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## Crisis Comm & Media Relations E-Newsletter

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Our regular office number is 216-321-7774.

However, if your situation is DEFCON 4 (critical and extraordinarily time-sensitive), please call our 24/7 Emergency Crisis Comm Hotline at 216-223-8771.

If necessary, leave a voicemail and we'll get back to you within 30 minutes.



Hennes Paynter Communications, Ohio State Bar Association & The ABAJournal

### "The Lawyers of Watergate: How a "Third-Rate" Burglary Provoked New Standards for Lawyer Ethics

Forty years ago this month, five "burglars" wearing business suits and surgical gloves were arrested inside the HQ of the Democratic National Committee at the Watergate office complex in Washington, D.C. The Nixon White House initially dismissed the break-in as a "third-rate burglary." Thanks to the pressure of persistent media coverage, Congress initiated investigations exposing the involvement of more than 20 of the most powerful lawyers in the United States. At the top of the list was Richard Nixon, the 37th president of the United States, who resigned on Aug. 8, 1974, as Congress was gearing up to conduct impeachment proceedings.

Earlier this week, I had the pleasure of meeting one of those lawyers, John Dean (former Nixon White House Counsel), at an Ohio State Bar Association Continuing Legal Education seminar titled Watergate II: The Cancer on the Presidency. Along with Thompson Hine attorney Jim Robenalt, Dean provided the audience with four hours of gripping narrative, including extensive playback of the original White House audio tapes.

I found discussion of the American Bar Association's Model Rules of Professional Conduct to be of particular interest. In retelling the Watergate story, Dean and Robenalt detailed attorney wrongdoing and obstruction of justice, noting the lax rules existing at that time. Here's an excerpt from materials prepared for this seminar by Frank DeSantis and Karen Rubin of Thompson Hine:

The professional responsibility picture for a lawyer today is quite different. In 1974, the ABA began requiring law schools to teach legal ethics, in direct response to the ethical lapses of the many lawyers involved in the Watergate scandal. The states began to mandate continuing legal education for lawyers, including an ethics or professional responsibility component. (Today, some 40 states require such continuing ethics

training.) In 2001, another scandal - Enron - sparked more debate about the ethical duties of lawyers, spurring further changes to the Model Rules themselves.

The seminar leaders posed a number of important questions: who is the client? In his capacity as White House counsel, was John Dean's client President Nixon - or was his client the Office of the President? How should the attorney handle incriminating physical evidence (e.g. the contents of Howard Hunt's White House safe)? What are the duties of a lawyer to self-report his or her own professional misconduct?

Another area of significant discussion: attorneys and clients who find themselves in the "loss frame," where wrongdoing is certain to be followed by sanctions or other punishment. John Dean and Jim Robenalt compared Watergate to the Penn State/Jerry Sandusky scandal. In both situations, the key players became enmeshed in cover-up, making irrational decisions rather than facing up to the crimes at hand.

The senior crisis communications consultants at Hennes Paynter Communications are not attorneys, though we often work side-by-side with attorneys serving clients who are in the "loss frame" and who are likely to be hauled in front of the Court of Public Opinion. The Watergate seminar offered numerous take-aways easily translatable to services we provide.

The highlight of the seminar, however, was the opportunity I had to talk to John Dean one-on-one during the break. I started off the brief conversation by telling him I often recommend two books to others on the subject of power and corruption: Robert Caro's Pulitzer Prize-winning opus, *The Power Broker*, written about Robert Moses, the man who built New York City's infrastructure; and John Dean's brilliant *Blind Ambition*, written in 1976.

When Mr. Dean asked what I do for a living, I briefly explained our crisis communications practice, telling him that we often advise our clients to "tell the truth, tell it all and tell it first," frequently placing us at odds with criminal defense attorneys. John Dean's reply: "Don't stop. Keep telling your clients to do exactly that - and to do it quickly."

For more information about Watergate and legal ethics, we highly recommend a recent article in the American Bar Association's ABAJournal titled "[The Lawyers of Watergate: How a "3rd-Rate Burglary" Provoked New Standards for Lawyer Ethics.](#)"

### **Bruce Hennes**



Photos from the collection of Bruce Hennes.



New York Magazine

### **Brinker's Way: Behind the Pseudo-Exit of the Komen Foundation's Founder**

From the new issue of New York Magazine: Nancy's (Brinker) gotta go.

That was the only conceivable solution anyone could come up with in the weeks following the Planned Parenthood mess, and just about everyone at Komen - from the board members, some of whom had been friends with Brinker for 30 years, to the senior management - agreed. Of course, mess was a polite way to describe what transpired in late January, when women's health organization Susan G. Komen for the Cure yanked funding from its erstwhile five-year partner. Though Komen quickly reversed course, restoring Planned Parenthood's \$680,000 in grants, the fallout reverberated long after. Donations to Komen were off by as much as 20 percent - a sizable amount for an organization that last reported \$420 million in annual contributions. Morale in Komen's Dallas and Washington, D.C. offices was in the tank amid rumors of layoffs. There were even rumblings among some local affiliates - the backbone of Komen's vast grassroots network - of secession. The only solution that would satisfy Komen's still-seething affiliates and supporters was for Nancy Brinker, Komen's founder and CEO, the woman whose promise to her dying sister 30 years ago has provided the group's moral imperative, to claim responsibility and step down.

But Brinker wasn't having it.

[READ MORE](#)

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CommPro.biz

## Only 66% of Companies Are Prepared! The Risk of a Crisis Versus the Risk of Not Being Crisis Prepared

The latest data from a survey of more than 750 investor relations professionals around the world shows only two thirds of companies have formal crisis planning in place. Moreover, only half of those with a plan conduct crisis simulation exercises.

The study for Investor Relations Insight reported the IR professionals interviewed placed corporate reputation as the top priority in a crisis, ahead of share price and shareholder retention. Yet 53% said their department did not take part in crisis simulations and another 7% didn't know either way.

Similarly, an AON risk survey of over 500 major corporate and public sector organizations in Australia and New Zealand ranked damage to brand and image as the single most important risk concern for the fourth year in succession. However, there was little evidence that this concern gets translated into adequate crisis preparedness. [READ MORE](#)

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Forbes

## Should Rich Kids Be Grounded From Social Networking?

Meghan Casserly writes: This week, amid reports that \$15.9 billion man Michael Dell had daughter Alexa Dell's Twitter account deactivated over security distress, I'm grappling with my own concern: should the very privileged rich be barred from social networking for their own good?

Still, it's easy to see why Dell (or his security team, who he's rumored to pay \$2.7 million annually for protection services) might have been less than thrilled about 17-year-old Alexa's prolific use of Twitter. [READ MORE](#)

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Poynter

## How AP Photographer Captured Gabby Douglas Olympics Photo: Practice, Practice, Practice

Associated Press photojournalist Greg Bull was waiting for that moment, the point in Gabby Douglas' balance beam routine at which she leaps the highest, spreading her arms and legs and looking straight up at the ceiling.

He had tried to capture it before, but it never quite worked - he was too late, perhaps, or she was off-center. His photo "didn't seem to be as amazing as I thought it would be," he said by phone. Thursday night during Douglas' gold-medal performance, Bull got it. [READ MORE](#)

Photo credit: Gregory Bull/AP



Poynter

## AP Publishes 2012 Election Style Guide

The AP's guidelines for political reporters during the upcoming presidential election are a welcome guide to maintaining journalistic sangfroid while covering political passions: Not just nuts and bolts stuff (e.g., "press secretary" is "Seldom a formal title and thus lowercase") but also a roadmap to help journalists avoid cliches like "pressing the flesh" (use "shaking hands" instead) and not wander into linguistic minefields (e.g., don't use "Democrat Party"). And this year it recommends using quotes on first reference for the following terms: "fair shot," "fair share," "money bomb," "Obamacare" and "opportunity society." [READ MORE](#)

## News From Hennes Paynter



## Hennes Paynter Crisis Communications & Media Relations E-Newsletter Now Has More Than 6357 Subscribers

Thank you for helping us reach this milestone.

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[Kai Ryssdal](#), host and senior editor of **Marketplace**, public radio's program on business and the economy, will be in Cleveland on October 1st for a live appearance at WCPN-FM.

Hennes Paynter Communications is a proud co-sponsor of that event and appearance. Please watch this space for further details.

Hennes Paynter supports [WCPN-FM](#) and [WKSU-FM](#), respectively Cleveland and Akron's National Public Radio affiliates.



[Hennes Paynter Communications](#) is one of the few agencies in the U.S. focused exclusively on crisis communications. Contact us at 216-321-7774.



The New York Times

## Meet the Beatles, Again

From Paul Greenberg: "Do the Beatles have any other playlists besides 'Sgt. Pepper's'?"

So asked my 5-year-old as we sat on his bunk bed, staring into his iPod and listening to Ringo Starr sing "With a Little Help From My Friends." Even on this important year in Beatledom, the 50th anniversary of Ringo's joining the band and finalizing the makeup of the Fab Four, I decided not to pounce on my son with the obvious correction. For Beatle love must flower on its own terms. I would not tell him that "Sgt. Pepper's" was an album, not a playlist. That it was an extremely important album. That a genius had produced it.

Instead I told him that the Beatles did indeed have many playlists, they had fantastic playlists, monumental playlists. Playlists like "Rubber Soul," "Abbey Road" and that magnum opus, "The White ..." um, Playlist. [READ MORE](#)



IndieWire

## A Godfather Falls from Grace

Matt Singer writes: Apparently his offer wasn't all that difficult to refuse.

One of the biggest surprises in the new installment of Sight & Sound Magazine's decennial poll of the Greatest Films of All Time was the precipitous fall of Francis Ford Coppola's beloved 1972 film "The Godfather." Or maybe, based on these results, it isn't quite as beloved as we might have assumed. The last time Sight & Sound polled the world's film critics in 2002, "The Godfather" and "The Godfather Part II" ranked collectively as the fourth greatest film(s) of all time. This year, counted separately, Parts "I" and "II" ranked 21st and 31st, respectively. Obviously splitting their votes hurt the films -- if Sight & Sound maintained its old system, "The Godfathers" would rank seventh all time, just between "2001: A Space Odyssey" and "The Searchers." [READ MORE](#)

[The 100 Greatest Maniacal Movie Laughs](#)

[36 Hitchcock Death Scenes](#)

[All of Hitchcock's Cameos](#)



Ragan's PRDaily

## What PR Pros Should Do When the Media Get It Wrong

The late writer and journalist Nora Ephron once wrote, "Journalists sometimes get things wrong." That notion was in full, agonizing display after CNN and Fox News misreported the Supreme Court's decision on Obamacare.

The mistakes were embarrassing for the cable networks and chipped away at their credibility, but they weren't harmful to the Supreme Court. Quickly, both networks corrected their reporting and moved on. (CNN apologized for the gaffe; Fox News was defiant.)

But what happens when shoddy reporting does harm to a person or individual? [READ MORE](#)



Curated by Hennes Paynter Communications

## Short Takes

[Use ~Submit a News Tip" Forms at Media Websites](#) Publicity Hound

[5 Pitching Tips from TV Journalists](#) Ragan's PRDaily

[TV Station Agrees to Pay Blogger \\$300 After Using His Video Without Permission](#) Romenesko

[Walter Cronkite Corrects New Yorker Story About Walter Cronkite](#) TV Newser

[Dogs Can Shake 70% of the Water From their Fur in 4 Seconds...Here's How](#) The Atlantic

[Comedy Pain and Comedy Pleasure - Dick Cavett & Jack Benny](#) The New York Times



Hennes Paynter Communications

## Upcoming Events and Seminars

Join us for one of the crisis communications presentations below or contact us to customize one for your organization

8/24/12 Painesville Chamber of Commerce (1 hour)

9/6/12 NonProfit Direct: The NonProfit National Resource Director (1 hour)  
Teleseminar: Crisis Communications for Nonprofits

9/11/12 Sales & Marketing Executives International (1 hour)

10/2/12 The Center for Emergency Management & Homeland Security Policy Research,  
University of Akron (1.5 hours)

10/16/12 Medina County Safety Council (1 hour)

11/1/12 Business Volunteers Unlimited - Center for Nonprofit Excellence

11/8/12 Legal Marketing Association (1 hour)

12/7/12 Columbus Bar Association (3 hours)  
Managing the Media: Lawyers & The Press CLE

12/18/12 Akron Bar Association (4.5 hours)  
Managing the Media: Lawyers & The Press CLE  
Co-Presenters: Orville Reed, Stark & Knoll; Jim Burdon, Burdon & Merlitti

12/20/12 Cleveland Metropolitan Bar Association (4.5 hours)  
Managing the Media: Lawyers & The Press CLE  
Co-Presenters: Deborah Coleman, Hahn Loeser; Virginia Davidson, Calfee

1/11/13 Ohio Prosecuting Attorneys Association (1 hour)

4/16/13 Greater Cleveland Safety Council (1 hour)

NOTE: Most of the above are open to the public. Some of the seminars are free; others require a fee, payable to the sponsoring organization. Please call or write us for further information.

## Did Someone Forward This E-Newsletter To You?

Don't miss a single issue. To get your own subscription, simply send your name, email and a few words about who you are and what you do to [info@crisiscommunications.com](mailto:info@crisiscommunications.com).

**Know someone who might benefit from this newsletter?** If you just forward using your own email program's "Forward" function and your recipient thinks they're being spammed, they can click on the Opt Out link and opt YOU off the list. So use this "[Forward This E-Newsletter](#)" link, please.



## Need a Presenter for Your Next Meeting or Conference?

Are you looking for an eye-opening, inspiring presentation for your next event? If your organization, company or association is searching for something different - a content-packed, entertaining, how-to customized seminar on how to manage the media - then we should talk.

Don't just take our word for it - see [where we've talked before](#) and [what other people say](#) about our seminars.

### Recent seminar sponsors include:

Maritime Attorneys of The United States  
American Great Lakes Ports Association  
Ohio County Prosecutors Association  
Licking County Safety Council  
The American Bar Association  
Cuyahoga Community College  
Bowling Green State University  
Mansfield Economic Club  
Lorain County Society for Human Resource Management  
Lakeland Community College  
Holmes County Board of Health  
Cuyahoga County Emergency Management Agency  
Cuyahoga County Police Chiefs Association  
Cuyahoga County Fire Chiefs Association  
Southern State Community College  
BVU - The Center for Nonprofit Excellence  
Ohio County Auditors Association  
Ohio Mayors Association



## Managing the Media: Lawyers & The Press CLE

In today's world of high-profile litigation, law firms frequently retain PR consultants to help with media relations.

Numerous law firms have brought us in to do one of our seminars; some have used our seminar for a marketing opportunity, inviting a large number of corporate attorneys, as well as prospects for new business. Call us at 216-321-7774 to discuss particulars.



## Crisis/Media Training & Coaching

**Your organization is in trouble...your CFO has been arrested...the company truck was in an accident...hackers hijacked your database...the pressure is on...the camera crew is at the door....**

Do you know how to handle a high-pressure TV interview?



Will your messages survive the editing booth? Do you know where to put your hands? What to wear? Do you look at the camera - or at the interviewer?

It takes a lifetime to build a reputation and only a few seconds to destroy one. In a split second you could find yourself in a position where you need to know how to handle the media or be a public spokesperson. Would you know what to do or how to respond?

More important - do you have the necessary skill set to "manage the message" and advance the cause of your business, agency or nonprofit?



You can be certain the senior executives at virtually all of the Fortune 500 companies have been through media training, working with a media coach to learn how to handle adversarial situations with journalists and stakeholders. Perhaps it's time for you to learn this specialized set of survival skills?

We also offer spokesperson & presentation training and coaching, designed to improve your daily interactions with colleagues, employees, investors, journalists and other outside parties.

Call Bruce Hennes, Barb Paynter and the staff at [Hennes Paynter Communications](#) today at 216-321-7774 and talk to us about media, spokesperson and presentation training and coaching for you, your top execs -- or anyone who might have to hold the fort down with a reporter until the appropriate spokesperson can be located.

Ask us, too, about how we can help you create, implement and test a crisis communications plan.



### **Our Permanent Collection of Links & Tips**

If you're a new subscriber to this e-newsletter, our [carefully-selected list](#) of links and tips will help you prepare for, and respond to, crisis situations.



**When your organization or reputation is threatened, you need a specialist.  
A crisis communications specialist.**



## Administrivia

This email newsletter about Crisis Communications & Media Relations is generally published twice a month.

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**OUR FAVORITE QUOTE:** You simply can't communicate your way out of a situation you've behaved your way into (credit to Don Etling at Fleishman-Hillard for this insight).

**WARREN BUFFET'S 4-STEP CRISIS COMM STRATEGY:** Get it right. Get it fast. Get it out. Get it over.



