes a statement, it had better be true and it ought to be a visually inflected statement. “We are staffing the phones all night,” conveys a picture. “We are working on the problem,” does not.

Fourth, the government could not get to the scene in time. But the media could, as could WalMart and Orreck. What was wrong with *that* picture, when a vacuum cleaner manufacturer outperforms the federal government?

Fifth, and most important, the administration violated the first rule that we identified in any disaster communications management: No one really expressed concern. The public perception was that any real concern that might have existed fell through the cracks amid all the political and bureaucratic finger-pointing. The blame game works in many political situations, but it doesn't work when the demand for a fast solution is universal and importunate.

### Optimization – A Truly Proactive Strategy

Reporters routinely go to the search engines first. If the reporters are finding numerous “unofficial” sources – i.e., bloggers simply posting what comes to mind – their coverage, and the public information delivery system, will be colored by that material. As we've emphasized, it is therefore crucial that companies not just monitor, but control the Internet. SEO is currently the best, if not the only way to do so.

Outside Internet consultants are available to ensure this requisite SEO. The process involves the identification of key words, phrases, and topics, which are then embedded into the Web site or blog content, creating, as noted above, an equal or greater presence for the company's rendition of events and follow-up solutions for interested Internet searchers.

The consultant should also confer with the organization to identify all possible crises that could occur in the future. With those projections, the company creates “dark” Web pages or sites (templates created on standby for posting on the Internet) so that, if the problem does occur, the organization can immediately publish current and optimized information for online public consumption. Such prophylaxis guards against organizational paralysis in the face of a multifaceted crisis, and allows immediate response to media sources demanding immediate response.

To illustrate, an oil and gas company might decide that its top three possible crises are explosions, spills, and groundwater contamination. Individual Web pages or Web sites can be set up in advance to address these types of crises, using a skeleton of boilerplate text and pictures. When an actual crisis happens, it is a relatively simple matter to edit the content with the specifics of the current crisis and then immediately publish. The public gets its information and the reporters get their story – or, more precisely, *your* story.

## **Conclusion**

For environment, health, and safety professionals, as for most organizational managers and spokespersons, the Internet has forever changed the landscape of communications, both in terms of sources and timeframes. Those who understand the power of this medium get to tell their side of any story. Those who don't understand it are at the mercy of a complex communications juggernaut that will tap unauthorized and frequently irresponsible sources to determine public perception and to adversely affect public safety.

The challenges are essentially threefold:

First, how do you get your message out? The answer begins with a resolute online strategy driven by SEO.

Second, what should your message consist of? The answer must always include content that shows an immediate and abiding human connection to the situation.

Third, how can we establish an effective management team to master both the *how* and *what* of crisis communications? The answer is to start now, with team meetings and a media training program designed to maximize human resources before they're needed.