About This Report:

This report describes a congressional survey conducted with a grant from the Democracy Fund and support from the Congressional Management Foundation and Open Gov Foundation.

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![Democracy Fund](image)

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Executive Summary:

Congress has a problem with constituent correspondence. Reports conducted by congressional researchers over the last decade describe an outdated correspondence process struggling to address an overwhelming rise in citizen contact. Citizens and advocacy campaigns are increasingly using digital platforms to voice their opinions on policy. Recent investigations provide some of the first examinations of the systemic flow of telephone, email, fax, and social media correspondence through Members’ offices. These investigations find little evidence that offices have developed coherent pathways for considering citizen opinion in policy decision-making. In other words, despite increasing opportunities to communicate with Members, this correspondence seems to have little effect on policymaking. Why are voicemails not turning into votes, and how is constituent contact actually used?

To explore these questions, I surveyed congressional staff from 26 offices to discuss their use and perceptions of constituent correspondence. In so doing, I found empirical evidence of a widening gap between perceived and actual uses of constituent correspondence. The rest of this report will describe those findings.

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Key Findings:

1. From the perspective of Members’ offices, the primary uses of policy-related constituent correspondence are to formulate outgoing communication and to monitor constituent sentiment. This finding is reflected in views of the staff and reinforced by the capabilities and limitations of the correspondence technology.

2. The current process for constituent correspondence does not promote policymaking that reflects constituent opinions. Staffers capture information during correspondence that logs minimal information about constituent opinion. What is captured is shared with other staff by mail reports. Previous research has shown that these reports provide unsuitable information for responsive policymaking. Constituent opinion is also shared with other staff informally and upon discretion of the correspondence staff.

3. Staffers report that advocacy related constituent communication has minimal policy value. The vast majority of constituent correspondence via digital channels, like telephone, email, and fax is not deemed relevant for policy decision-making. Junior staff who are responsible for logging constituent input describe such correspondence as under- or misinformed, untimely, or unrelated to current policy concerns of the Member. They report that the value of computer-mediated communication has decreased substantially with the introduction of automatic and low-effort forms of advocacy technology.

4. There is a common perception that Members are constitutionally obligated to provide open channels for constituents to express their policy opinions. Although untrue, 68% of staff reported that Members must legally provide open channels for constituent communication. This perception could translate into an assumption that it is necessary for Members to maintain and have a presence on an ever-growing number of digital communication platforms.

5. Constituent database technology is not designed to facilitate responsive forms of engagement. Staff report that constituent databases are painfully slow, hard to learn, and confusing to use. More importantly, the design of the system limits the quality of information captured by restricting what information can be collected. In so doing, the system narrows staffer activity to tracking rough sentiment and sending form response email and letters. These activities control the evaluation of correspondence staff and shape correspondence priorities of the entire office.

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2 Abernathy op cit., 2015.
Takeaways:

1. There is clear evidence that contact from constituents through telephone, email, social media, and letters is not absorbed by Members and rarely influences policy. Rather, constituent communication is used to surveil rough constituent sentiment. As a result, **constituent correspondence in its current state should be recognized as a tool for monitoring rather than an avenue for engagement.**

2. Staffers provide logical reasons why they believe constituent contact is not valuable for policy decision-making. Yet, advocacy groups continue to promote such contact. To date, the lack of responsiveness to the actual concerns of citizens is not advertised, most likely due to fear of retaliation. Current communication practices exhaust staff time and resources because energy is directed toward tracking sentiment and “responding” in a timely manner to constituent contact via form messages. **There will be a minimal effect of constituent correspondence on policymaking unless certain de-valued forms of contact are reduced, and staff concerns are made transparent to citizens.**

3. If Congress continues to maintain technology systems that focus on monitoring and superficial responses, then the actions of monitoring and sending form responses will perpetuate. Although more efficient and automated communication processes are essential to increasing the efficiency of each office, **improving the current technology will not fix the underlying assumptions about the value of correspondence that are engrained in the culture of Congress.** The technology will only assist Congress in continuing its current communication practices at larger scales and efficiencies. This will continue to create a disconnect between citizens and Members as advocacy technology raises expectations for Members to become more engaged and responsive to constituent concerns.
Methods:

This survey was conducted with congressional staff to understand their use of constituent correspondence. I use staff beliefs and perceptions as the primary component of analysis to capture the logical underpinnings of staff behavior. This method helps explain not only how constituent correspondence is processed but why. The questions focused on four main themes:

1. **The Purpose of Policy-Related Constituent Contact**: Asking staff exactly how constituent contact is used and when.
2. **The Value of Contact**: Asking staff to discuss the policymaking value and perceived obligations towards constituent correspondence.

Information and Communications Technology (ICT), such as telephone, email, fax, and constituent databases are powerful tools for processing constituent correspondence. Depending on its use, technology can provide tremendous improvements or create massive barriers to quality relationships between citizens and their Members. More work needs to be done to understand the full impact of ICT on the correspondence process. Thus, I included questions about technology’s role in shaping office behavior.

3. **Technology Use**: Asking staff what technology is used to process constituent contact.
4. **Desired Improvements**: Asking staff what they like and dislike about the current technology and the overall process of managing constituent correspondence.

The survey was designed to be brief to include staff with little time or incentive to partake in longer surveys. The survey included both closed and open-ended questions, with an emphasis on open-ended responses for qualitative insight. Survey questions were reviewed by two political science experts and two congressional experts. A pilot survey was conducted on one previous correspondence staffer. The final survey was then deployed with minor question adjustments made as the survey progressed. A list of all questions is provided at the end of the report.

This survey was conducted in the summer of 2018 during August recess. To avoid unconscious bias and provide an equal chance of selection, I use a random sample of 100 Members selected from the official Member directory. Two Members from the original sample were excluded due to potential conflicts of interest with the research team. The Speaker of the House was cut from the sample due to their

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4 The directory was provided by the Office of the Clerk website.
unrepresentative characteristics of the House population. Three additional Members were randomly chosen to replace the original Members removed.

Staff were recruited from the sample population in-person at their Member’s office in D.C. Legislative Correspondents (LCs) were specifically asked to participate, although staff assistants were also considered if they played a large role in constituent correspondence. One intern was interviewed because of their expertise using two different constituent databases in two different offices. I specifically recruited junior-level staff that are on the front lines of constituent communication. The views of these staffers may not reflect the views of more senior staff, but these staff are the most experienced with the specific forms of contact investigated in this report.

If a staffer was not available during the initial visit, a reminder email was sent to schedule a time to return. Each survey interview took 5-20 minutes of the staffers time. All interviews took place within the Member’s office, and responses were recorded by handwritten notes5.

A total of 26 offices out of the 100 sampled participated. Each staffer surveyed had been in their position for an average of 11.8 months with a low of 1 month and a high of 4 years. 42% (11 offices) were Republican and 57% (15 offices) were Democrat. The offices covered a diverse landscape hitting all major areas of the contiguous U.S. (See Figure 1).

Although this survey recruited a random and diverse group of staff, the response rate of the sample population was low at only 26%, and the final sample only represented about 5% of the full population. Thus, any claims made about the general population of Congress should be taken conservatively.

Figure 1. State Locations For Participating Offices

5 Taking hand-written notes with no recordings offered staff a more trusting and transparent environment. One drawback of this data collection method is that quotes were difficult to capture.
Findings:

1. From the perspective of Members’ offices, the primary uses of policy-related constituent correspondence are to formulate outgoing communication and to monitor constituent sentiment.

Outgoing Communication:

“Part of being a Member of Congress is responding to constituents as much as you can.” – P23

After constituents contact a Member’s office, they receive a formal response sent by email or postal mail thanking them for their contact. The type and frequency of constituent contact determines the development of those formal responses. Contact is also used to create media such as newsletters or town hall questions. Sometimes this information is also given to staff in charge of social media.

Some staff emphasize letter responses as an opportunity to satisfy a constituent’s request for a response and to educate their constituents. When constituents contact offices, some express confusion over the state of legislation. Staff develop letters that educate their constituents on their Member’s actions, policy decisions, and the state of current legislation.

"Letters are important to the Congressmen to keep constituents happy and informed." – P21

Salient issues amongst the district may not always be related to policy. This in turn takes up staff time to respond to non-policy related concerns. For example:

“If [we] get a hundred emails about Trump and only two about the environment, we have to focus on Trump, we respond to the heavier intakes." – P11

Thus, the need to respond is a high priority to Members’ offices.

Monitoring:

Staff also describe constituent correspondence as a way to monitor constituents’ opinions. This monitoring is a form of sentiment tracking used to understand constituents’ general attitudes towards certain events or legislation. Monitoring is semantically different from listening. Monitoring enables surveillance at a surface level, whilst listening enables the identification of reasons and meaning as a form of legitimate insight. Staff frequently described constituent sentiment using health-related phrases such as ‘temperature’ or ‘pulse’, indicating that correspondence reflects some metabolic process to monitor. This description of monitoring does not always consider the reasons that constituent offer. Furthermore, some staffers do not track the pros and cons during highly controversial bills or issues, but rather general contact frequency. This general
tracking indicates that the frequency of contact is sometimes more valuable to correspondence staff than the actual opinion.

“Every now and again we overlook a bill that a constituent points out but generally it’s for taking temperature.” – P21

“[We] use it just to get feedback...It’s not necessarily used to make a policy decision, just to check the pulse of the constituency.” – P16

"...seeing what’s on people’s mind is more valuable than the content." – P4

"You can answer a phone for a day and pretty much know what constituents think." – P16

22 out of the 26 staffers surveyed said they used at least one additional tool other than the constituent database systems to help track constituent contact. Often these were Word documents, Excel spreadsheets, and paper. Staff reported a greater ease seeing the quantity of contact visually. For example, one staffer described using a physical phone-call log-book that was written manually in addition to their constituent database system. The staffer reported that the physical log sheets were a better way to visually see the number of calls they were receiving each day. These actions support a general monitoring process for correspondence.

Staff descriptions of correspondence could potentially describe methods to capture ‘latent opinions’ which describe constituent opinions that may exist in the future that could result in political damage or defeat. Staff may be monitoring constituent reactions to current policies and politics in order to predict the office’s future actions. Monitoring correspondence to predict and plan Member actions is very different from listening, which prioritizes responsiveness to constituent’s concerns. Therefore, correspondence may have a very different purpose than advertised to constituents.

2. The current process for constituent correspondence does not promote policymaking that reflects to constituent opinions.

If constituent opinion is primarily used to respond to and monitor constituents, is there any evidence that the information collected is also used for policymaking purposes? According to staff, information about constituent contact is passed on to policy staff and Members by either mail reports or anecdotally upon the discretion of the correspondence staff and what they believe is important. Staff describe important contact in vague terms, offering little criteria for if and when constituent contact can influence policy.

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For example, when asked when they pass on information, some of the staffer’s responses were:

- “big issues”
- “if something is really important”
- “if there is a lot coming”
- “whatever I think they need to know”
- “enough to make a batch”
- “I keep the staff posted on main issues.”

Correspondence staff keep other staff informed about correspondence informally and intermittently upon their discretion, often reaching out to policy staff if they were receiving frequent contact about a certain topic:

- “We are a loud office, so we will just holler out if we are getting a lot of messages about a certain topic.” – P26

Staff reported using constituent contact to create weekly or monthly mail reports, also described as executive summaries. These reports provide basic information about incoming contact. Responses from staff support previous findings which show that these reports contain surface level information about salient issues, mail response turn-around time, and incoming contact. They are not often used to promote responsive behaviors.

Correspondence staff did report that they frequently discuss constituent contact with policy staff. However, when probed further, those staffers say those conversations are used to help them formulate a response letter if they are unsure of their Member’s policy position. The conversations do not often inform policy staff of specific constituent concerns that influence their policy work. Although engaging in response letters does make policy staffers aware of constituent concerns, they are often not shown actual correspondence, making it difficult for any constituents to use persuasive rhetoric or reason-giving to influence policy through these forms of contact.

The discretionary nature of correspondence use makes it difficult to measure. But given this evidence and those provided by other researchers, there is clearly no systematic path for using constituent opinion sent through these digital channels in the policymaking process.

Lastly, there is a consistent trend of junior staff correlating ‘responsiveness’ to ‘responding’. Staff believed responding to constituents through letters signified a form of responsive behavior. Normative conceptions of responsiveness emphasize

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7 Abernathy op cit., 2015.
8 Abernathy op cit., 2015; The Open Gov Foundation op cit., 2018.
listening and explaining actions, without always adopting behaviors in direct response to those actions. Because the primary duty of the staffers surveyed is correspondence, their perception of responsiveness is tied to responding to correspondence. However, for responsiveness to hold, the constituency must be convinced that their views are being considered. But given that response letters are often neutral and educational, this may not be the case. For example, one staffer said:

“[We] will get contact from constituents specifically demanding ‘don't give me a canned response.’” – P25

Citizens are recognizing that current letter responses are not providing evidence of responsive behaviors, demanding more proof that their Members are listening to their opinions. Thus, staff may believe that responding to constituents offers a legitimate form of responsive behavior, but the quality of those responses are leaving constituents skeptical of their actual impact.

3. **Staff find little incentive to use most constituent campaigns for policymaking.**

   Why do we see no systemic path for using this correspondence in the policymaking process? To investigate, staff were asked to describe the value of incoming contact. Originally, the survey asked the question:

   *Survey Question V.1: “Out of all incoming contact that you receive from constituents that isn’t casework or scheduling, what percentage of that contact do you think is valuable for policy decision-making?”*

   After the first three responses, it became apparent that this question was too challenging to answer. Staff responded by saying “all contact is valuable”, being cautious not to dissuade constituent engagement. This question also had little ability to measure the definition of ‘value’ for every office. The question was then changed to focus on campaign mail, also called Communicating with Congress (CWC) or advocacy mail, with a follow-up question on value.

   *Survey Question V.2: “What percentage of incoming contact is CWC/advocacy mail? Do you find this contact valuable for your office?”*

   Staff were asked to provide a percent approximation. This approximation was used to understand how much incoming contact is perceived to be from

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campaigns, rather than the actual quantity. Perceptions can affect how staff treat contact, making it just as important as the actual quantity. On average, staff believed at least 66% of all incoming contact to offices was campaign mail, with a high of 85% and a low of 10%. However, 95% of the 20 respondents to this question reported more than 40% was campaign mail.

Staff opinions about the value of campaign mail for policymaking were split. Some staff find the contact genuine and valuable while others are skeptical of its validity. The following are some of the comments left by staff:

Positive Comments:

“CWC is real people, not spam.” – P15

“CWC campaigns are good. We will respond to all things like Countable.” -P21

“I put myself in their shoes. I don't know if I would use quill and ink every time to draft a letter, citizens just don't know.” – P14

Positive and Negative Comments:

“The CWC campaigns are good and bad, depends on who’s sending it...usually a lot of constituents don’t understand what they are sending. We call them 'click-happy' or 'frequent flyers.’” – P19

“CWC is less valuable [than personal messages] but we still want people submitting opinions. But it's almost always key issues that we already have a stance on...personal messages tend to be more niche issues.” -P21

“CWC correspondence is better than no correspondence.” – P12

Negative Comments:

“When people send in CWC's, a lot of people think they are just indicating their opinion and not sending a letter. Then they get confused and don't remember sending a letter.” – P21

“In CWC's there are so many repeats. 90% of those are the same person and same bot, same people sending the same letter.” – P25

"It's tough to determine if campaigns calls are like grassroots movements or vocal minorities that can click a lot." – P20

"[For Net Neutrality] each morning I would come in and get 50, 60, 70 of the same email minus names and addresses and then I batch them all by hand." – P23

Staff also describe this campaign mail and personal forms of correspondence as often under- or misinformed, untimely, or unrelated to current policy concerns of the Member. As a result, they have a reduced incentive to value such forms of contact.
“Any contact that influences is usually small surprising things like bills they may have missed, or bills that are easy to co-sign for an award.” – P20

“... almost all contact is from people that generally agree with [the Member], so it's not like it would change policy anyways.” – P24

“There needs to be more education of people... Too often people will call about bills that we already co-signed. You can’t encourage your member to be accountable when you don’t even know what they are doing already to be accountable... [I] wish outside organizations would do more research and encourage their own members to do the research on their Member and get informed before contacting.” – P26

“Constituents don’t read things. [We] will get contact about offshore drilling. Have you seen offshore drilling? Have you not read our press release? People don’t read.” – P25

Overall, staff provide very little evidence that contact through these digital channels provides policymaking value. Adding to the two previous findings, this third finding demonstrates an additional lack of responsive behavior in reaction to these digital forms of constituent contact. Staffers provided logical reasons why they believed most constituent contact is not valuable for policy decisions. These reasonable explanations are also seen in the Congressional Management Foundation’s reports, which show that advocacy campaigns will often opt for expedient over effective contact, causing a technological arms race of communication between Members, citizens, and advocacy groups11. If the majority of incoming correspondence is not informative, then correspondence staff have little incentive to provide this information to policy staff.

4. There is a common perception that listening to constituents is a constitutional obligation.

Communication with constituents is a necessary component to any democratic representation. Electoral pressures and congressional expectations of responsiveness strongly encourage Members to communicate with their constituencies. However, does this pressure for constituent correspondence translate to a perceived legal mandate? Constituent correspondence is not legally obligated. “… the Supreme Court has clearly stated that the First Amendment does not require the government to listen to individuals or to respond to individual grievances.”12 Yet, in our survey 68% of staffers believed there was a constitutional obligation for Members to provide open channels for citizens to express their policy preferences.

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An expectation of listening could be good for democracy by ensuring that Members are taking their constituents’ opinions into account, but this expectation may also have negative consequences. Such perceptions are increasingly concerning as the number of digital communication platforms continues to increase. This perceived mandate could translate into an assumption that it is necessary for Members to maintain and have a presence on an ever-growing number of digital communication platforms. Using digital communication platforms feels like a legal obligation to some offices, and the technological arms race already present in Congress will perpetuate due to these perceptions.

Note that this question was asked to junior level staff who are often quite new to Congress. Their perceptions may not be as educated as senior staff. However, such perceptions provide insight into how correspondence staff are trained and behave when processing constituent correspondence.

5. Current technology perpetuates a method of engagement that dissuades offices from developing responsive forms of engagement.

Given the low value of contact, the lack of systemic pathways for responsive policymaking, and the perceived high obligation to listen to and respond to correspondence, is it possible for staff to envision any improvements to the system? I asked staff to provide their feedback on potential improvements to the technology and correspondence process. These answers provided technical feedback for developers and they identified staff desires for the future of correspondence.

The largest complaint from staff was the speed and complexity of the constituent databases which were described as extremely slow and difficult to use. Some staff need to reboot the constituent databases on a routine basis to maintain functionality. One staffer noted, “When the screen stops being frozen, it’s done.” It is unclear whether the slow speed of the system is due to the software or data infrastructures on the Hill, and the Office of the CAO cannot discuss the specifics of the system due to security requirements.

Some of the systems are also described as not very user-friendly.

“It’s not very compatible with what we are trying to do sometimes. The process of taking mail, batching, responses, [and] the set up on the screen is difficult to navigate.” – P16

“You have to have training [to use the database] or it’s impossible to figure out.” – P22

Although there are multiple CRMs/constituent databases available to Members, the comments received from staff across those systems were generally the same. Thus, the findings are described as general complaints about all the databases. More specific complaints about each software system were given directly to the system’s developers.
Staffers also requested certain functionalities for the databases without realizing they already exist. For example, staffers described wanting automated batching processes, easy ways to create mail reports, and easy identification of constituents; most databases provide these functions. This finding was discussed with some of the database providers who believed staff’s lack of knowledge is due to high-turnover and lack of training. Staff believed this confusion had to do with the usability and over-complexity of the databases. Clearly, a tension between usability and database training exists.

Staffers would also like more visualization features to help organize and understand incoming contact. This is also supported by our question about supplemental technologies, where staffers were using additional tools to create basic visuals that quantified incoming contact. They wanted improved ways to monitor sentiment through more visual systems.

“There are no graphics options so when I send out mail reports I feel like I’m dumping a bunch of numbers on [staff].” - P17

These improvements would very much aid the current process and allow staff to continue the same process at greater scales and efficiencies. However, they would not necessarily improve responsive behaviors. To have staff think bigger, we asked a ‘Blue-Sky’ question about the future of correspondence.

Survey Question: “Now please think out of the box for this question. If there was a better way for your office to capture valuable constituent information about policy, what do you think that system would look like?”

Responses to this question were mixed. Some staffers referred back to the technical improvements, adding bigger changes to the technology. The updates described would improve the existing processes for monitoring and responding but would not necessarily improve responsive policymaking.

Some staff avoided discussing new systems for policy influence. One staffer in particular who worked as a Legislative Correspondent for four years, longer than any staffer interviewed, did not believe they could answer the question because discussing improvements to correspondence was above their pay grade. As the Open Gov Foundation points out in their report, if staff are not empowered to discuss the future of correspondence, there will be little innovation that will improve these processes.

“I am frustrated with constituents who send in mail but then contact the office saying ‘I didn’t send you anything’ because they didn’t know that they sent it. The person doesn’t know what exactly clicking a button is going to do.” – P20

14 The Open Gov Foundation op cit., 2018.
“Everyone is like ‘I want to act, I want to act.’ So they click this button. There needs to be more education of people.” – P26

“...almost all contact is from people that generally agree with [the Member], so it’s not like it would change policy anyways.” – P24

Staff also described a desire to educate constituents who they believed were not providing valuable information that could be used for policymaking. As shown in the previous findings, staff are concerned with the low-quality of overall contact with their office. Without fixing the quality of incoming contact, staff believe any improvement to the current software would not make a difference to responsive behaviors. However, what those standards of quality may look like is still undetermined.
Conclusion:

"We respond to mail, but we don't communicate with constituents." – P16

There is a disconnect between perceived and actual uses of constituent correspondence. Citizens, advocacy organizations, and Members often portray correspondence through email, phone calls, and letters as an effective tool to engage with policymakers and influence policy. There is clear evidence that this is not the case. These data suggest that incoming contact through digital channels has little to no effect on policy, and Members’ offices have not developed coherent pathways for citizen opinion to turn into responsive policymaking. In contrast, current uses of information technologies allows Members to continue an anemic correspondence practice at greater scales and efficiency.

Staff provide legitimate and logical reasons why they are dissuaded from valuing incoming contact through these channels. Staff describe correspondence from constituents as often under- or misinformed, untimely, or unrelated to current policy concerns of the Member. Automated communication channels simultaneously greatly increase the number of missives that staff are forced to deal with and perpetuate the sense that constituent communication is not valuable. Thus, technological advancements and advocacy campaigns are also partly responsible for superficial engagement with Member offices. Constituents are not being provided the best information and opportunities to engage in ways that are effective.

Taken together, this survey and past research reveals an ineffective system in need of attention. The problems with correspondence will persist until there is radical change in the way Members of Congress choose to communicate with constituents. Technology can be part of the solution, but only if that technology invites new ways of thinking about how to engage citizens. Currently Member offices understand “responsiveness” to be the sending of timely but anemic form responses to constituents, engaging technology to help achieve this goal. What is missing is substantial explorations of how technology might engender communication practices that are actually responsive to constituent concerns.

Thankfully, the momentum for change is growing. Innovative Members are collaborating with researchers to test alternative ways to engage constituents. Congressional reform groups are pushing for institutional reforms in areas of staffing and correspondence budgeting. More action needs to be taken such that this momentum builds and persuades more Members to adopt engaged correspondence practices. Such action is necessary in order to reframe the role that information and communication technologies play in in the legislative process.
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Survey Questions:

1. For how long have you been in this current position?
2. What constituent database system does your office use? For example, Fireside, IQ,...?
3. In addition to [insert constituent database], do you use other methods of recording constituent contact to the office? For example, do you track items on sticky notes, do you use an additional spreadsheet, another software? (If unanswered): What is the purpose of these other technologies?
4. After collecting constituent contact in X, other than responding to constituents and filing casework, what do you do with this information?
5. Do you use it for legislative purposes? For example, do you share constituent contact to LDs? When does the Member see contact from constituents?
6. Out of all incoming contact that you receive from constituents that isn’t casework or scheduling, what percentage of that contact do you think is valuable for policy decision-making?
7. Are there any changes or improvements you would like to see to the technology used to handle constituent contacts?
8. Yes or No, according to current statutes and case laws, do you believe citizens have a constitutional right for their Member to provide open channels to express their policy preferences and grievances?
9. Now please think out of the box for this question. If there was a better way for your office to capture valuable constituent information about policy, what do you think that system would look like? What information would you want it to capture? It could be a technical software or non-technical like more in-person meetings.