Project Let's Talk Privacy

Policy Prototyping Guide

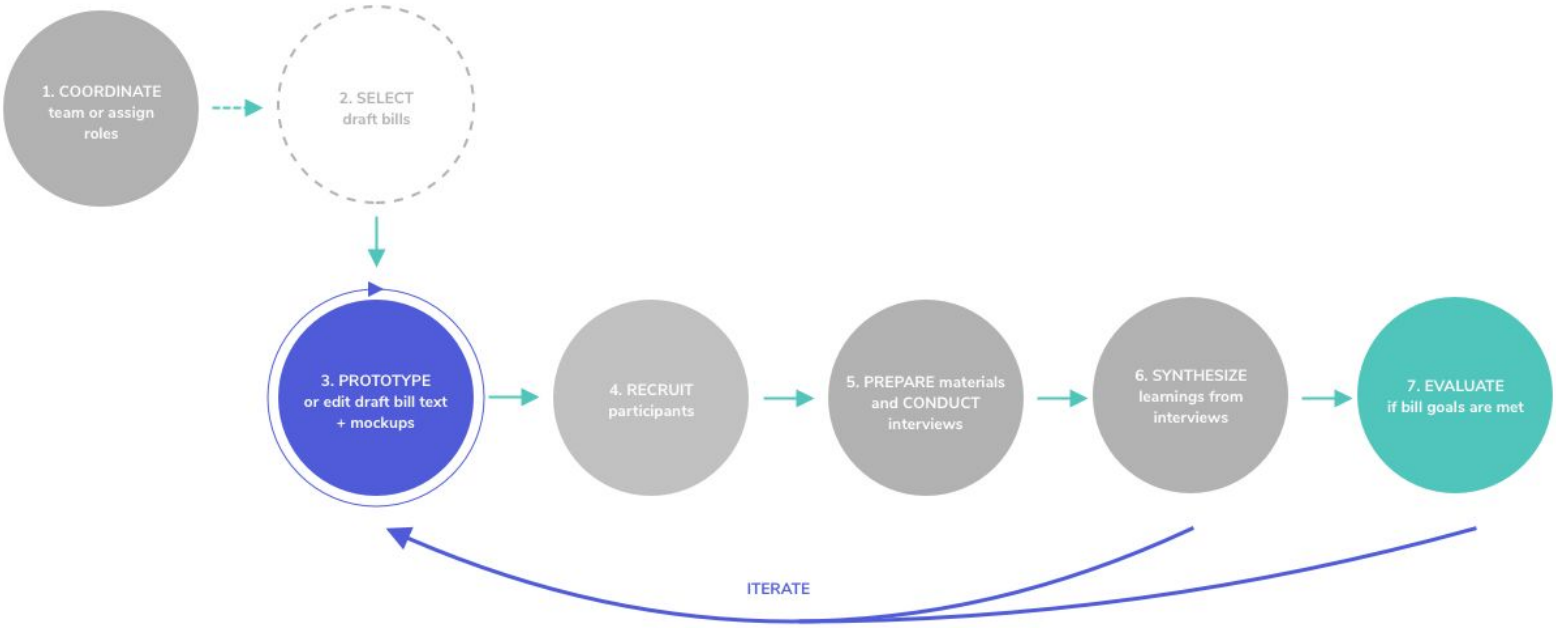
Part A: Purpose

Through our research, we advocate for a human-centered approach to policymaking. We have outlined the process we used to prototype bills and give policymakers a template procedure that explores how they may garner feedback on draft policy before publishing.

The process below was inspired by bills that referenced design and visual components of a data-collecting product or service. This version should be used as a starting point and should continue to incorporate feedback to improve the process and codify any patterns that emerge for particular domains. It is important to note that the context and content of the bill may change how the process can work. For example, policy centered around data privacy with accompanying UI components (e.g. increased transparency of terms of service or option for data portability) might follow a slightly different path from those policies that specifically focus on company policies and legal protections around data security. We see this process itself as iterative. This guide includes a high level diagram, role outlines, and a step-by-step framework.

Part B: High level diagram

1. Coordinate team or assign roles
2. Select draft bills
3. Prototype or edit draft bill text and mockups
4. Recruit participants
5. Prepare materials and conduct interviews
6. Synthesize learnings from the interviews
7. Evaluate if bill goals are met



Part C: Role outlines

1. Design and user research

Role and responsibilities *What hat does this person wear?*	This person will be in charge of doing research on existing interfaces and sketching "low-fidelity prototypes" based on the policies, which can be pen and paper or powerpoint. They will also be the person reaching out with individuals or communities to get feedback on prototypes.
Key questions *What questions might someone in this role be asking?*	• What are different ways we can sketch out the bill features we want to highlight? • What existing design patterns are available that people may be familiar with that we might want to use in our prototypes for inspiration? • Who should we interview and how do we try to enable more diversity of responses from potential constituents who would be impacted by these bill tenets? • What are an individual's expectations and needs with a system like we are proposing (based on interviews and conversations with them or from online feedback forums)? • What is confusing to them and how can we make the low-fidelity prototypes more intuitive?
Alternatives / stopgap *If you don't have someone that neatly fits into this role, you can still bring this perspective to the table. What are some tips?*	The key is that this person is the lead on advocating for the end user's needs and perspectives. They articulate the findings and transfer user needs into a low-fidelity prototype. This person might be a project manager, or a team member who regularly interfaces and coordinates communications with constituents (via phone, in person, etc.). They will be in charge of crafting the interview questions and brief the policy & product manager. As always, the teams can and should reach out to external design expertise as well for guidance if the option is available.

2. Technical

Role and responsibilities *What hat does this person wear?*	This person will be in charge of understanding technical components and providing feedback on prototypes. They highlight possible technical complexities and considerations with the interface. They provide feedback on how feasible an interface is to build and suggest alternatives.
Key questions *What questions might someone in this role be asking?*	• Generally, how feasible would the prototype be to implement and are there simple alternatives? • Is there existing evidence of possible side effects (e.g. security, poor mobile experience, data leakage) of putting this functionality into practice?
Alternatives / stopgap *If you don't have someone that neatly fits into this role, you can still bring this perspective to the table. What are some tips?*	This person can take the role of focusing on technical feasibility, possible alternatives, and tradeoffs of different solutions. Even experienced technologists encounter proposals that they have very little experience with. Leaning into the experiences of others (especially by honing in on the art of internet search queries) can unearth just enough insight to determine if the prototype is technically feasible. For example, searching Stack Overflow (a popular forum for technical questions and solutions) for "how to secure data packages" yields many results with links to external sources. This indicates that at the very least, solutions exist for this kind of work. Another popular resource is Github, which amongst other things, acts as a repository for software projects and enables developers to "star" these projects. Searching on Github for "photo gallery" results in thousands of projects, some with hundreds or thousands of stars. Like any field, experience matters and the jargon can be intimidating. Online sources, like Github and Stack Overflow, can be invaluable in demystifying software development. As always, the teams can and should reach out to external technical expertise as well for guidance if the option is available.

3. Product management, policy, strategy, operations

Role and responsibilities *What hat does this person wear?*	This person will be in charge of coordinating the overall process of policy prototyping, including staffing and resources. This role also focuses on formulating the strategy of the bill to prototype, managing deadlines, prioritizing goals and unblocking barriers throughout the process. Overall, this person will help ensure the insights are recycled back into the editing process and determine what the "minimum viable" is to proceed.
Key questions *What questions might someone in this role be asking?*	• What are the key questions we should focus on to test whether our bill tenets translate from policy to practice? • Based on our resources, how might we use our team to create prototypes and better understand potential technical feasibility? • How do we create a tight feedback loop between interview insights and iterating on our bills to improve comprehension and achieve the ideal impact? • What are our project success metrics, and how do we ensure we have done enough "prototyping" before we can share our policy?
Alternatives / stopgap *If you don't have someone that neatly fits into this role, you can still bring this perspective to the table. What are some tips?*	We understand there are many roles on the team, but there should be one "lead" of the team to wear the hat of project management and be accountable for driving the project forward and delivering prioritized proposed revision(s) to the bill.

Part D: Step-by-step framework

1. Coordinate team or assign roles based on existing team resources.

We recommend having design, technical, and policy/product management perspectives. We understand there may not be those exact roles on your team. So, if there is not a way to work with partners or resources in your organization or nearest neighbors (e.g. Congressional Research Service, TechCongress, etc.), then we have outlined the roles existing team members can play. **See Part C: Role outlines**. These guidelines are flexible based on your existing capacity. For example, if needed, team members can also assume multiple roles.

2. Select draft bill to prototype.

- If this hasn't been decided already, **select a bill to prototype** (or use the draft your team wrote) in order to test and get feedback.
- **Establish bill goals.** As a team, decide what you would like your minimum viable prototype to include. For example:
    - After reading the bill summary, the participant is able to understand key concepts of the text portion of the bill without major confusion. This may entail defining terms in parentheses, rewording to simplify language, etc. It is ok to provoke some questioning with unfamiliar features or words to get a sense of how someone may react to a new concept, but it is not a good sign for a user to not be able to comprehend the general context with a prototype.
    - While navigating the bill prototype, the participant is able to understand the general context of design elements without much assistance. If the person cannot roughly interpret what is happening without your narration it may be helpful to add more context clues or set the conversation by saying, "This is a profile page on a sample social media platform, can you explain what you see and what is happening? What stands out?"
    - While navigating the bill prototype, participants share feedback on various design elements, which can shed insights on how to improve the bill. Note: If a word is confusing or the design feature is completely indiscernible to a participant, you may want to consider re-sketching that part.
- **Establish research questions.** (e.g. exploring a concept like "duty of loyalty" in action, better understanding ways "data portability" can be effectively understood and used in platforms, etc.)
- **Establish a timeline with team milestones.** In order to scope bills goals and ensure they can be met, we recommend establishing a timeline for completing the following steps.

3. Prototype or edit draft bill text and mockups.

- **Select 3-5 key features to prototype** based on what you would like feedback on. This can be done through reading the full bill or looking at press releases to see what the bill aims to focus on (as framed for the general public).
- **Sketch 2-3 prototypes** based on the key tenets or features selected. Drawings can be intimidating and in the interest of getting feedback on functionality, low fidelity prototypes are, in fact, recommended. This can be done through pen and paper sketching or simple software that most people on your team (who need to be collaborating on this) have, such as Microsoft PowerPoint or even Microsoft Paint.
- **Collect preliminary feedback and iterate on prototypes**. The goal of the preliminary feedback is to ensure that the prototype is understandable and decipherable enough to get quick feedback on. This part will help you iron out key comprehension issues such as readability, misunderstanding features, etc. The team will do quick "interviews" to ask some preliminary questions to improve prototype sketches by building on constant feedback from people, generating new prototypes, combining ideas, etc.
- **Select one "winner" prototype per bill**.

4. Recruit participants.

- **Map out the potential audience(s)** that may be impacted by the bill. Note: qualitative research will not be "statistically representative" of the population. The value of this is to ensure you have diverse feedback from the group of people you speak with and to consider what questions or concerns people may have about the technology that you might not have thought of. These may include but are not limited to:
    - End users or individuals who may use the technology or service (to find various people, check out related forums, community groups and centers in the neighborhood, Facebook groups, organizations, or other affiliations that may know individuals)
    - Advocacy organizations who may have more insight on the topic
    - Industry practitioners or consultancies who might be building or designing the technology you may be focused on
    - Students, researchers or academics studying this specific issue
- **Reach out to people for interviews.**
    - **Write an email script** that your team can collectively use to standardize outreach. This should include things like:
        - Who you are, purpose of the project, what you're interviewing people for, how interviews will work, and potential date(s) and time(s).
    - Note: Use your team's strengths to reach out to networks, email lists, and communities you may be a part of or know about. This list may start out with people your team personally knows, cold-calls or emails. For each person you reach out to, ask if they have 1-2 people in mind you could reach out to follow up for another interview. This is a way to broaden your network and diversify interview participants.

- **Schedule interviews** based on the availability of the interviewee and your team. Consider the working schedules of those you are hoping to meet with. If location, time or limited resources is a barrier and you cannot meet in person, think of alternative ways of speaking with the candidate based on the resources they have.
    - In-person
    - Phone
    - Video chat
    - Email (This is not advised, but if there are any quick, well scoped questions you'd like to ask someone that is easier for them to respond to via email, consider this an option.)
- **Space out the interviews.** Have at least an hour to unpack interview insights and make sure you have enough time to prepare for the next interview, potentially tweaking questions to improve responses for the next one.
- **Schedule an interviewer and a notetaker** from your team to attend the interview (if possible). Ideally there is one person taking notes and one person focused on working through the interview protocol, modifying questions as needed, and probing the interviewee if there are interesting insights that appear throughout.
- Note: There is no "perfect" number of how many people to interview for this work. This is dependent on the resources of the team and whether your team has been able to capture insights, or if there are existing uncertainties that could be improved with more conversations with people.

5. Prepare materials & conduct interviews.

- **Create and show a text summary of the bill.** This can be done by reviewing the public press release of the bill that highlights specific aspects of the bill for a general audience. There also might be 1-pagers or summaries of the bill written by the Congressional team. If these do not exist, one way to create a quick sample of the bill is to show the table of contents. Teams can also write the summaries on their own.
- **Create and show visual examples of some of the bill concepts.** If there are bill concepts that may be foreign to people (e.g. infinite scroll), it might be helpful to show some relatable examples or aggregate definitions to the interviewee so they understand what the word might mean in context.
- **Create and show the "winner" design prototype(s).** At this stage, it will be important to create a generic interface that might mimic experiences interviewees are aware of (e.g. Facebook or Twitter) but do not contain branding. This is to reduce the amount of bias toward a brand as much as possible but also to maintain some relevance to the interviewee so they understand the context of the feature and how it may work in practice (e.g. posting a photo, liking a comment, etc.).

- **Create and follow an interview protocol.** Here's an example structure you can follow:
    - Part 1: Introduction
        i. Explain project purposes, goals
        ii. Gain participant consent to collect information from the interview
    - Part 2: About + role
        i. What is your title/role
        ii. Introductory questions around the general topic
    - Part 3: Show bill text & prototypes, get feedback. What are the strengths, challenges of these privacy bills + prototypes?
        i. Show bill text. "Here is a bill proposal's text highlights - let me know once you've finished skimming. Please speak aloud and narrate any thoughts, questions, or immediate reactions that come to mind."
        ii. Show prototype. "Here is one way this bill might look in practice. As you are viewing this, please speak aloud and narrate what is happening. How does the interface and the features you see here work in practice?"
    - Part 4: Broader perceptions
        i. In this section, have the interview participant reflect on the bill(s) they've seen.
        ii. If you had a magic wand, what would you do to fix that issue?
        iii. What are you thinking about now that you weren't thinking of? What resonates?
- **Follow the interview protocol** (roughly, as these are semi-structured interviews). Make any necessary adjustments to the interview protocol based on responses after each interview.
- **Seek consent** for taking notes during the interview, reminding candidates of the purpose of the research, who the interviewee notes will be shared with and the team's policy on sharing any information outside of this conversation.

6. Synthesize learnings from the interviews.

- **Review the interviews** to identify perceived strengths and weaknesses in the bill. This requires going over notes to better understand key quotes, repeated patterns or bill text/design features that stand out to users (positively or negatively).
- **Prioritize insights** using methods like the KJ technique, MoSCoW Prioritization or Three Feature Buckets.
- Once priorities for bill and/or prototype changes have been addressed, loop back to one of the following:
    - If the team has decided to make changes to the bill text itself, go back to Step 3 to edit the bill text. Repeat until the team has reached their minimum viable bill prototype.
      --OR--
    - If the team has decided to make changes to the prototypes in order to improve comprehension and usability in the interviews, go back to Step 3 and repeat until the team has reached their minimum viable bill prototype.

7. Evaluate if bill goals are met.

- Review goals (or research questions) established in Step 2. As a team, assess updated bill prototypes and interview feedback against these goals.
- **How do you know if you're done?** We wish there was a clear formula for this, but the truth is that it depends on what resources you have available, from the capacity of team members to project timelines. We recommend outlining goals and timelines before beginning the prototyping process in order to establish a viable end point. Along the way, goals and timelines should be regularly reviewed and assessed by the team.
- If goals are satisfied, you have met your minimum viable bill prototype! We recommend sharing updated bill prototypes and feedback with other stakeholders and the general public (if applicable).