

THE IRE JOURNAL

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FROM THE IRE OFFICES

IRE Contest shines with important work



BRANT HOUSTON

Five hundred entries and countless hours of judging have resulted in the selection of this year's winners of the IRE Awards.

It is a stellar group that emerged from a particularly competitive field in newspapers and broadcast.

"I thought this year's entries were very solid," said IRE board member and contest judge Joel Kaplan. "There was some exceptional stuff."

The five judges all commented on the depth and breadth of the stories they saw and the commitment of time and energy that was required of the news organizations.

WTHR in Indianapolis gave a reporter the time to develop his database of six years of DUI (driving under the influence) arrests. *The Toledo Blade* spent almost two years on its beryllium project. TV stations in smaller markets managed to find the time to do investigative pieces while meeting the daily demand.

IRE board members and contest judges Mike McGraw and Roberta Baskin said they were especially impressed by the entries in the broadcast category of TV stations below the top 20 markets.

McGraw added that "the decisions in large and medium newspapers were very difficult. They were exhaustive and well-written. I thought all the finalists were well-written this year."

Kaplan also noted that this year's winners "had huge impacts:"

- *The Washington Post* winner "Invisible Deaths" led to major changes in the care of retarded citizens in Washington, D.C.
- *The Times Herald-Record* of Middletown, N.Y., work on sheriff deputies' time cards led to dismissals.
- *The Dayton Daily News'* work on unsafe military aircraft spurred revisions in the repair system.

The judges also were impressed by the entries in the Freedom of Information category.

"FOI is important to IRE's agenda," Kaplan said. "There were great stories and books in this category."

Kaplan pointed out that the *San Francisco Bay Guardian* not only pushed to get access to records, but showed how the records could be used for stories in the public interest. APBnews.com led the charge to place federal judges' disclosure forms on the Web and this month the judges announced they would do so after initially refusing to do so.

The intrepid Willy Stern of *The Nashville Scene* won a second straight award in the Local Circulation Weeklies category. Russ Carollo of Dayton continued winning for his work on the U.S. military. WFAA in Dallas won two IRE certificates in one year.

The judges also were excited about the future of the online category in which they gave a special citation to APBnews.com

"It's clear that more and more will be entering the contest," Kaplan said.

However, the judges were disappointed in the small number of entries in magazines, books, radio and student categories.

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Brant Houston is executive director of IRE and the National Institute for Computer-Assisted Reporting. He can be reached through e-mail at brant@ire.org or by calling 573-882-2042.

New Census workshops will offer a head start

Census 2000 is about to kick off, but you still have time to get ready to use this once-a-decade flood of information. Become one of the smart reporters already getting ready by attending one of IRE and NICAR's Census 2000 seminars. These intensive two-day sessions will be a fast-track lesson on what reporters need to know to start producing stories when the data begins to emerge.

Instructors will be Paul Overberg, a database editor at *USA Today*, and Steve Doig, the former *Miami Herald* staffer who now teaches computer-assisted reporting at Arizona State University. The topics they'll cover will include census story ideas, the data rollout schedule, census definition and geography, mapping, reapportionment, getting the data, making comparisons to 1990, the new race categories and the controversy over using adjusted census counts.

The first three workshops set are:

- Tempe, Ariz. – April 8-9
- Columbia, Mo. – Aug. 5-6
- College Park, Md. – Dec. 9-10

More details are available at www.ire.org.

New home mortgage data available in data library

The Home Mortgage Disclosure Act (HMDA) of 1975 requires all banks, savings and loans, savings banks and credit unions with assets over \$10 million and offices in metropolitan areas to report mortgage applications. Mortgage companies owned by depository institutions or their holding companies also fall under the law. Independent mortgage companies must report if they made at least 100 home purchase and/or refinancing loans in the previous calendar year.

HMDA data contains demographic information about loan applicants, including race, gender and income; the purpose of the loan (i.e. home purchase or improvement); whether the buyer intends to live in the home; the type of loan (i.e. conventional, FHA insured, etc.); and the outcome of the loan application (i.e. approved or declined). The data also includes information on institutions where loan applications originate.

The entire U.S. data set is available from the IRE and NICAR database library for \$200. The cost of state-by-state data varies by size of the news organization. The cost per state ranges from \$50 to \$100.

Advanced CAR seminar planned for Chapel Hill

IRE and NICAR will hold an advanced boot camp at the University of North Carolina at Chapel Hill. The May 14-18 seminar is aimed at strengthening the skills of reporters who want to move beyond basic computer-assisted reporting. Reporters should know spreadsheet and database manager applications and have experience in computer-assisted reporting.

Reporters participating in the seminar will be able to take statistics and craft them into stories that count.

Information is available at www.ire.org/training/chapelhill.html on the IRE Web site.

April Uplink addresses gun-related databases

Gun laws and gun-related crimes are big issues in newsrooms around the nation. The April issue of *Uplink* offers some helpful computer-assisted reporting tips for reporters covering these issues.

David Olinger explains how he and fellow reporters at *The Denver Post* used ATF databases to put together two three-day series on the firearms trade. The first used the databases to trace guns with high-capacity magazines back to the police. The *Post's* second series followed the same guns through several transactions and crime scenes.

Sarah Cohen of *The Washington Post* describes a battle with the ATF over data on crime guns and how this data can be useful in tracing guns recovered by the police. Janet Roberts of the *St. Paul Pioneer Press* details how her paper took the unusual angle of looking at gun ownership by felons using hunting licenses.

Improved readme files available on data sets

NICAR has been working to improve the Readme files on all its data sets. Readmes now include more detailed information on how to use data sets, possible pitfalls as well as file numbers and descriptions of relevant articles available from the IRE Resource Center.

You can also visit the NICAR Web site at www.ire.org/datalibrary/databases/ to download slices of data sets available from NICAR and find information on what the data sets entail. If you have any questions or would like to order data, call 573-884-7332.

MEMBER NEWS

Investigative reporter **Paul Adrian** has moved from WTNH-TV in Connecticut to The News of Texas-TXN, headquartered in San Antonio. Adrian will be reporting out of Austin.

■ **Vince Beiser** is now senior editor at *Mother Jones'* online sister publication, The MoJo Wire at motherjones.com. ■ **Richard J. Dalton Jr.**

now writes computer-assisted reporting stories for *Newsday's* enterprise team. He previously covered technology for the paper's business desk. ■ **Paul D'Ambrosio** has been named

investigations editor at the *Asbury Park (NJ) Press*, where he has been for 19 years. He will head a three-member I-team. Prior to his appointment, he was the paper's database editor. ■ **Norman**

Green was honored at the NAACP's 31st Image Awards for his MTV True Life investigative documentary, "Driving While Black," which won in the category of Outstanding News, Talk or Information Special. ■ **Phoebe Wall Howard**

is now political editor of *The Fresno Bee* where she has been since 1995. She is also a political columnist at the newspaper. ■ **Susan Kelleher**

has left *The Orange County Register* and is now a reporter on the investigations team at *The Seattle Times*. ■ AP correspondent **John Kelly**

has moved to the Champaign, Ill., bureau from the Indianapolis bureau. He will cover east-central Illinois. ■ **Jackie Koszczuk** is the new national congressional correspondent in the Knight Ridder Washington Bureau. Koszczuk

was a senior writer for *Congressional Quarterly* magazine, where she covered the congressional leadership and did investigative projects. ■ **Polly Kreisman** is now reporting for

WNBC-TV in New York. She leaves WWOR-TV, also in New York, after six years and 14 Emmy awards for investigative reporting.

■ **Jonathan Krim**, formerly assistant managing editor at the *San Jose Mercury News* is now the executive editor at *TheStreet.com*.

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Send Member News items to Len Bruzzese at len@ire.org and include a phone number for verification.



Conference plans under way

IRE's 25th anniversary to be celebrated in N.Y.C.

BY KATE MILLER

IRE will mark its 25th anniversary by holding this year's National Conference in New York City. The June 1-4 gathering also will serve as the official kickoff for IRE's multi-year endowment drive.

When IRE began in 1975, few predicted the feisty organization would survive much less thrive, says IRE Executive Director Brant Houston. But thrive it has. Membership numbers are the highest they've been in years, he says. On-the-road training is expanding and dues remain among the lowest of journalism organizations.

Houston says while low dues increase access to the organization, they unfortunately pay only 15 percent of operating costs. The rest of the money has traditionally been raised through services, training and grants. The goal of the endowment drive is to raise several million dollars within five years and use the interest income from that money to support IRE's core activities. A recent letter to members announcing plans for the endowment drive and asking for their support has unexpectedly drawn more than \$16,000 in donations.

As always, the national conference also will be a time for taking care of organization business, including elections for the board of directors. Board members whose seats come up for re-election include Vice President David Dietz, Treasurer Shawn McIntosh, Roberta Baskin, Lisa Getter, Joel Kaplan, Mike McGraw and Stephen Miller. Declarations of candidacy, even by incumbents, have not yet been made. As in previous years, only members

attending the conference will be allowed to vote. That tradition may not be the case in the future, however, if an initiative allowing absentee ballots is approved by the attending membership this year.

Another issue to be brought to the floor is the clarification of membership requirements. According to IRE's bylaws, only full-time journalists and journalism educators are allowed full membership. Former journalists and educators are allowed associate membership with voting privileges. But with members moving out into other fields such as private investigation, public relations and various ideological foundations, these definitions may require adjustment, Houston says.

These changes also could affect bylaws regulating the makeup of the board. In 1993, IRE eliminated the limit placed on the number of editors eligible for board membership, but a limit for journalism educators still stands. Both issues are sure to elicit strong opinions before the final vote is taken. Any changes voted in will not be implemented until the following year.

The conference also will offer a wide variety of panel discussions and demonstrations. A Friday evening showcase panel, "The Future and Challenges for Investigative Reporting" will feature Mike Wallace of 60 Minutes, Stone Phillips of NBC, Bill Keller of *The New York Times*, Ted Koppel of ABC, Diane Sawyer of ABC, and Adam Clayton Powell III of the Freedom Forum.

There will be several panels devoted entirely

Conference:

**IRE National Conference
June 1-4, 2000
New York
Hilton Waldorf-Astoria**

Costs:

Registration: \$150
(students, \$100)

Optional CAR Day:
\$50 (students, \$35)

To attend, membership must be current.

to broadcast including “Storytelling Strategies and Techniques” and “Tricks of the Trade: Going Undercover the Right Way.” Panels featuring issues in international and on-line journalism will be presented, including “Journalists Under Fire” and “Presenting the Investigative Story on the Web.” Fast-track or shorter panel sessions will discuss tips for covering beats like education, transportation and the environment.

The popular Broadcast Show & Tell will allow journalists to screen their work for peers and pick up story ideas. NICAR

staff members and other speakers will hold daily sessions on computer-assisted reporting (CAR) topics in the CAR demo area. The NICAR staff also will offer an optional day of CAR discussion and demonstration on Thursday.

The conference will be held at the Hilton Waldorf-Astoria. Members can register on-line at www.ire.org. Registration will be open until June 1, but you can save \$15 by registering before mid-May.

How to register:

- Register online at www.ire.org
- Print form from Web site
- Photocopy form found in this Journal

Kate Miller is a graduate student at the Missouri School of Journalism and an editorial intern for The IRE Journal.

IRE National Conference N.Y. Preliminary Program (Check www.ire.org for latest updates)

THURSDAY, JUNE 1

Optional Day, Computer-Assisted Reporting

- The best of computer-assisted reporting: An overview of the past year's work
- Housing scams: Land flips and slumlords
- Making sense of environmental databases
- Responding to disasters: Databases to have on hand, Web sites to know
- Census 101: Getting ready for the data
- Who's behind the Web site? Ferreting out what's authentic, what's not
- Building a newsroom pipeline: Using intranets to supply data to everyone
- Uncovering disparity: Databases that reveal racial profiling and edlining
- Census 202: The best stories to do first
- Using CAR to track the illegal drug trade and deaths
- Making sense of federal campaign finance data
- Community change: Tracking sprawl and migration
- Mapping data 1: The latest and greatest uses
- Training the Newsroom
- Campaign finance: Working with state and local data
- CAR on the local beat
- Mapping data 2: What's ahead
- Getting it accurate and getting it right: The ethical uses of data

- Hidden treasures: Databases you may not know exist
- The quick turnaround: Databases and Web sites to always have nearby
- New School Program – Talk by Seymour Hersh
- Reception by Criminal Justice Center

FRIDAY, JUNE 2

- The best investigative projects of 1999
- Finding abuses in the inner city: Housing to workfare
- The new world of security and espionage: How to cover it
- Broadcast – Tricks of the trade: Going undercover and doing surveillance the right way
- Diagnosing the sick health system: From bad doctors to HMO abuses
- **Fast Track** – Covering cities/counties
- **Fast Track** – Covering courts
- Doing the story no one wants to hear: Uncovering U.S. atrocities abroad and getting the stories published
- Newly discovered perils in the nuclear industry
- The Online Special: The challenge of doing investigative work on the Web
- **Broadcast** – Hot New Stories
- Beyond the Sopranos: The new organized crime beat
- **Fast Track** – Crime stats and databases
- The ills of juvenile crime and punishment

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RUNNING FOR THE BOARD OF DIRECTORS

The IRE Board of Directors serves as the governing body of IRE and meets several times a year – both as a group and in conference calls – to debate and vote on issues. Directors serve on various committees made up of board members and appointed non-board members to focus more closely on such topics as diversity, publications, the endowment and freedom of information.

IRE members considering running for the Board will have a shot at one of seven seats this year. While most incumbents will seek re-election, a couple have indicated they may not.

Although members have until June 2 to get on the ballot, candidacy statements with brief biographical information will be posted on the IRE Web site as early as May 1 and accepted as late as May 25 for Web posting. (Also, material received by May 1 will be included in an IRE mailing.)

Candidates who wait until the conference to announce must deliver a one-page statement/bio to the IRE executive director or deputy director by 5 p.m. eastern time on June 2. These – along with the previous Web announcements – will be posted on a bulletin board in the main conference area.

At the Saturday afternoon (June 3) membership meeting, candidates will need to be nominated and seconded from the floor by two other IRE members. There will be no nominating speeches, but candidates will have two minutes to address their peers. Voting will be by ballot at the membership meeting, with no absentee ballots.

Immediately following the Board elections, there will be a separate election for IRE Awards contest judges. Judge candidates will be nominated and seconded from the floor. Voting will be by ballot.

Board candidates wanting to appear on the IRE Web site or in the mailing should submit a candidacy statement/bio limited to 350 words. Head shots are encouraged. Send announcements via e-mail to Deputy Director Len Bruzzese at len@ire.org along with contact information.

Photo: Greg L. Davis | U.S. Air Force / DoD



Two U.S. Air Force A-10 Thunderbolts form up before dropping away from a tanker aircraft for a mission against targets in the Federal Republic of Yugoslavia in April 1999. The Warthogs and their crews are deployed to Aviano Air Base, Italy, from the 81st Fighter Squadron, Spangdahlem Air Base, Germany, in support of Operation Allied Force.

Probing military dangers

Use of super ammo raises health concerns

BY KATHLEEN SULLIVAN

It was a reference to an Air Force A-10 in a *New York Times* story about NATO’s war preparations that caught my attention at the *San Francisco Examiner*.

The story said A-10 Warthog “tank killers” were expected to take part in the attack on Kosovo. Three years ago, I wouldn’t have paid any attention to a reference to a “warthog,” or an “A-10,” or any of the names given to military tanks, airplanes or helicopters.

But after writing nearly two dozen stories about the health problems of Gulf War veterans, I knew that A-10s fired depleted uranium bullets – an ammunition prized for its ability to rip through armor “like a hot knife through butter” and deplored as a long-term threat to human health.

“If the Air Force is sending in A-10s, it means they’ll be shooting depleted uranium in Yugoslavia,” I told my editor, Andy Pollack. He suggested I write a story explaining why it was likely the United States would use the ammunition, why its use was controversial, and then track the progress of the war to report if and when the United States fired it.

Depleted uranium is a heavy metal, nearly twice as dense as lead. As a waste product of the nuclear weapons industry, it is cheap and plentiful. It is also radioactive, with a half life of 4.5 million years, and chemically toxic.

It was used for the first time in combat during the Persian Gulf War by the United States and Britain. By the end of the 1991 war, 630,000 pounds of depleted uranium dust, fragments and penetrators – the ammunition’s spear-shaped projectiles – lay scattered over Iraq.

The Air Force’s A-10s accounted for the lion’s share of the depleted uranium fired in Iraq, according to “Depleted Uranium: A Case Narrative,” a 235-page report by Dan Fahey, then a staff member at Swords to Plowshares, a San Francisco veterans’ rights group.

Fahey, an activist who has written and spoken extensively on the topic, relied primarily on military documents – uncovered from a constant stream of FOIA requests – to write his report. Fahey was well-informed, generous with phone numbers and information – he gave me copies of any documents I wanted from his vast collection – and dispassionate in his analysis of the facts. In short, a great source.

No warnings, no precautions

The use of depleted uranium ammunition was considered controversial for several reasons. During the Gulf War, the Pentagon

loaded A-10s and Abrams tanks with depleted uranium ammunition, but didn't tell American soldiers that inhaling, ingesting or absorbing its hazardous residue on the battlefield could cause cancer or respiratory, kidney and skin disorders. So soldiers didn't take any precautions to protect themselves from contaminated dust, tanks and wreckage. They climbed all over Iraqi tanks destroyed with the ammunition, hunting for souvenirs. They didn't wash their hands before eating or smoking. They didn't wear protective respiratory gear while working inside contaminated U.S. tanks – hit by friendly fire – readying them for shipment home.

Army regulations require medical screenings for soldiers exposed to radioactive substances, but the military didn't perform those tests on the men and women who had been stationed in the Persian Gulf. So active duty soldiers and veterans don't know how much of the substance they were exposed to in the desert.

Today, Gulf War veterans worry that some of their health problems may be linked to exposure to depleted uranium. In the years since the Gulf War, concern about the health and environmental effects of depleted uranium has grown around the world, as more and more nations have added it to their weapons arsenals.

Iraqi doctors fear that an alarming rise in leukemia and stomach cancer among civilians who live near the former war zone may be linked to depleted uranium contamination of Iraqi farmland. In the United States, Pentagon officials have consistently downplayed health concerns over depleted uranium exposure, though the agency admitted in 1998 that thousands of American soldiers may have been exposed to its radioactive and toxic debris in the war zone.

Eventually, I wrote two stories about the use of depleted uranium ammunition in Kosovo. The first, "Vets Rip Plan for Uranium Bullets," appeared on April 1, 1999, eight days after NATO launched attacks on Kosovo to punish Yugoslavia for refusing to make peace with its southern province. The story outlined why the United States would probably use depleted uranium and why its use was controversial. It included quotes from the executive director of the National Gulf War Resource Center (an advocacy group for Gulf War veterans); from Dan Fahey and his report; from a senior fellow at the Center for Defense Information (an independent think tank in Washington, D.C.); a Canadian radiation health expert; and information from my earlier reporting

Photo: Greg L. Davis | U.S. Air Force / DoD



A-10A Thunderbolt ground crewmen run from the aircraft after performing final inspections and giving approval to launch from Ahmed Al-Jaber Air Base, Kuwait, in March 1998, for a combat patrol mission over Iraq. The Thunderbolts of the 74th Fighter Squadron are deployed from the 23rd Fighter Group, Pope Air Force Base, N.C.

on Army regulations regarding medical testing for radiation exposure. It also included the Pentagon's "don't ask, it's none of your business" response to questions posed during its daily news briefings about the mission of the A-10s.

“ Iraqi doctors fear that an alarming rise in leukemia and stomach cancer among civilians who live near the former war zone may be linked to depleted uranium contamination of Iraqi farmland.”

“Pentagon spokesman Kenneth Bacon declined Wednesday to answer questions about when or how A-10s will be used in Yugoslavia, saying such operational details were verboten from this podium,” my April 1 story said, quoting a wire story.

Since I was reporting from San Francisco, I was scanning the wires – national and international – for stories about the war against Yugoslavia, looking for clues that the A-10s

were being sent out to attack their traditional targets – tanks and armored vehicles.

At that point, reporters in Washington were asking Pentagon officials questions about whether the A-10s would be put to use, but none was asking if they would shoot depleted uranium. (The A-10 can also fire missiles, rockets and high explosives.)

In my April story, I quoted NATO officials – from wire reports – saying that the A-10s had been unable to attack Yugoslav targets because of clouds and rain. NATO said the A-10s, low-flying attack jets, could not fly below the clouds because of the risk posed by Yugoslav anti-aircraft missiles.

In the weeks that followed, I kept watching for indications that the weather had changed in Yugoslavia and that the A-10s had been sent out to attack Yugoslav tanks. I also began pestering Air Force and Army officials by phone. Each time I called, the Air Force spokeswoman politely said she had no reports of depleted uranium firings. I called the Army because I knew its Bradley Fighting Vehicles, Abrams tanks and Apache helicopters, which were stationed in Albania to provide “force protection” if needed, could also shoot depleted uranium.

“Oh – Kathleen Sullivan of the *San Francisco Examiner*, I've got your article right here,” said a lieutenant colonel in the public affairs office of the Army's Weapons, Environ-

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Familiar tools – new media

Making investigative reporting work online

BY ROSE CIOTTA

Investigative and computer-assisted reporting not only have a place in the exploding world of online journalism but can be the key to its success.

That's the conclusion of a special conference sponsored by IRE and the Poynter Institute held recently in St. Petersburg, Fla.

A group of 20 journalists from all corners of the industry came together to consider whether investigative/CAR reporting can survive and thrive online. Four study groups looked at the major issues defined by the larger group: business, ethics, content and infrastructure.

At a time when content is king in cyberspace, these journalists concluded that investigative reporting was just the kind of original work that could bring viewers to their sites over and over again. Data lookups giving viewers information about their schools and their neighborhoods was just the kind of information that could help newspapers do what they do best - serve their local communities.

Those working in online publications said in-depth work was a critical part of their business plans. They also put a premium on preserving their credibility. The best of them are implementing policies to apply journalism's traditional ethical values to the new medium.

Despite the optimism, however, all agreed that most media have yet to take advantage of online as a three-dimensional medium. And, at most companies, there is a gulf between the traditional and Internet newsrooms. They urged training and other programs so print journalists could learn more about online and vice versa.

On content, the group urged that investigative reports use all of the 3-D tools: audio, video, lookup data, interactive graphics and visitor feedback. They also recommended that all investigative/in-depth packages be planned and executed from the online perspective. In multimedia companies, they recommended locating the E-team (for enterprise) in the online operation. The project would be repackaged for print, broadcast

and syndication as appropriate. They called for a demonstration project to test the idea.

Other recommendations include:

Business:

"To succeed financially, an online news site must create original content. Experience shows that investigative reporting packages attract visitors to the online sites and keep them coming back."

- Measure the impact of investigative reporting (with data on sales, viewers, pick-ups, mentions) so all would know the business value of their work. Decision-makers in business and editorial must review this information. Others can access it if they are interested.
- Hire experienced and talented journalists and create an equity culture in newsrooms so journalists know their value to the company's financial success.
- Make localized data available and updated online. See data as original content that has a marketable value. Resale of public data would be prohibited.
- Develop business strategies to connect with these visitors via email and other e-commerce options.

Ethics:

"Ethical standards for online journalism are no different than traditional journalism... Standards for the intersection of content and commerce are still evolving but the credibility of content must not be compromised."

- Implement policies to ensure credibility and adopt traditional journalistic ethics.
- Guard the integrity of polls.
- Guard privacy considerations regarding information collected from visitors.
- Disclose all business alliances.
- Distinguish editorial from advertorial.
- Require that sponsors have no control over content.

Infrastructure:

"Traditional media companies generally lack the technical skills to compete effectively. New media companies often lack the journalistic skills to publish a quality product. The winning information companies of the future will be those that most effectively marry journalistic standards and objectives to technologies that make distributing information cost-effective and fast, and reach the largest number of audiences."

- Break down the walls so journalists understand technology and technology people understand journalism.
- Offer continuous technology training so newsroom journalists can do more to get stories and

CONFERENCE PARTICIPANTS

- **Jim Brown**, Indiana Univ. School of Journalism
- **Rose Ciotta**, *Philadelphia Inquirer*, IRE Board
- **Dan Colarusso**, TheStreet.com
- **Ken Doctor**, Real Cities Network (Knight Ridder)
- **Amy Gahrn**, Content Exchange and Contentious
- **John Garcia**, WNBC-TV News, New York
- **Rich Gordon**, Northwestern Univ.
- **Brant Houston**, IRE and NICAR
- **Karl Idsvoog**, APBnews.com
- **Stephen Miller**, *New York Times*
- **Mindy McAdams**, University of Florida
- **Robin Palley**, Healthon/WebMD
- **Nora Paul**, Poynter Institute
- **Robert Port**, APBnews.com
- **Adam Powell**, Freedom Forum
- **Jeff South**, Virginia Commonwealth Univ.
- **Tom Torok**, *New York Times*
- **David Weir**, Salon.com
- **Mike Wendland**, Poynter Institute
- **Steve Yelvington**, Cox Interactive Media

For a full text, including the task force reports, see www.poynter.org. You can also link there from the IRE site, www.ire.org

LEGAL COLUMN

data online and the online staff know more about the reporting/editing process.

- Create a technology infrastructure in newsrooms giving everyone personal computers, Internet access and easy access to in-house data.
- Locate “bridge people” in both online and traditional newsrooms to work with the other.
- Have at least one (preferably more) trained in server databases, Web programming, scripting languages and other computer languages such as Visual Basic, Java or Perl.
- Evaluate the technical skills of your organization to ensure that Web-related tasks can be carried out.

Content:

“Opportunities to use the unique technology of the web are being missed. Too many news Web sites suffer from poor or confusing navigation that fails to capitalize on the point and click nature of computer screens. Audio and video appear haphazardly, sometimes overdone, sometimes not present at all when they are the best suited means to convey snippets of a news experience.”

- Take advantage of the 3-D medium: text, audio, video, animation, interactive tools such as forums, chats, e-mail services; personalized data lookups, filters and links to documents, transcripts, notes.
- Set up quality control so data is fresh and story links are maintained. Date content.
- Find new ways to organize text online including issues and creation of “theme parks” for ongoing reporting.
- Create multi-level access to stories – i.e. the short take, long piece, text only and full multi-media.
- Continuous editing desks in newsrooms to handle news updates.
- Give prominence to investigative reports so they can easily be found on the site.
- Moderate forums and discussion groups tied to investigative stories.

For observations from the participants see a report from conference participant Amy Gahran in Content Spotlight “Investigative Reporting: Salvation of Online News?” at www.content-exchange.com/cx/html/newsletter/1-21/news1-21.5.htm. For a report from Mike Wendland, former print and broadcast investigative journalist and Poynter fellow, see “News on the Net Excites Journalists,” at <http://observer-ecentric.com/columns/story3.shtml>.

Rose Ciotta is the assistant director/Pa. of CAR and analysis at the Philadelphia Inquirer and a member of the IRE Board of Directors.

First Amendment protects the openness of civil trials

The United States Supreme Court repeatedly has recognized that criminal trial proceedings should be open to the press and the public. In addition, most federal courts have held that there is also a First Amendment right of access to civil trials.

When the First Amendment right of access is implicated, there is a strong presumption in favor of open proceedings. Thus, in order for even a partial closure of a trial to survive constitutional scrutiny, the closure must survive the “strict scrutiny” test, which requires that closure be essential to a compelling public interest and narrowly tailored so that only those portions of the proceedings absolutely essential to protect the interest are closed.

It is not uncommon, however, for a court to close a portion of a civil trial to protect highly confidential information. Although courts most often order such closures in cases involving trade secrets, closure orders are not limited to such cases.

Even more extraordinary, and virtually unprecedented, is the drastic step of closing an entire civil trial. Recently, however, the U.S. District Court for the Eastern District of Louisiana opted for just such an extreme measure in *Lifemark Hospitals, Inc. v. Jones, Walker, Waechter, et al.*, Civ. No. 94-1258 (E.D. La.), when it closed the entire trial in a high-profile attorney malpractice case. Although the court ultimately reconsidered its order denying the motion that the New Orleans *Times-Picayune* brought to gain access to the trial, the newspaper obtained this relief only after the trial had nearly concluded.

The background

Lifemark filed an attorney malpractice action under seal against Jones Walker Waechter Poitevent Carrere & Denegre, L.L.P., a large New Orleans law firm. In essence, Lifemark alleged that Jones Walker was liable for millions of dollars in damages because Jones Walker failed to timely reinscribe a mortgage.

The Times-Picayune first became aware of

the closure of the trial when one of its reporters received a tip that a civil trial was proceeding behind closed doors in federal court. The reporter went to the courthouse, and a federal marshal denied her entry to the courtroom. In addition to closing the trial itself, the court had sealed the entire record, including all of the parties’ pleadings, the court’s orders, the docket sheet and even the caption of the case. After repeated unsuccessful efforts to gain access to the courtroom or even to obtain a copy of the order closing the trial, the *Times-Picayune* filed a motion to intervene in the proceedings and to open the trial proceedings and unseal the court records.

Lifemark opposed the motion on the grounds that opening the proceedings and unsealing the record would result in the disclosure of privileged attorney-client communications which would prejudice Lifemark’s fair trial rights in another lawsuit also pending in federal court. After an open hearing, the court initially denied the newspaper’s motion. Although the court acknowledged the press’s strong First Amendment right of access to trial proceedings, it balanced this right against Lifemark’s fair trial rights and concluded that Lifemark’s rights would be impaired if attorney-client communications were disclosed.

The Times-Picayune moved for reconsideration and argued, among other things, that the attorney-client privilege, particularly once it is waived by the act of bringing an attorney malpractice action, simply is insufficient to overcome the strong presumption in favor of press access to civil trials. The court ultimately granted the motion to open the proceedings and unseal the record. However, by the time the court did so, the trial had nearly concluded. Thus, although the court ultimately ordered that the trial transcript be released and the documents filed in the record be unsealed, this relief was no substitute for contemporaneous access to the proceedings.



MARY ELLEN ROY

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Mary Ellen Roy is a media lawyer who handles defamation, invasion of privacy, reporter’s privilege, and access issues for newspapers, television stations and magazines. She is a partner at Phelps Dunbar, L.L.P. in New Orleans.

Military Dangers

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ment and Technology team, when I called a few days after my first story appeared. “Somebody here in the building copied your story saying we shouldn’t use that stuff (depleted uranium) and sent it around,” he said. “I guess I don’t have to tell you it’s radioactive and toxic, do I?”

In a subsequent interview, the colonel said the Army didn’t need to use depleted uranium ammunition against Yugoslav tanks, because they were older-model Soviet tanks that could be “killed” with high explosives.

Playing with Pentagon

Nevertheless, I kept calling him and other Army officials. I also continued watching the wires, calling Pentagon sources every few days, and checking in with sources. The Pentagon, usually eager to talk about the success of its weapons in combat, was still being coy.

“The bottom line is I’m not going to get into specifics about what the A-10s flew against,” Col. Steve Campbell, a Pentagon spokesman told me in an April 7 phone message. “I think everyone’s well aware of what their standard mission is,” he added. “I’d like to talk to you about why I’m not going to give you specifics. But I’m not going to try to do that in a voice mail. The bottom line is: I can’t get into specifics about what they targeted and what they shot at and what they dropped and what they used. So if you’d like to talk some more about this I can go into more detail if you call me.”

I did call Campbell, who told me that revealing what the A-10s were shooting would jeopardize the safety of the troops – at the time, the standard line from the Pentagon. Campbell said the information would be available after the war was over.

I began checking the Pentagon’s daily news briefings every few days. The briefings appeared on the Pentagon’s web site – www.defenselink.mil – in a question-and-answer format. In the meantime, I returned to my GA duties.

My second story “U.S. Firing Radioactive Ammo,” appeared more than a month after the original one, on May 7, 1999. I learned that A-10s were firing depleted uranium when Tara Thornton, an organizer at the Military Toxics Project, an environmental group based in Maine, e-mailed Dan Fahey in San Francisco. She said the Pentagon had confirmed using depleted

uranium in its news briefing on May 3.

Dan Fahey called me. I called up the 14-page news briefing on Defenselink and found Major General Chuck Wald’s confirmation on page 12.

• “Q: General (Wald), there’s been some concern raised in Europe about the possibility of A-10s using the depleted uranium munitions, especially when they go after the armor. Are we using any of these munitions now against the...”

• “Major General Wald: Yes. And the 30mm on the A-10. I think it’s almost – I’ve heard that question a lot, and I’ve been thinking about it. I’ve been around the A-10s for a long time. I know that I see the munitions handlers put these bullets in the aircraft, holding on to them for 20

“ I got the story because trusted sources kept an eye on the situation for me; because I didn’t believe the Pentagon would be able to keep the use of depleted uranium ammunition a secret until after the war; and because my editor cut me loose from my normal GA duties to report on something happening a world away.”

years, so they’ve done a lot of scientific studies on these things, and there doesn’t seem to be a problem. So I don’t think there’s a problem at all with that, and it hasn’t been a problem for any of us, so it’s kind of old news.”

The unidentified reporter returned to the same question a few minutes later:

• “Q: I just want to make sure that I understand General Wald on one point. The DU shells. Have the A-10s actually been firing them in addition to simply carrying them?”

• “Major General Wald: Yes.”

My story, which appeared May 7, began: “The Pentagon has confirmed that U.S. Air Force jets are firing radioactive bullets in Yugoslavia, reigniting concerns raised after the Gulf War about the hazards the ammunition poses to soldiers, civilians and the environment.”

Much of the story was devoted to concern that American troops (thousands had been sent

to the region and more were expected to join peacekeeping forces) would once again be unknowingly exposed to depleted uranium, because they had not received training on how to minimize their exposure to the radioactive dust and debris left in its wake.

I called the Army again, even though their spokesmen had told me over and over again that the Bradleys, Abrams and Apaches would not be using depleted uranium.

I happened to call on May 6, the day after two American soldiers died when their Apache helicopter crashed in Albania during a training run. I asked if the Apache that had crashed was carrying depleted uranium. Before answering, the spokesman launched into a tirade about how I didn’t care about the loss of American lives, only about depleted uranium.

He told me once again that the Army had no plans to use depleted uranium in Kosovo. After the April 1 story, I got calls from a New York radio station and from Fairness and Accuracy in Media, a media watchdog group, and I helped them pursue stories on the same topic. Other American reporters were also writing about the issue.

The question the unidentified reporter asked at the Pentagon’s briefing on May 3 reflected the fact that the topic had become an issue in Europe. Reporters in Japan and in Canada also were following the story.

I got the story because trusted sources kept an eye on the situation for me; because I didn’t believe the Pentagon would be able to keep the use of depleted uranium ammunition a secret until after the war; and because my editor cut me loose from my normal GA duties to report on something happening a world away.

Once the Pentagon confirmed it was firing depleted uranium, more reporters picked up the story. The international attention created many ripple effects, Dan Fahey later told me. It raised the visibility of the issue and widened the scope of concern over the use of depleted uranium as a weapon.

“I think all the attention played some role in limiting the amount of depleted uranium they used, because the stories generated so much public interest, particularly after the Pentagon acknowledged using it,” he said.

According to a Pentagon reply to Fahey’s latest FOIA request, the Air Force shot 21,000 pounds of depleted uranium in Yugoslavia.

Kathleen Sullivan is a general assignment reporter at the San Francisco Examiner where she has worked since 1988.

Legal Column

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Be prepared for closures

Although an extreme example, the Lifemark case demonstrates it is vital that a reporter never assume that if a court has closed all or a portion of a civil trial, that the court has considered the constitutional ramifications of its actions and proceeded properly in closing the proceedings.

Indeed, the best way to avoid an unjustified court closure is to try to anticipate when a court may close a proceeding and alert the editor or news director immediately so that a lawyer may promptly prepare arguments and briefs. In a case where many motions are filed under seal and where pre-trial hearings are held behind closed doors, for example, it can be anticipated that the court may take the next step to close the trial itself.

In some instances, however, it is virtually impossible to anticipate closure. In such a case, if a reporter is present in the courtroom when the court announces its intention to close a proceeding, the reporter should identify himself to the court, request permission to be heard, and object on his own behalf and that of the public. If the court grants the reporter permission to speak, the reporter should object to the closure and request a recess so that the news organization's attorneys can be called to address the court. In addition, the reporter should request that the court make his objection part of the court record.

If the court will not grant the reporter permission to speak – or if the courtroom already has been closed – the reporter should write the objection on a sheet of paper and give it to the judge's clerk. If the clerk is in the closed courtroom, give it to the bailiff at the door and ask that the request be delivered to the judge and be made part of the record.

In any event, after the reporter leaves the courtroom, he should immediately call the newsroom and, if appropriate, legal counsel. Finally, if a reporter discovers that a closed court proceeding is in progress or has been held already, he should try to learn the nature of the proceeding, the grounds for the closure and whether the court held a hearing on closure. If the proceeding appears newsworthy, the reporter should immediately call the newsroom about possibly challenging the closure.

It is often in litigants' interest to try to close trial proceedings to the press and the public. While the Constitution generally requires that trials be open, the press must remain vigilant to protect this important right.

IRE Conference

CONTINUED FROM PAGE 7 >

- Great tips from great writers: Taking your stories the next step and turning them into magazine pieces and books
- Policing the police
- Investigations in entertainment and the arts
- Broadcast special edition – An hour with 60 Minutes
- **Fast Track** – Doing the education investigation
- An hour with 20/20
- Caregivers gone wrong: Exposing the abuses
- At what price the presidency? How to track the big sell-off
- Covering terrorists and fringe groups
- **Fast Track** – Transportation safety
- Broadcast special edition – An hour with Dateline
- **Fast Track** – Business: Tracking companies online
- Gotcha Journalism: How to fight the lowering of standards
- Winning strategies in freelance
- The Cross-Cultural Investigation
- Finding investigative reporting's place in history: Looking at a century of muckraking
- **Fast Track** – Useful international online databases: Health, crime, immigration
- IRE Showcase Panel and fundraiser – New challenges in this century for investigative reporting
- IRE fundraising reception – 25th Anniversary Appreciation of Founders, keynote speaker
- International Track: Journalists under fire
- Investigations in the business world
- Editors Roundtable, Part I: Organizing and editing the project
- Broadcast – Power of documentaries
- Medical Research/Stories we're missing
- International Track: Journalists under fire
- **Fast Track** – Quick hits on the community beat
- Recognition of IAPA Swat Team
- **Fast Track** – Turning your investigation into a book
- International Track – International Roundtable
- Working a Wall Street Beat
- Great Tips From Great Writers, Part II: Crafting the story
- Broadcast – IRE Award Winners
- The Death Sentence Stayed: Probing wrongful convictions
- **Fast Track** – Non-profits
- International – Digging into multinational corporations, ferreting out international trade scams
- The Latest on Libel, Reporters' Privilege, and Newsgathering
- Investigating Immigration
- Broadcast – Test it Yourself: Investigations on the consumer beat
- Editors Roundtable, Part II: The top editors from NYC talk about investigative editing
- **Fast Track** – Environmental reporting
- Membership meeting
- Bob Greene bus tour of New York

SATURDAY, JUNE 3

- Online special – Presenting the investigative story on The Web: Challenges in writing and visualizing
- Maintaining Free Speech in a Panic About Privacy: Public records and the battle for access in the Information Age
- The Challenge of Investigations at Small News Organizations
- Broadcast – Storytelling Strategies & Techniques
- The art of sourcing and interviewing
- **Fast Track** – Backgrounding businesses and individuals
- **Fast Track** – A primer on contracts

SUNDAY, JUNE 4

For educators and students:

- Investigations on campus: Resources and censorship
- Teaching investigative reporting: How to do it best
- How students can get the best job

Poynter presents:

- The Poynter report on online investigations: Strategies for success when you return
- Presentation and ethics of broadcast investigations
- A Poynter course in writing

Conference ends

“Last Gasp”

EPA threatens to crack down while problem denied locally

Photo Illustration: Michael Samples



BY RUSTY CAWLEY

In August 1999, the *Dallas Business Journal* published “Last Gasp,” its investigation of air quality in the Dallas-Fort Worth Metroplex. The story revealed the seriousness of the city’s ground-level ozone problem, the threat it posed to the local economy as well as to public health, and the role that state politics played in creating the situation.

The scope of the problem was so large that the *DBJ* needed a package of 15 stories to cover it adequately, but the investigation began with a tiny note hidden in a big boring document.

As the transportation writer for the *Dallas Business Journal*, Margaret Allen must deal with all sorts of state and local agencies in North Texas. When Allen receives a meeting agenda, she often asks for a copy of the meeting’s support material. These are the documents that board directors and staff members use to prepare for a public meeting.

In early 1999, Allen was at her desk, thumbing through a thick file from the North Texas Council of Governments (NTCOG), a 16-county organization that orchestrates highway construction plans in and around the Metroplex. Buried in these documents, she found this note: The Environmental Protection Agency (EPA) had rejected the state’s latest plan to curb air pollution in Dallas-Fort Worth. Allen asked her sources about the note. She

learned that the EPA was running out of patience with Dallas-Fort Worth’s political and business leaders, who had postponed dealing with the area’s ground-level ozone problems for 25 years. The message from the EPA now seemed clear: Cut down on your ozone levels or we’ll hit you with sanctions.

Those sanctions threatened to halt the Metroplex’s long-running economic boom. The federal government could cut deeply into \$8 billion of highway funding planned for North Texas over the next 20 years. It could restrict D-FW companies from growing as quickly and as large as they wanted. It could micromanage the lives of local residents, right down to what time they could drive to work and what days they could barbecue outdoors.

Allen’s first thought was to write a straight news story. Then she realized the scope was far too large. So Allen proposed to the editors that the staff tackle the story as an investigative project. The staff decided to split up the work. Allen would focus on what caused the ozone problem and what local leaders were doing, if anything, to combat it. She also would deal with the EPA’s threatened sanctions and their consequences.

Real estate reporter Amanda Bishop would look into how the state, especially the Texas Natural Resources Conservation Commission (TNRCC), was dealing with the threat. Medical reporter Stephanie Patrick would examine the

effects of ground-level ozone on the health of local residents. Legal reporter Lisa Whitley would compare Dallas-Fort Worth’s situation with that of other major U.S. cities, particularly Los Angeles. Tarrant County bureau chief Kerry Curry would gauge the concerns of leaders in Fort Worth. My job was to dig into the politics behind the state’s air-pollution policies, plus to use Microsoft’s Excel and Access software to sort through the hard data we knew we would compile.

Work on the project began in April 1999. The first big break came when Allen discovered that two Austin-based watchdog groups, Public Citizen and The SEED Coalition, had compiled a massive collection of memos, data and reports on the statewide problem. Tom Smith of Public Citizen and Peter Altman of SEED traveled to Dallas to meet with us. They brought with them copies of the documents they had gathered through the Texas Open Records Act.

Within those watchdog files, we discovered several key items. We learned the TNRCC maintains a database that details the agency’s inspections of local plants that emit nitrous oxide (NO₂) and volatile organic compounds (VOCs), the components that create ground-level ozone. This database would help us track down the most serious violators. Bishop immediately called the TNRCC for an electronic copy that we could load into Microsoft Access. But the TNRCC’s media officer denied the database existed. When confronted with the evidence from the watchdog groups, the media officer claimed he could not give us a copy that would work on our computers. Taking advice from IRE, NICAR and the Texas Freedom of Information Foundation, Bishop pursued the data.

After almost a month of wrangling, we received the database on a single floppy disk. It presented the usual headaches with dirty data. But after another week of computer work, we had hard evidence pointing to which companies are most responsible for the Metroplex’s ozone problem. This provided the backbone for our story.

The watchdog files also turned up memos, e-mails and letters that detailed how the state’s largest air polluters had colluded with the governor’s office, headed by GOP presidential candidate George W. Bush, to stave off efforts in the Texas Legislature to deal with NO₂ and VOC emissions.

Of particular interest was a memo from a chemical-industry executive, which detailed

how Exxon and Marathon Oil had called together the many other big polluters to a secret 1997 meeting in Houston with the TNRCC and the governor's office. At this meeting, the big polluters cut a deal to make any new air-quality program strictly voluntary. These memos led to my two stories describing Bush's fealty to the big polluters, many of whom were major contributors to Bush's two gubernatorial campaigns and to his current presidential bid.

“... big polluters cut a deal to make any new air-quality program strictly voluntary”

My toughest problem was getting responses from Exxon, Marathon Oil, the governor's office, the Bush campaign, the TNRCC, the lobbyists and the other big polluters. After three weeks of phone calls, I got no response at all. Finally, I wrote a memo to each of the parties, detailing exactly what I planned to say about them in the article. The governor's office, the TNRCC and the lobbyists responded the next day. Exxon and Marathon declined to comment, as did the other polluters. I never heard from the Bush presidential campaign.

In mid-July, roughly three months after the project began, we started writing. Among our findings:

- That state political leaders could have avoided the showdown with the EPA had they taken serious action in 1990, when Texas adopted the federal Clean Air Act. Instead, these leaders chose to allow old industrial plants to continue to emit NO₂ and VOCs at levels far beyond the standards set in 1990. The leaders assumed that polluting companies would soon replace these out-of-date plants with more efficient facilities. By and large, that has not happened.
- That “grandfathered” air polluters, those who were exempted from the federal air standards set in 1990, churn out more NO₂ in Dallas-Fort Worth than do automobiles. The largest of these grandfathered plants belong to some of the biggest names in business, including Exxon Mobil, Fina Oil, Lockheed-Martin, Occidental Chemical, Bell Helicopter Textron and Kelly-Moore Paint. However, the state has focused on getting 80 percent of NO₂ reductions from automobiles, which produce about 40 percent of the emissions, and has

virtually ignored the industrial polluters.

- That some local political leaders feared there would be fallout when voters finally understood the depth of the problem and the seriousness of the EPA's threat. Local leaders have insisted for years that the main culprits are automobiles and other vehicles. We questioned that assumption. It turns out to be true, but only if you take grandfathered industrial emissions out of the equation. Bottom line: For more than a decade, the local leadership has misled the public on a crucial policy issue. Indeed, the underlying theme for the package is that the Dallas-Fort Worth leadership, both in politics and in business, has failed its community. What's more, Texas leadership has failed the entire state. The lead politician in the local effort to meet EPA standards, County Judge Lee Jackson, told us he fears the public's reaction when it learns the true extent of the problem and the burdens that local residents will bear. “Elected officials in North Texas feel we're going to be accused of dragging our feet,” he said.
- That the state has set up an elaborate trading system for polluters to buy and sell “air emission credits,” allowing companies to trade for the rights to emit more NO₂ and VOCs than they could otherwise.
- That shortages in manpower at the EPA and at state agencies are crippling enforcement of existing air-quality laws.
- That when the laws are enforced, the largest penalties are aimed at small business, not at the major polluters.
- That six of the Dallas-Fort Worth's worst grandfathered pollution sites are located near 65 elementary, middle and high schools.

Reaction to “Last Gasp” was both mixed and curious. We sold out of the issue (about 25,000 copies) almost immediately, but did not reprint the edition. Instead, we gave permission to local groups to reprint and distribute the stories. The NCTCOG, which is leading the regional effort to meet EPA requirements, reprinted the “Last Gasp” and is distributing it to the public. EPA officials sent copies to the Texas congressional delegation and has referred to the package several times in public. Overall, we were amazed by the positive reaction “Last Gasp” got from all sides of the issue, especially considering the lack of attention from other local media.

Rusty Cawley is the finance reporter for the Dallas Business Journal.

TIPS FROM TEXAS

So what advice would the reporters at the *Dallas Business Journal* offer to journalists planning a similar project?

- Define your story carefully. We wrote several hundred column inches of copy on NO₂ and VOC emissions, which are just a part of the overall air-pollution problem in Dallas. If we had taken on the entire question of air pollution, we would still be working on this story.
- Tap into the watchdog groups, which tend to stockpile information on subjects that irritate them. You'll find they've often done the time-consuming work of using open-records law to pry loose the data you need. As with information taken from any source, use these records with care and with skepticism.
- Don't take “no” for answer from government bureaucrats when it comes to getting a database you need for your story. They have the data. It belongs to the public. You are a member of the public and thus have a right to the data. Fight like hell. It's worth it.
- Make sure someone on staff knows how to work with database software. You can learn Excel and Access as you go, but it slows your progress. Urge your editors to invest in the right software and in the proper training from IRE and NICAR.
- Make sure your editors understand how much time it takes to complete a project like this one. Editors always assume that information will be readily available, sources will be cooperative, databases will be pristine and reporters will never ever suffer from writer's block. It's best to prepare them before you start your work. Follow Mr. Scott's Law from “Star Trek.” Say it will take six months, do it in three and make yourself look like a miracle worker.
- Complete and edit the story at least a week before it goes to press. Insist that your editors read your copy as soon as it's done. Don't let them wait until they're on deadline. You want to sort out all of the debates among the reporters and with the editors as early as possible. This approach keeps the deadline stress to a minimum. It also cuts down on the risk of a major foul-up, the kind that can damage your credibility or even land you in court.

Winners named in 1999 IRE Awards

The *Washington Post*, *The Toledo Blade* and *The Nashville Scene* have taken top honors in the 1999 IRE Awards.

Winning the prestigious IRE medals were Katherine Boo of *The Washington Post*, Sam Roe of *The Toledo Blade* and Willy Stern of *The Nashville Scene*.

The annual awards recognize outstanding investigative work in print, broadcast – and starting this year – online media.

The Post won in the large newspaper division for “Invisible Lives, Invisible Deaths,” in which Boo showed how a multi-billion dollar program to serve the most vulnerable in society had totally failed. The contest’s judges called Boo’s reporting brilliant and writing passionate.

“*The Post* went to incredible lengths to track retarded citizens being moved from large institutions to group homes,” said the judges. “It found that many were sexually assaulted, used as laborers, even treated as slaves. Boo’s findings were so devastating that officials tried to shred documents after she asked for them.”

The Blade won in the medium-sized newspaper division for “Deadly Alliance,” in which Roe detailed how the use of beryllium in the making of nuclear weapons cost the lives of hundreds of workers exposed to the toxic metal.

“It was an exhaustive piece that forced into the open embarrassing information that government and industry wanted hidden, using tragic tales of people who spent years of their lives gasping for breath,” said the judges.

The Scene won in the local circulation weeklies category for “Above the Law,” in which Stern built a case against abusive security guards at a largely Hispanic apartment complex and a sordid relationship between the security company and the city police department.

“Stern used a wealth of documents and sources to build a rock-solid case,” said the judges, who also noted that it was Stern’s second consecutive win in a category only two years old.

A special citation was awarded in the contest’s new online category. APBnews.com was named for its “pioneering work to gather data and post it on the Internet for the benefit of the public,”

especially its efforts to gather and post financial disclosure forms of federal judges.

The Freedom of Information Award was given to the *San Francisco Bay Guardian* for efforts by Bruce B. Bruggman and the editorial staff to open public records. They pushed for a ballot measure to improve access when the mayor and governor

were opposed to it. It won with 59 percent of the vote.

“It was an excellent job of combining advocacy for open records with investigative reporting that shows what you can do with those records,” said the judges.

Others winning certificates:

- *The Times Herald-Record*, Middletown, N.Y., for investigating the double-dipping of Orange County sheriff’s deputies.
- *The Dayton Daily News* for exposing the record of the military in repairing and maintaining its aircraft.
- *The Chicago Tribune* for a damning account of how prosecutors routinely commit the worst kinds of deceptions in order to obtain convictions.
- 60 Minutes II for a compelling look at the exploitation of children who make cigarettes imported into the United States.
- WFAA-TV in Dallas for two investigations. One probed the consumer credit practices of First USA. The other exposed fraud among military recruiters who used diploma mills to qualify potential recruits.
- WTHR-TV in Indianapolis for showing how drunken drivers are allowed to go free when police officers fail to show up in court.
- Alan Green, The Center for Public Integrity, for his book “Animal Underworld: Inside America’s Black Market for Rare and Exotic Species.”
- Mark Greenblatt, KOMU-TV in Columbia, Mo., a student award for his report showing how mid-Missouri’s bridges are deteriorating and the improprieties in bridge repair.

The awards will be presented during a Saturday, June 3 luncheon at the IRE National Conference in New York City. The conference, to be held June 1-4 at the Hilton Waldorf-Astoria, will feature many of the winners speaking on the techniques they used to develop their stories.

Copies of all contest entries are available from the IRE Resource Center, 573-882-3364.

1999 IRE CONTEST WINNERS AND FINALISTS

NEWSPAPERS

LOCAL CIRCULATION WEEKLIES

MEDAL

“Above the Law,” *The Nashville Scene*, Willy Stern.

This is Stern’s second IRE award in as many years, a rare accomplishment. This time Stern used a wealth of documents and sources to build a rock-solid case against abusive security guards at a largely Hispanic apartment complex, guards who allegedly beat, abused and stole from tenants. He also revealed a sordid relationship between the security company and the Nashville Police Department, which resulted in double-dipping and compromised investigations of the abuse. The company went out of business and the series sparked local and federal investigations. Stern’s obstacles included attempts to intimidate him, *The Scene*, and their sources.

FINALISTS

- *Fort Worth Weekly*, Betty Brink, “Cruel and Unusual” Shoddy medical care at Carswell’s Prison Hospital turns women’s punishment into torture
- *Los Angeles New Times*, Susan Goldsmith, “Kaiser’s Dirty Secret”
- *The Dallas Observer*, Thomas Korosec, “Anatomy of a Smear”
- *The Cleveland Scene*, Mike Tobin, “Comrades in Crime”

SMALL NEWSPAPERS (UNDER 100,000)

CERTIFICATE

“Timecard Troubles,” *The Times Herald-Record*, Middletown, N.Y., Christopher Mele, Oliver Mackson.

To look at their time cards it appears that Orange County N.Y., sheriff’s deputies can be in two places at the same time, or at least get paid for it. This is well-told classic “gotcha” showing how deputies double-dipped, working part-time jobs while on the clock elsewhere. Excellent reporting job that just kept building and building. The stories sparked a state investigation. They also generated a ticketing blitz against the reporters and their newspaper.

FINALISTS

- *The Press of Atlantic City*, Michael Diamond and John Froomjian, prosecutors, defenders doing private work on city time
- *The Colorado Daily*, Brian Hansen, Pamela White, Terje Langeland, Mark Collins and Amanda Hill, “Brave New CU: The university at a crossroads”
- *The Leader-Telegram*, Eric Lindquist, Traci Gerharz Klein and Dan Holtz, “Questionable Operators”
- *Stars and Stripes*, Gregory Piatt and Derald Everhart, “Death on the Tracks”
- *The Waterbury Republican American*, Sean Patrick Lyons, “A System Padded with Patronage”

MEDIUM NEWSPAPERS (100,000 THROUGH 250,000)

MEDAL

“Deadly Alliance,” *The Toledo Blade*, Sam Roe.

How government and industry chose weapons over workers. For decades, the U.S. defense industry has used beryllium in making nuclear bombs and other weapons. It was so key to the nation’s defense, government officials said, that the industry and government sacrificed the health and lives of hundreds of workers exposed to the toxic metal. It was an exhaustive piece that forced into the open embarrassing information that government and industry wanted hidden, using tragic tales of people who spent years of their lives gasping for breath. *The Blade* prompted two Congressional

investigations, generated three bills to compensate victims and reopened a regulatory effort at OSHA. The series held up under intense scrutiny and an orchestrated attack by attorneys representing the key subject.

CERTIFICATE

“Falling from the sky,” *The Dayton Daily News*, Russell Carollo.

When you join the military, you assume the enemy is your greatest threat. But for the men and women who fly the aircraft key to our armed forces, their greatest enemy is the shoddy work done to repair and maintain those planes and helicopters. Dozens of people have died from faulty military aircraft. The military kept this shameful record secret from the pilots who risked their lives to take to the air and the taxpayers who foot the bill for substandard work. The reporter used persistence and great knowledge of his sources to draw this story out, finding the details that proved the cover-up and the people to tell the human stories. It prompted a call for Congressional hearings and changes in Defense Department policies regarding maintenance.

FINALISTS

- *Seattle Post-Intelligencer*, Andrew Schneider, “Uncivil Action: A Town Left to Die”
- *San Francisco Examiner*, Lance Williams, “Outbreak”
- *St. Paul Pioneer Press*, George Dohrmann, Judith Borger, David Shaffer and Blake Morrison, University of Minnesota basketball scandal

LARGE NEWSPAPERS (OVER 250,000)

MEDAL

“Invisible Lives, Invisible Deaths,” *The Washington Post*, Katherine Boo.

A stylishly written, searing series that shows how a multi-billion dollar program to serve the most vulnerable in society had totally failed. Not only were people dying but the people charged with keeping track of them failed to even keep track of their deaths. *The Post* went to incredible lengths to track retarded citizens being moved from large institutions to group homes. And it found that many were sexually assaulted, used as laborers, even treated as slaves. Boo’s findings were so devastating that officials tried to shred documents after she asked for them. Brilliant reporting; passionate writing.

CERTIFICATE

“Prosecutorial Misconduct,” *Chicago Tribune*, Ken Armstrong, Maurice Possley.

A sweeping and damning account of how the people who are paid to seek justice throw it all away to win. This astonishing tale, told in classic Chicago style, shows how prosecutors routinely commit the worst kinds of deceptions in order to obtain convictions. Among the reporters’ findings: Since 1963, homicide cases nationally against 381 defendants have been thrown out because prosecutors concealed evidence suggesting the defendants’ innocence or presented evidence they knew was false.

FINALISTS

- *Minneapolis Star Tribune*, Chris Ison, Paul McEnroe and Randy Furst, “Investigating the U”
- *The Houston Chronicle*, Mark Smith and Jim Morris, “Texas Medicaid”
- *The Baltimore Sun*, James Haner, “Zombieland”

TELEVISION

NETWORK/SYNDICATED

CERTIFICATE

“Tobacco Slaves,” 60 Minutes II, Bill Owens, Margaret Ebrahim, Scott Pelley.

This powerful piece brought the issue of child labor to life in a compelling way. Taking a simple object, a cigarette popular

with U.S. teens, the reporters took us around the world, and revealed a tragic cost of the toil fueling this fad. The report put names and faces on a problem that refuses to go away. It helped prompt long-overdue action by the U.S. government to ban one company’s importation of the cigarettes, and at the same time, revealed how our own infatuation with bureaucracy and diplomacy allowed the continued importation of the cigarettes, and the exploitation of the children who make them.

FINALISTS

- ABC News 20/20, Diane Sawyer, Victor Neufeld, Ira Rosen, Robbie Gordon, Sarah Walker, Phuong Nguyen, Jenny Motier and Mike Hardee, “Surgery Seminars”
- Dateline NBC, Neal Shapiro, Allan Maraynes, Lea Thompson, Mark Feldstein, Tressa Verna, Rachel Burstein, Liz Brown, Jon Fine, David McCormick and David Corvo, “Keeping the Peace?”
- Dateline NBC, Colleen Halpin Rubino, Chris Hansen, Tressa Verna, Rachel Burstein, Adam Gorfain, Neal Shapiro and Marc Rosenwasser, “Body of Evidence”
- ABC News 20/20, Diane Sawyer, Catherine Harrington, Jason Maloney, Kate Hunt, Gary Fairman, Tony Wasserman, Irina Ratchkovskaya and George Englesos, “The Unwanted Children of Russia”

TOP 20 MARKETS

CERTIFICATE

“The Investigation of First USA,” WFAA Dallas, Valeri Williams, Lisa Hampshire, Meridith Schucker, Jesus Hernandez.

Excellent results. One of the nation’s largest credit card companies ripping off millions of customers for billions of dollars by charging often-fraudulent late fees and then upping interest rates. While WFAA was not the only entity to report the story, the station was extremely dogged in pursuing it, and it got results. The CEO resigned, numerous customers filed suit and the company suffered on Wall Street.

CERTIFICATE

“Armed Forces Recruiting Fraud,” WFAA, Dallas, Byron Harris, P.V. Ward, Chris Johnson.

Solid, traditional shoe-leather work here exposing blatant fraud among military recruiters. Recruiters arranged with a diploma mill to print required high school diplomas for recruits with GEDs. Enterprise from top to bottom. The station showed how some recruiters profit personally from the practice and nailed one recruiter red-handed. Judicious use of hidden cameras. The series also showed how some recruits who later admitted they paid recruiters for their diplomas were instead rejected as drug users, so the military would not have to face up to the diploma scam.

FINALISTS

- WMAQ TV Chicago, Dave Savini, Michele Rubenstein, Suzanne Richter, Mable Miller, Mark Ringo and Stephen Davis, “Kids in Confinement”
- WCCO Minneapolis, Julie Kramer, Julie Jacoby and Kevyn Burger, “Fighting for a Smile”
- KTRK TV Houston, Wayne Dolcefino, Steve Bivens, Kent Stallings and John Mubarak, “Classrooms Become Crime Scenes”

BELOW TOP 20 MARKETS

CERTIFICATE

“Case Dismissed,” WTHR Indianapolis, Jeremy Rogalski, Kathleen Johnston, Gerry Lanosga.

A great job of exposing a failure in the criminal justice system that allowed drunken drivers to go free. The reporter developed his own database of six years of DUI arrests that showed 10 percent of cases were dismissed because police officers failed to show up in court. The reporter did an excellent job of getting the faces of DUI perpetrators and the victims who were affected by the systemic failure.

FINALISTS

- WTVF Nashville, Jennifer Kraus, Mark Martin, Larry Brinton, Susan Niland, Mike Cutler and Paige Brown, “Feed the Children”
- WBAL Baltimore, Jayne Miller and Robert Moore, “Failure to Protect”
- WKRC Cincinnati, Jeff Hirsh and Jeff Barnhill, “Dead Man Driving”
- WTLV Jacksonville, Winston Dean, John Gardner and Laura Smith, “Condition Critical: Code of Silence”

OTHER MEDIA

MAGAZINE/SPECIALTY PUBLICATION

No winner

FINALISTS

- *City Limits*, Kemba Johnson, “The Harlem Shuffle”
- *The Chicago Reporter*, Danielle Gordon, “Death behind bars”
- Bloomberg News Service, Ed Leefeldt, Adam Levy, “Selective Disclosure Series: Whispers That Roar, The End of Earnings as We Know Them, Access Denied”

RADIO

No winner

SPECIAL

TOM RENNER AWARD

No winner

FINALISTS

- *Nashville Scene*, Willy Stern, “Above the Law”
- *Bergen Record*, Thomas Zambito, Mary Jo Layton, Pia Sarkar and Robert Gebeloff, “Home Health Care in Crisis”

ONLINE

SPECIAL CITATION

“Disclosure Denied,” and other work, APBnews.com, Amy Worden, James Gordon Meek, Bob Port, Ben Lesser and Sydney H. Schanberg

For their pioneering work to gather data and post it on the Internet for the benefit of the public, especially their efforts to gather and post financial disclosure forms of federal judges.

FINALISTS

- The Public I, Maud S. Beelman, “U.S. Support for Tobacco Overseas: Going Out of Business?”
- ESPN.com, Tom Farrey, “Memos uncover alleged UT violations”
- APBnews.com, Jim Krane, “The Graying of America’s Prisons”

FOI AWARD

“Spotlight on Secrecy,” *San Francisco Bay Guardian*, Bruce B. Bruggmann and *Bay Guardian* Editorial Staff

This is the latest in a long history of fighting for access to public records. Shows why it is important to have open records. Uses concrete examples focused on showing the public why openness is important. They took the lead in pushing for a ballot measure to improve access when the mayor and governor were opposed to it. It won with 59 percent of the vote. Excellent job of combining advocacy for open records with investigative reporting that shows what you can do with those records.

FINALISTS

- “Disclosure Denied,” APBnews.com, itself, as a news organization,” Amy Worden, James Gordon Meek, Bob

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SPORTS

INVESTIGATIONS:

STEPPING INTO THE RING

It's no secret that college, professional and, to some extent, high school sports are more than just games. They can be major money-making or ego-gratifying enterprises for their schools and communities.

They are important enough to warrant their own section in newspapers, regular airtime in newscasts, specialty magazines and niche networks. Yet, it's easy to get caught up in play by play and box scores under the heavy deadline pressure placed on sports desks.

When sports reporters get some non-game reporting time and investigative techniques are brought to bear, readers and viewers can get to see the true costs and impact of sports on communities, schools and athletes. Here are some of the recent best.

Mike Fish of the *Atlanta Journal-Constitution* recounts the outrageous amount of money spent by Georgia parents and taxpayers to fund high school football teams. He found parent-driven booster clubs paying millions for high school sports stadiums and high school coaches making higher salaries than principals and high-level state officials.

Emilio Garcia-Ruiz tells how a team of *St. Paul Pioneer Press* reporters found widespread academic fraud in the University of Minnesota's successful basketball program. The scandal the journalists uncovered led to a huge monetary loss by the university and lost careers for some coaches.

Ken Rodriguez of *The Miami Herald* did some groundbreaking work investigating corruption in the world of boxing. Fake hits, thrown fights and untrained prostitutes drafted into the ring were just some of his findings.

COLLEGES

PROVING NCAA VIOLATIONS IN MINNESOTA BASKETBALL

By **EMILIO GARCIA-RUIZ**

When the *St. Paul Pioneer Press* first learned that members of the University of Minnesota basketball team might be guilty of academic fraud the newspaper set one goal for itself: Only evidence that school and NCAA investigators could not refute would appear in print.

Without that sort of proof, there would be no story. Too many newspaper investigative pieces into alleged NCAA violations ultimately fizzle out. Either the school does an internal investigation that finds nothing, or the NCAA hands down what amounts to a meaningless wrist slap.

So for more than three months, reporter George Dohrmann set out to find irrefutable proof of academic fraud. That meant that although his reporting could have led to publishing dozens of other possible allegations, he had to stay the course.

The result was a two-story package on March 10, 1999, that detailed how almost two dozen basketball players had their course work done for them by an academic counseling office manager who later became a tutor. But the far more significant result was that the school's subsequent nine-month, \$1.5 million investigation backed up almost every major point of the first story. And heads rolled.

- Four players were immediately suspended from the NCAA tournament.

Continued on page 20 ▶

PROS

CHECKING BACKGROUNDS CAN PUT BOXING ON ROPES

By **KEN RODRIGUEZ**

A tip from a little known prize fighter over lunch in 1997 started me on a two-year journey through the darkest side of professional boxing: choreographed falls, fake knockouts and fixed fights.

What I discovered was the stuff of movies and professional wrestling – a shadowy world of felons, fall guys and deal-makers. I found a trail of fraud that extended from sparsely attended club fights to nationally televised bouts involving fighters who lost to some of boxing's biggest stars – George Foreman, Eric “Butterbean” Esch, Frans Botha, Kirk

Johnson and Iran Barkley.

By the time the stories broke last October, I had documented more than 30 fights that were fixed or tainted with fraud dating back to 1988. There were more, dozens more. So many, in fact, it would have taken years to chronicle them all.

The tip over lunch led me to review the performances of some opponents who fought George Foreman. Foreman became a national icon, I was told, on a series of questionable fights. I tracked down a few men who had fought Foreman in 1987 and 1988, just before he captured the heart of aging, overweight America. Each opponent said Foreman scored clean knockouts.

I remained suspicious. What to do?

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HIGH SCHOOLS

GEORGIA PREP FOOTBALL IS BIG BUSINESS, BIG BUCKS

By **MIKE FISH**

In the small towns and one-school communities across Georgia, life has historically revolved around the fate of the high school football team.

I was already kicking around the idea of a season-long package that would reveal just how important the game is to these communities – the role of parent-run touchdown clubs; the level of local and state tax monies spent on football, particularly for coaching salaries; and the status enjoyed by high school football coaches.

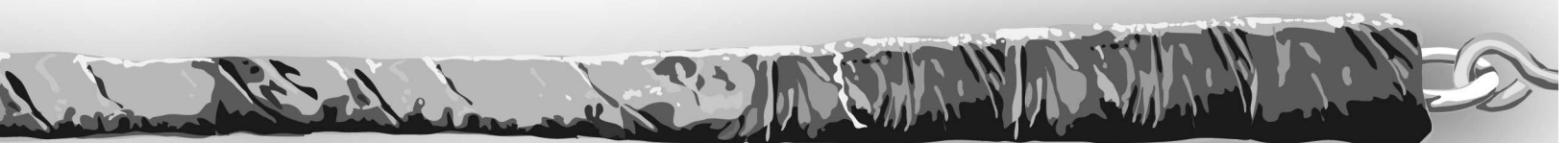
Then, the letter came across my desk.

boosters would gladly take a reporter up in a helicopter for a bird's-eye view of the complex.

The thought of parents raising almost \$2 million to build a football complex – not on school property but rather on land owned by its football booster club – was enough to convince the newspaper's editors that this was a story worth pursuing.

The idea behind “Pay Dirt! The Big Business of High School Football”

Continued on page 26 ▶



COLLEGES PROVING NCAA VIOLATIONS IN MINNESOTA BASKETBALL

CONTINUED FROM PAGE 19

- The school self-imposed a ban on post-season play for this season and put itself on probation for an undetermined length.
- Coach Clem Haskins was dumped, albeit with a \$1.5 million contract buyout.
- It was revealed that 18 players over five years had committed fraud or NCAA violations.
- Five athletic department officials, including the athletic director and the vice president for athletics and student development, were told their contracts would not be renewed when they expired this year.

Staying the course

What made this story different from others?

Patience.

Early in his probe, in late November, Dohrmann acquired a copy of a letter from the school to the NCAA self-reporting a violation

by Jan Gangelhoff, the academic counseling office manager who later became a tutor.

The letter was vague. It did not specify the violation Gangelhoff committed or give any hint to its scope. But it was news. The newspaper could have reported it as such.

Instead, the newspaper decided to continue digging.

Gangelhoff, at first, said she had no idea why the letter was sent and denied doing anything wrong. But Dohrmann stayed in touch with her and continued working other sources, who soon suggested that Gangelhoff might know more than she was letting on.

“With \$1.5 million paid to Haskins, \$1.5 million for the investigation and \$2 million in TV payments that are expected to be forfeited because the school used ineligible players, the scandal will have cost the university \$5 million.”

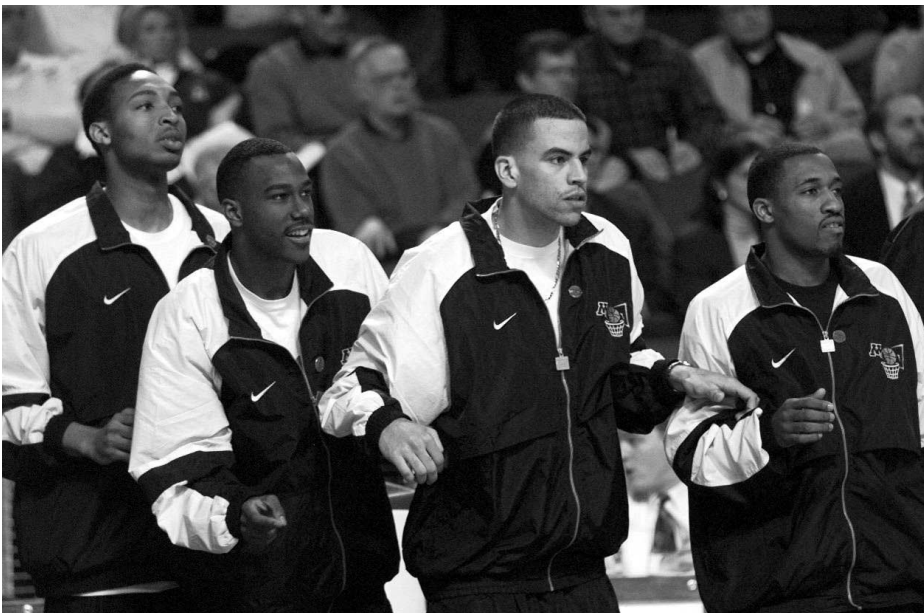
For two months, Dohrmann stayed in touch with Gangelhoff until one day she finally admitted that she had done course work. But she offered no proof. And under the newspaper's guidelines, the word of one former tutor wasn't enough.

It wasn't until weeks later that Dohrmann, pressing Gangelhoff for proof, finally struck gold. Gangelhoff said she had done the coursework on her computer and offered to allow Dohrmann to download the material so he could examine it.

The hundreds of examples of the coursework that Dohrmann received on March 1 proved daunting. First, all the pieces had to be read, catalogued and cross-checked. The latter effort proved critical when matching passages were found in different papers. The duplication and other grammatical and spelling errors shared by the papers indicated the work had indeed been done by one person.

But how could the newspaper be certain the coursework was legitimate?

Photo: St. Paul Pioneer Press



The four suspended players cheer – Broxsie, Stanford, Tarver, Clark during the second half of the UM loss to Gonzaga in the NCAA first round at Key Arena in Seattle.

Again, nothing would be published until the proof was irrefutable. Dohrmann flew to North Dakota and Indianapolis to interview two former players. Both confirmed Gangelhoff's admission. Two other sports writers interviewed former players who also said Gangelhoff did work for them.

All that remained now was contacting the school for comment. Unfortunately, all that hard work took time and the basketball season was almost over.

The story ran three days after Minnesota received an NCAA bid and one day before its first game against Gonzaga. The newspaper was immediately accused of damaging the home team and of timing the story to coincide with the NCAA tournament. More than 600 readers canceled their subscriptions and Minnesota Gov. Jesse Ventura called the newspaper "despicable." Attacks from former Gov. Arne Carlson continued well into 2000.

More important for the newspaper, just about every other media outfit in the state mobilized to chase the story.

Mobilizing the team

With a hornet's nest stirred, Dohrmann shared the story with a newsroom-wide team, turning over source lists, phone numbers, all the documents he had acquired. He gave some of the leads he intended to pursue to colleagues and then convinced his sources to trust the paper's other reporters so they could continue his work.

The team stayed focused on academic fraud and academic fraud alone. While other media outlets went in other directions, the team set out to question something new: Did Haskins know about the fraud?

Dohrmann reported that Haskins had once written a letter of recommendation for Gangelhoff at a time he claimed to not know her. Dohrmann's tip led two other reporters, Dave Shaffer and Blake Morrison, to Alexandra Goulding, a tutor who admitted writing a player's paper and telling Haskins about it. Shaffer found past documents showing department leaders had plenty of warning that this might happen.

And finally, Shaffer badgered the university into turning over a document that proved Haskins, who had denied any knowledge of wrongdoing, had used a personal check to pay for Gangelhoff to accompany the team to Hawaii, which Gangelhoff said proved he knew what she was doing.

Newspaper staffer Rick Linsk established a spreadsheet that analyzed every aspect of the course work, by course number, by player and by any other manner deemed necessary. Shaffer worked with a Knight Ridder sister paper, *The Kansas City Star*, to borrow its exclusive database of NCAA graduation rates to analyze the rates of all schools in the Big Ten Conference. While the NCAA publishes every school's graduation rate, it does not compare schools within a conference. Shaffer's analysis showed Minnesota was easily the worst in the Big Ten.

Kris Pope tapped his university sources to obtain players' academic information that the newspaper's legal experts would not allow in print. But the data served as critical background information that guided the team to various stories and, more importantly, away from others.

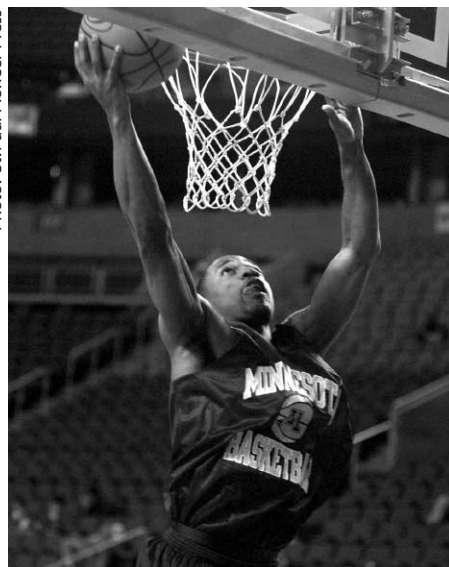
Shaffer was put in charge of one of the most difficult aspects of the story: Organizing the myriad data practices requests that the newspaper filed with the university. They became so numerous they overwhelmed the university's public relations staff.

Judith Yates Borger handled all coverage of university administrators as the story shifted from the athletic department to the higher echelons of the school.

Three months after the story broke, with the official university investigation only half over, university President Mark Yudof waved the white flag, announcing that the *Pioneer Press's* allegations were true: The Gopher basketball team was guilty of "numerous instances" of academic cheating.

Yudof also negotiated a stunning \$1.5 million buyout of Haskins' contract and fired the basketball team's academic counselor, Alonzo Newby, who had refused to speak to investigators. It was a shocking end to Haskins' 13-year run as Gophers head coach. Only two

Photo: St. Paul Pioneer Press



Kevin Clark throughs up two during a team practice.

years earlier, he had taken the team to the Final Four and was named national coach of the year.

With \$1.5 million paid to Haskins, \$1.5 million for the investigation and \$2 million in TV payments that are expected to be forfeited because the school used ineligible players, the scandal will have cost the university \$5 million.

Shortly after the first story broke, a Good Morning America anchor asked Gangelhoff why she had decided to come forward now. "Because," she told the country, "a *St. Paul Pioneer Press* reporter named George Dohrmann asked me to."

But while that may have been true in getting the story, it took much more to grow it.

Emilio Garcia-Ruiz is sports editor of the St. Paul Pioneer Press.

SPORTS INVESTIGATIONS: STEPPING INTO THE RING

PROS

CHECKING BACKGROUNDS CAN PUT BOXING ON ROPES

CONTINUED FROM PAGE 19

I turned my attention from glamorous fighters to gritty ones. If some fights had been tainted at the highest, most publicized level, surely many were rigged in the shadows of small clubs.

I sought out boxing insiders, sources I had developed in two years on the beat. They directed me to a network of fall guys stretching from Ashtabula, Ohio, to Central Florida. Each interview produced new suspects, men allegedly paid to throw fights. I checked boxing records, tracked down opponents, followed new leads.

Then, an unexpected break. A tip from a high-ranking boxing official that at least one fight involving Eric “Butterbean” Esch was tainted. James Calvin Baker, I was told, became the quickest of Butterbean’s 40-plus knockout victims, falling in 18 seconds. A bogus knockout, I was told.

I tracked Baker to a halfway house in Missouri. He denied throwing a 1996 fight to Butterbean, a 315-pound cult hero with a shaved head and punishing jab.

I dug into Baker’s past. A half-brother, Andre Smiley, also fought as a heavyweight. Maybe he could provide some answers. He did – from prison in Jefferson City, Missouri. Smiley spilled everything during several phone interviews: the thousands of dollars he made throwing 14 fights, all the matches Baker threw, including the one to Butterbean.

I flew to Missouri to get Smiley’s story on tape. He cooperated and provided revealing detail. Why?

Boxers are among the world’s most candid athletes. Many have extensive criminal records.

Admitting to participation in a fixed fight is minor compared with pleading guilty to assault, battery and trafficking cocaine. Smiley was in for cocaine possession and fraudulent use of a credit device. He was finished boxing. He had never spoken with a reporter. He was the perfect person to break open the story.

Making the unreliable credible

The only problem was Smiley’s credibility. Could a convicted felon be trusted to tell the truth about boxing’s ugly secret – the fixed fight?

Hours after meeting with Smiley, I visited Baker. He robbed a bank almost 20 years ago, served time, then violated probation by leaving Missouri to fight Butterbean in California in 1996. He served more time, was released to a halfway house, then sent back to prison after getting in more trouble.

Baker refused to admit any wrongdoing for 45 minutes. Then I told him about my interview with Smiley. “Your brother told me that you threw several fights,” I began.

Baker nodded. Then he rattled off the details, confirming each fixed fight described by Smiley. Baker even acknowledged throwing his match against Butterbean.

Later that day, I visited Missouri boxing commissioner Tim Lueckenhoff. He told me about a fighter named Darryl Becker who once fought Butterbean under an alias in Iowa. Lueckenhoff played a videotape of the fight. You can hear the ring announcer introducing Butterbean’s opponent as “Jack Ramsey.” Lueckenhoff knows Becker well, having attended several of his fights in Missouri. Butterbean knocked out Becker with a glancing blow to the shoulder. Lueckenhoff called it a dive.

Lueckenhoff also recalled a fight between Smiley and Ross Purrrity, one of the world’s top-ranked heavyweights. Lueckenhoff told me he suspended Smiley for taking a dive. Smiley told me he was paid to fall. Purrrity said it was entirely possible.

Smiley had become a credible source.

I turned my attention back to Butterbean. I began calling opponents, asking if any had deliberately lost to The Bean. Nothing. Then I checked to see if any of Butterbean’s opponents appeared on the national suspension list. There were several, but two caught my attention: Richard Davis and Bill Duncan.

Davis had been suspended for one year by the Illinois Boxing Commission. No reason

SPORTS INVESTIGATIONS: STEPPING INTO THE RING

given. Duncan had been suspended indefinitely in Oklahoma after fighting Butterbean. An unspecified medical reason was given.

The Illinois boxing commissioner told me that Davis faked an injury to the groin in a 1998 match with Tony Velasco. "A dive," the commissioner said. Davis denied the commissioner's allegation but admitted that he didn't give his best effort against Butterbean.

"I gave up too soon," Davis said. "I've never told anyone this. I just didn't get up. If you see the fight, that will explain it."

“The cover of boxing’s biggest secret was blown with routine reporting: a review of public records and more than 60 interviews with fighters, promoters, matchmakers, managers and state commissioners.”

The Oklahoma commissioner told me that Duncan tanked his bout with Butterbean. Fearing legal reprisals, the commissioner said, he described the suspension as "medical."

The list of fixed or tainted fights was growing. A dozen more were about to emerge.

While reviewing old notes, I recalled that the former Florida athletic commissioner had once invited me to his Tallahassee home to review his files on fixed fights.

I flew to the home of Don Hazelton. He handed me a 1993 sworn statement from Sonny Barch, a journeyman boxer-turned-matchmaker. Barch told Hazelton that he once "bought" 10 or 11 victories for a little known heavyweight named Mitch Sammons.

Barch confirmed the details of his sworn statement in an interview with me in Fort Lauderdale. And he identified the man behind the fraud – Rick Parker, an Orlando-based promoter who was shot to death in 1995.

The name of one other deal-maker emerged in my investigation: Sean Gibbons, a matchmaker for Top Rank, Inc. in Las Vegas. Smiley told me Gibbons encouraged him to throw fights for cash. A second fighter, Mike Smith, provided a sworn statement to an Oklahoma investigator telling a similar story. Smith con-

firmed his account with me during a telephone interview. Gibbons denied the accusations. Other fighters supported the accounts of Smiley and Smith off the record.

I now had ample evidence of fraudulent matches. But one nagging question persisted: Did anyone fake a knockout against George Foreman?

I called more opponents. Finally, one of them, Tony Fulilangi, said he took a dive against Foreman in 1988. Fulilangi's manager confirmed it. I wondered: What if someone has a videotape that shows a clean knockout? I found a videotape. And just as Fulilangi described, Foreman missed with a roundhouse right. Fulilangi fell and never got up.

Fulilangi insisted that no one paid him to fall down. He also refused to identify the person who paid his purse for fear of retaliation.

More digging revealed that Foreman fought one opponent, Frank Lux, who competed under phony names (Frank Williams and Frank Albert) and an embellished record. Lux fought Foreman as Frank Williams in 1988 with a record of 33-13-3. Had any reporter bothered to check, the world would have known that Lux was 14-28 when he met Foreman.

Further digging revealed that Foreman fought other men with inflated records.

The cover of boxing's biggest secret was blown with routine reporting: a review of public records and more than 60 interviews with fighters, promoters, matchmakers, managers and state commissioners.

Women in the ring

Before I completed that project, another tip led me into the seamy world of female boxing.

A mysterious character in Atlanta, I was told, managed a vast network of prostitutes and exotic dancers, and entered them into professional matches with little or no training. Sometimes these opponents, also known as tomato cans, fought on national pay-per-view telecasts. The opponents rarely won. They weren't supposed to. The object was to turn a quick buck (from \$400 to \$6,000 per fight), build the record of a contender or champion and escape serious injury.

The tip proved accurate and led to a story far more important and revolting than anything I had imagined. Hookers and strippers with little or no boxing experience routinely competing against highly skilled fighters. A convicted sex offender managing the careers of prostitutes

and nude dancers. A disgusted champion tired of pummeling opponents from strip joints.

The women's boxing project took six months to report, one week to write, and became the first of seven investigative stories I produced in 1999 on corruption in prize fighting.

I began with a small idea and let it grow, one interview at a time. The story evolved from a report on the growing popularity of women's boxing to an examination of the hapless opponents who prop up the sports' biggest stars.

As I interviewed one prominent fighter after another, the name of one woman kept surfacing – Bethany Payne. The good fighters said she was a call girl with minimal boxing skills. And they complained that there were too many women like her in the sport.

I called Fight Fax, Inc., the official keeper of all prize fighting records, and learned that Payne fought out of Atlanta with a terrible record: one victory in seven fights. More importantly, she had made her professional debut against Christy Martin, the world's best-known female boxer. That's like an amateur taking on the world heavyweight champion in his first professional fight.

Further checking revealed that Payne fought Martin on national pay-per-view as a prelude to the first match between Evander Holyfield and Mike Tyson.

Two questions came to mind: How could a woman with no boxing experience land a match against the world's most glamorous fighter on a card that would be seen in 1.6 million homes? How could a promoter sell that?

Newspaper accounts of the fight provided the answer. Virtually every story said that Payne's loss – a first-round knockout – was only the second in 17 career fights.

Checking the records

More digging yielded a press kit handed to reporters covering the fight. Included was a phony biography of Payne, listing 15 victories and one defeat (before the loss to Martin). I asked Fight Fax editor Phil Marder how many writers double-check records of fighters with his company.

"You and three or four other guys," Marder said. "That's how they get away with this stuff. Nobody checks records."

I wanted to know who got Bethany Payne the fight. And that's when I heard about Mezaughn Kemp. Once a renowned trainer in Cincinnati, Kemp moved to Atlanta and began working exclusively with women. He managed a stable

of 22 fighters, none very good.

Kemp told me a matchmaker called him in 1996 looking for an opponent for Christy Martin. Kemp ventured to Stewart Avenue, a notorious street in Atlanta's red-light district, and found a woman "with pretty legs." He asked her if she'd like to make some money fighting. She agreed and 2 1/2 weeks later, Bethany Payne collected \$6,000 for one round with Martin.

Fortunately, Kemp was candid about his job. He admitted scouring streets and strip clubs for bodies to lace on gloves. No experience necessary.

"I think I should be nominated for a Nobel Prize for as many women as I have pulled off the streets," he told me.

I asked to interview Payne. She refused. Kemp said she was a former prostitute – but I needed more than his word. I called Atlanta police and criminal courts and got proof: a 1993 guilty plea to a misdemeanor charge of prostitution.

Suspicious, I ran a background check of Kemp in Atlanta. Nothing. I checked Ohio. Bingo. Three arrests for sexual misconduct, including one for assaulting a female fighter. A teen-age girl accused him of rape twice – and recanted twice. Another teen-ager, a 13-year-old female fighter, also told police Kemp sexually assaulted her. A grand jury indicted him. Kemp received a two-year suspended sentence, then fled Ohio with a dirty little secret – a felony conviction for corrupting a minor.

I checked with Miami boxing promoters. All knew about Kemp and his ability to supply bodies on short notice. None professed to know about his criminal past. Melissa Salamone, the International Women's Boxing Federation, junior lightweight champion, complained about having to fight Kemp's girls. "A lot of my opponents come from topless bars," she told me.

Salamone fought one Kemp fighter, former

dancer Taywana Broxton, three times. Salamone had little choice. "There are only two types of fighters – horrible and great," she told me. "There's nothing in between like in men's boxing."

Before confronting Kemp about his criminal past, I wanted to know who manufactured Payne's biography and those 15 victories before her pro debut. "I've been known to pull a lot of things in boxing," he said without further explanation.

One other thing bothered me about Payne's record – her one victory. Fight Fax records show she won a decision over Lisa McFarland, a legitimate fighter, in 1997. Suspecting a fix, I met with McFarland and appealed to her pride: How could you, an accomplished fighter, lose to a former prostitute with no boxing skills?

McFarland said in a tape-recorded interview that she faked a second-round knockdown and threw the fight. Why? She needed the money: \$1,000.

McFarland refused to identify the person who asked her to throw the fight and insisted Kemp was not involved. Kemp also denied knowledge of any fix. But I kept working on him for weeks until he admitted: "I've got girls who can perform better than they can fight. They should win an Oscar for acting. I've got fake blood. I carry it all the time. I've got the works, man. I can have girls eat stuff before a fight that will make their faces swell up during the fight. ... This is nothing new. This has been going on for years. Money can make anything happen."

Ken Rodriguez is an investigative sports writer at The Miami Herald. Ken has covered a variety of sports, including college and professional football and boxing. He has won a number of national awards, including Best Investigative Story in the 1995 Associated Press Sports Editors contest.

SPORTS

INVESTIGATIONS:

STEPPING INTO THE RING

COLLEGE DOCUMENTS AND SOURCES

- The NCAA Web site at www.ncaa.org includes, under membership services, a database of infraction cases for all member schools.
- *The Kansas City Star's "Star's Money Games" Web page at www.kcstar.com/ncaa/ also includes an infractions database as well as other databases.*
- The NCAA puts out a three-volume rules manual and the National Association of Collegiate Directors of Athletics puts out a National Directory of College Athletics.
- The athletic department's and conference's audited financial report.
- The university's gender equity report, which includes financial data, including comparative salaries for men and women coaches.
- Conflict-of-interest forms from the state ethics agency, if there is one.
- Reports of NCAA committees, self-reported infractions, academic reports, compliance reports, certification documents and more can be obtained using open-records laws with member schools and FOIA with service academies.
- Form 990s for the booster club and – if it is a separate nonprofit entity – the school's athletic department.
- Copies of reports on file that are required by NCAA rule 11.2.2. That rule requires that coaches get approval from school presidents for any outside income. Some schools keep them on file, others try to get around the rule under a verbal interpretation that permission can be given without a document being produced.

TIPS ON INVESTIGATING COLLEGE TEAMS

By Mike McGraw

Some kind of college team exists in nearly every journalist's coverage area, but they're rarely covered adequately beyond feature stories and accounts of games. It may be time your newsroom got started on meaty investigative stories about college sports in your region.

First, get over the notion that college sports are amateur sports. While players aren't supposed to get more than tuition, board and books without jeopardizing "amateur" status, college sports constitute a multi-billion-dollar industry, with some college teams valued at more than pro teams.

The irony is that, despite huge revenues, most Division I college athletic departments spend more than they earn. Consequently, they must depend on subsidies financed with tax dollars, higher tuition and higher student fees, often paid for with cutbacks in academic programs.

The governing body, marketer and collection agent for college sports is the 900-member National Collegiate Athletic Association, a private, nonprofit, unincorporated association based in Indianapolis.

Issues to explore:

1. Finances

- Does your athletic department run annual deficits? Where do subsidies come from and what, if any, other university programs suffer?
- How much do booster clubs contribute and what's in it for them (are some boosters also vendors)? Do boosters travel at taxpayer expense? Check travel records to see whose travel expenses the school pays for.
- How much do coaches get in perks and outside income? Who provides it and why? Is it required to flow through the university or does the coach get it directly? Is the coach allowed to use university facilities for outside endeavors such as basketball camps?
- How much does the school pay compliance officers and outside lawyers to stay out of trouble with the NCAA? Ask for billings.
- How much does the school spend on travel costs for teams, including the costs of the school plane?
- Chart the growth of athletic costs over time and compare to growth in inflation/tuition.
- Check building permits. College sports is in the midst of an arena and stadium arms race, often partially funded with taxes, with costs rivaling those seen in the pros.
- So much money flows into the untaxed business of college sports, that the Internal Revenue Service announced last month that it's going to begin questioning some of the tax-exempt earnings of college sports.

2. Conflicts of Interest

- Check the state ethics agency, building permits and university purchasing documents for conflict cases involving athletic department

employees (the company that re-roofs the basketball arena also re-roofs the athletic director's home, etc.).

3. Student Welfare

The NCAA was established in 1906 for the sole purpose of cutting down on student athlete injuries and deaths and still claims student athlete welfare is its top priority. See if officials mean it.

- Check school injury records, especially for spring football, and talk to current and former injured student athletes and their parents about medical care and insurance coverage.
- Talk to trainers to see if there is an adequate number and whether they are properly trained. Some states have passed laws requiring trainer certification.
- See if coaches are CPR and/or first-aid certified.

4. Academics

The NCAA also says academics is a top priority, but many professors on most Division I campuses laugh at the notion.

- Check athlete graduation rates for your school, and whether they are better than the student body as a whole. Look at the majors of student athletes; are they plugged into easy majors with little value in the job market? Check rates by race and major sports.
- Interview former student athletes who didn't go pro about the value of their degrees.
- Interview professors in required courses about pressures to pass star athletes.
- Talk to clerks in the registrar's office and elsewhere about special breaks and technical advice for meeting academic requirements given student athletes by athletic department academic advisers and others.

- Check on whether student athletes have multiple tutors while non-athletes have to wait for tutor availability.
- All Division I schools get money each year from the NCAA for academic enhancement, but many schools spend the money on other things. Check with the athletic academic adviser.

5. Infractions

- Check your school's overall infraction record on the NCAA or *Kansas City Star* Web sites. See where weaknesses are and look for continuing problems. Also look for a weakening of rules under a new, reorganized NCAA.
- Some schools require car registrations by student athletes to be filed with the athletic department. Ask to see them, or check with the state.
- Always look for signs of activity by boosters, agents, runners and/or gamblers. Athletes' nice cars, expensive jewelry, frequent trips home, nice apartments, etc.

6. Equal Treatment

- Compare male and female team facilities, equipment, travel modes and policies.
- Check salary differentials between men and women coaches
- Check the NCAA gender equity certification documents for your school. The NCAA almost always certifies schools for gender equality, yet most schools don't meet Title IX requirements.
- How much are students, who often help subsidize college sports teams, required to pay for tickets? What kind of seats do they get? Are they allowed to use sports facilities for which they help pay?
- How many foreign students are recruited for various teams, especially track and tennis? Do in-state students get the same chance at sports scholarships as non-tax-paying foreign students?

7. Criminal Behavior

Criminal activity by some star athletes has gotten to the point where at least one state bars student athletes with criminal records.

- Check for athletes in city and campus crime reports and see if athletes get special treatment.
- Check for high-powered lawyers representing student athletes. Who pays their fees? If it's the school, or the service is free, it could violate NCAA rules unless such representation is available to all students.

Mike McGraw is a special projects reporter and reporting coach for The Kansas City Star and a member of the IRE Board of Directors.

HIGH SCHOOLS

GEORGIA PREP FOOTBALL IS BIG BUSINESS, BIG BUCKS

CONTINUED FROM PAGE 19

was to explore what separates the winners from the losers, the box-office successes from the failures. To do so, I teamed up with David Milliron, the newspaper's director of computer-assisted reporting. We built a comprehensive database of the nearly 2,400 high school football coaches and assistant coaches in the state.

Forming a game plan

Since teacher salary and personnel information is kept at the local school district level, the newspaper compiled an electronic database from information obtained from each of the state's 180 school districts – including payroll records, teaching certificates and teaching assignments. The *AJC* also obtained in electronic form the state's annual school report card data, which contained such information as school enrollments and average district salary data for teachers, administrators and support personnel. The database was built in Microsoft Excel and the analysis performed in Microsoft Access.

The data were collected using the state's Open Records Act, which mandates the release of such information. Once each school district responded, the data were entered into the computer, and a "proof sheet" was then printed out for each of the state's 180 school districts.

The "proof sheets" were then mailed back to the school districts for verification of the information. The *AJC* sent out a third round of mailings and made numerous telephone calls to obtain 100 percent compliance. The last survey was faxed to the newspaper by a secretary just prior to leaving her office to attend her mother's funeral, the day before publication.

While Milliron handled the survey and data collection, I spent my time interviewing coaches, administrators and booster club members. Many schools and administrators thought we were prying and refused to cooperate, but some expressed pride in their accomplishments. I eventually narrowed my reporting to three schools to illustrate how the big business of high school football has evolved in Georgia.

What the newspaper found was a startlingly well-financed support system for the game, one rivaling the model found on big-time college football campuses. Statistics suggest that interest in high school football is waning nationwide, but that certainly isn't true in Georgia. The established programs in southern Georgia continue to drum up huge financial and fan support. But increasingly, the Friday night fever has spread to the wealthier Atlanta suburbs, evidenced by the fancy stadiums – some with their own lounge boxes, spiffy weight rooms and well-appointed booster club headquarters.

The final score

Georgia may still struggle to shore up a comparatively weak public school academic record, but schools and taxpayers spare little expense to field competitive football teams. Our package questioned whether education is being compromised for playing games. Consider:

- Nearly \$80 million in state tax dollars went to pay coaches' teaching contracts last year, although nearly a third have minimal or no teaching workload. Georgia taxpayers contribute through local school taxes another \$9.6 million annually in supplemental pay for football coaches.
- Head football coaches make an average salary of nearly 55 percent more than the average for the state's teachers – \$55,686 compared with \$36,042.
- The earnings of 10 individual coaches each exceed the \$75,724 annual pay for the state's lieutenant governor.
- Two coaches were found to earn higher salaries than their school principals, putting the schools

SPORTS INVESTIGATIONS: STEPPING INTO THE RING

at odds with certification standards of the Southern Association of Colleges and Schools. (It's likely both principals will be getting raises.)

- Seven percent of all state coaches are either ineligible to teach or hold conditional or probationary teaching certificates.
- Many parent-run booster clubs provide cash bonuses to coaches. The more successful coaches are rewarded with vacation trips and the keys to leased vehicles. These football booster clubs routinely operate as non-profits outside the jurisdictions of the schools, and at least one club was found to have run afoul of IRS guidelines.

“Georgia may still struggle to shore up a comparatively weak public school academic record, but schools and taxpayers spare little expense to field competitive football teams.”

The investigative package brought a huge readership response, both from the daily publication and the newspaper's Internet site. Some 300 e-mail messages, phone calls and letters showed up in the newsroom. And the newspaper's Internet site – with a searchable database of all the football coaches' salaries and data – received an average of 1,300 hits an hour during the week of publication.

As a result of the *AJC* inquiry, the touchdown club at a suburban Atlanta high school – with an annual budget in excess of a quarter-million dollars and that raised \$2.5 million for its new football complex – retained an attorney and accountant to get the organization in compliance with state and federal tax laws. The Secretary of State previously dissolved the nonprofit organization for failing to file annual reports and the *AJC* found the touchdown club hadn't filed tax returns with the IRS for at least three years.

The package also alerted the IRS to the many taxable perks afforded some coaches – from cash bonuses to vehicles to vacation trips.

Stumbling blocks

Gathering salary and teaching assignment information from all 312 public high schools proved to be a daily battle. Initially, some

districts refused to comply or said it would cost hundreds of dollars for them to produce the information. We gathered information right until the last hour. A lot of data were returned incomplete – either they didn't list a coach's name, omitted their teaching responsibilities or failed to differentiate football earnings from base teaching salary. We constantly faxed and mailed requests to the districts. Finally, we shipped our data to the individual school districts and had them sign off on the accuracy of what we planned to publish regarding their coaches.

The booster or touchdown clubs posed a different problem because they are set up outside the school as private nonprofits. We got a grasp on budgets and annual income from reviewing IRS Form 990 tax records. But in almost all cases, it came down to piecing together information from a variety of current and past club officers, coaches and athletic directors.

In the end, trying to get a reaction from educators and public officials proved a surprisingly daunting chore. Outgoing Gov. Zell Miller, who championed education and promoted the state lottery to fund the state Hope Scholarship Program, said it was too hot a subject to tackle in his last days. Lt. Gov. Pierre Howard didn't respond to interview requests. And Linda Schrenko, head of the state Education Department, turned down repeated interview requests on the subject, including a final personal visit to her office two days before the articles were published.

Tips for next time

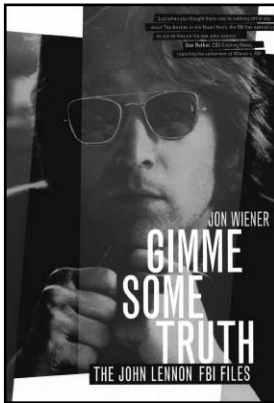
Next time, we'd allow more lead-time to gather and obtain the relevant documents and records requests. It requires a great deal of diligent follow-up to get a 100 percent response when requesting information from 312 schools. We were able to publish the entire database of 2,400-plus coaches on the Internet so the public could perform its own searches.

It's also important to clearly define early on what you're seeking in the open-records request. We'd probably have been better served to start with a small sample of a dozen schools to get a better understanding of what kind of information we could expect to get back. Then you can perfect your request for data relatively easily.

Mike Fish has been at the Atlanta Journal-Constitution for 10 years as sports projects/investigative reporter. Database editor David Milliron also worked on the project. The AJC package is accessible online at <http://www.ajc.com/reports/paydirt>

Photo: Kent D. Johnson | The Atlanta Journal-Constitution





“All we need is access...”

Wiener book, ordeal teach FOIA lessons

BY STEVE WEINBERG

When former Beatles lyricist John Lennon died from a murderer’s bullet in 1980, history professor Jon Wiener did what a few smart investigative journalists traditionally do after the death of any controversial figure – requested his file at the Federal Bureau of Investigation, pursuant to the U.S. Freedom of Information Act.

Congress enacted the FOIA in 1966, and has more or less supported its purpose ever since, which is to give requesters of information a window on federal agencies. (In its hypocritical wisdom, Congress exempted itself and the judicial branch of government from the disclosure requirements of the law. But Congress and the judiciary have traditionally been more open to public scrutiny than executive branch agencies.)

Wiener, who teaches at the University of California-Irvine, received a response from the FBI. But most of it consisted of blacked-out paragraphs or no paragraphs at all. The FBI, citing the national security exemption to disclosure, told Wiener that many pages in the Lennon file could cause harm to the U.S. government if released. With straight faces, FBI sources told Wiener, his lawyers and judges that the agency’s surveillance of Lennon, a British citizen, was a legitimate law enforcement activity rather than an abuse of power.

The FBI cited two other exemptions to disclosure (of nine total in the law) when replying to Wiener. Some documents might invade the privacy of individuals named therein. Furthermore, release of certain documents in full might compromise the identities of confidential sources.

The national security rationale seemed unlikely, Wiener thought. So he appealed the withholding within the agency, as required by law if further action is contemplated – to little avail. In 1983, frustrated and angry, Wiener

sued the FBI with help from the American Civil Liberties Union. What should have been a no-brainer release of information turned into 14 years of litigation that reached the U.S. Supreme Court, wasted precious time and dollars, while eroding the FBI’s credibility among not only the plaintiffs but also among the larger citizenry.

After the various judicial rulings along the way, Wiener ended up with all but 10 of the documents originally withheld, and the FBI (via the taxpayers) shelled out \$204,000 to the ACLU for attorneys’ fees and court costs.

Wiener’s book on the case has just been published. It is titled *Gimme Some Truth: The John Lennon FBI Files* (University of California Press, \$17.95).

Journalists could read the book as an amusing sidelight to FOIA battles on weightier topics. Optimists among journalists could read it as a saga of a determined individual prevailing over a ridiculously stubborn bureaucracy. Pessimists among journalists could read it as a saga of how bureaucracies will almost always delay granting the simplest FOIA request, so why even bother.

The best way for a journalist to read this valuable book, however, is as a primer in legal maneuvering, persistence and recognition of the public’s right/need to know. In short, *Gimme Some Truth* is one of the most important books ever published about the FOIA. It wins bonus points for being delightful to read while being educational.

The text, mostly chronological, runs 104 pages. Reproductions of the most important documents Wiener extracted from the FBI take up more than 200 pages. The combination works beautifully.

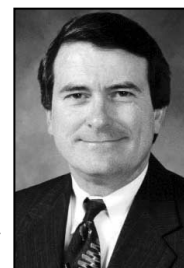
Wiener conveys numerous tips of use to investigative journalists. As a veteran user, I knew most of them, but found them to be excellent refreshers. A first-time user would

benefit even more from the book than I did. Here is my extraction of tips from the text, not necessarily in order of significance:

- Be reasonable when making a request to an agency. Wiener and his lawyers knew they would never see the names of confidential informants in the documents. So rather than going for all or nothing, they made it clear to the FBI that the request did not seek those names. As Wiener writes, “We were not seeking the names of informers, but we were seeking the information they provided.”
- Look for alternate routes. Wiener and his lawyers knew that judges had been reluctant to overrule the FBI or any other agency on national security grounds. But they also knew that the U.S. president has the ultimate authority to determine what constitutes damage to national security. So they consulted the presidential executive order explaining what national security documents could be declassified in the public’s interest. Wiener argued to the FBI that release of the Lennon files would benefit the public interest far more than it would harm the national interest. The language of the president’s executive order became the alternate route to bypass the formidable blockage of the FOIA’s national security language.
- When an agency is intransigent, insist – informally or through a lawsuit – on a Vaughn index, named after an important court ruling. The purpose of the index is to give a FOIA requester a meaningful opportunity to rebut an agency’s case for disclosure. When an appeals court first required a Vaughn index in 1973, the reason was obvious: How can a requester challenge the basis for withholding a document when the document’s precise contents are unknown to the public? The index is supposed to delineate, document by document, an agency’s explanation for secrecy.
- Look for agency rationales so over the top that even a judge unsympathetic to the requester might say enough is enough. In the Lennon case, the FBI said some documents had to be withheld because they involved a foreign government that might retaliate militarily upon disclosure of the information. As Wiener comments, “...it seemed unlikely that British citizens would attack visiting American tourists or government personnel in retaliation for the release of information [about a singer-songwriter] gathered by British authorities” on behalf of the FBI.
- Request information from field offices and regional offices as well as agency headquarters.

GUEST COLUMN

Rapid Response Unit to investigate murders



TONY PEDERSON

A murder of a journalist has a silencing effect far beyond the actual death. When a journalist is killed, the recorder of facts is muted. But with the murder comes the intimidation and stifling of other voices of journalists who see the crime as a threat to their existence.

With the Impunity Project, the Inter American Press Association (IAPA) in the last 10 years has recorded more than 200 cases of journalists in the Americas being murdered. Virtually all of these cases remain unresolved.

This double tragedy brings into focus the plight of thousands of men and women in the news business who risk their lives in Latin American countries.

Since the IAPA and the Knight Foundation started the Impunity Project in 1995, many cases that had been languishing in obscure police offices have now been moved forward. We have persisted in our efforts to record and develop information on the fatal attacks against journalists.

This task has resulted in the publication of *Impunity No More*, a book that records the most recent cases investigated by the IAPA. The book focuses on journalists Jairo Márquez and Gerardo Bedoya, of Colombia, and Zaqueu de Oliveira and Aristeu Guida da Silva of Brazil, killed in 1997 and 1995 respectively.

The detailed probe of these cases was presented last year to the Interamerican Human Rights Commission of the OAS, which will pursue its own investigation. The cases themselves are representative of the problems found in a number of Latin American countries. The practice of journalism is often dangerous, particularly when journalists do what they do best in terms of investigative journalism that exposes corruption or illegal practices in government. And as we have seen in so many Latin American countries, there often exists neither the will nor the means to conduct competent criminal investigations and bring those responsible to justice.

As a result of IAPA's efforts in the most recent cases, the Zaqueu de Oliveira case reached a provincial court in Brazil. The man charged with

the murder was prosecuted in November but declared not guilty for reasons of "legitimate defense." Even though there was no conviction for the crime, this case has created an important precedent because it is the first time a trial of this nature has been heard.

We have progressed as well in other areas. We have created a journalistic network to respond quickly and meaningfully to crimes against journalists. A wide network of investigative reporters, the Rapid Response Unit (RRU), will be in place and operating this year. The mission of these journalists will be to help investigate the murders of colleagues. We will gather information independently and to some extent conduct parallel investigations. Our goal is to make certain that information is gathered quickly after the crimes and that authorities do not simply neglect the matters or overlook obvious leads or clues.

The RRU will operate out of Mexico, Brazil and Colombia, nations that hold the highest press crime rate. In the medium to long term, the RRU should be able to raise, through its investigations and reports, general awareness of the situation, which in turn should lead to wider condemnation of crimes against journalists and help create a strong deterrent to these types of crimes.

The key element in the success of these investigations is exposure. We want to expose the facts to the general public and to the media and to spur government and law enforcement officials into action. Disseminating the results of investigations has been a powerful instrument in bringing about results in many IAPA projects. We are also setting up a bilingual Web site containing all existing data about the Impunity Project with the objective of making it available to the general public and for specialized research.

This will ensure that the message reaches not only the parties concerned, but also – and most importantly – anyone who cares. These objectives conform to the IAPA's mission statement to defend freedom of the press and freedom of expression in every part of the Americas.

Tony Pederson is president of the Inter American Press Association.

Wiener found that FBI offices in Houston and Miami had obtained information on Lennon, as well as the Washington, D.C., field office, which was distinct from headquarters in the same city.

- If litigation is necessary, provide the court with a context for why release of the information is important. Wiener did that via affidavit, stating why, as a professional historian, he desired to learn more about Lennon generally, as well as the government's treatment of the former Beatle. Wiener's declaration "concluded that the Nixon administration's persecution of Lennon was one small part of a massive, illegal effort to ensure Nixon's re-election, one example of an abuse of power that eventually led Congress to move toward Nixon's impeachment ..."
- Know the law and the judicial precedents it has spawned inside and out. One of Wiener's arguments was that the FOIA allowed for segregability, which meant non-sensitive portions of otherwise sensitive documents could be made public.
- While waiting and hoping for victory, publicize the FOIA request because new information might emerge from unexpected quarters. Because of Wiener's visibility in the media during the FOIA litigation, he heard from a woman who had been an FBI informer regarding Lennon and political activists working in tandem with the singer on a number of causes. The woman's information helped Wiener with his litigation, while simultaneously assisting him in learning as much as possible about Lennon for books and magazine articles.
- To gather evidence concerning an agency's reasons for resisting disclosure, seek a judge's consent to conduct discovery. Wiener and his lawyers wanted to question FBI authorities and other government officials about whether the Lennon files had truly been compiled for law enforcement purposes. If it could be demonstrated that the real reason had been political surveillance and harassment, the law enforcement exemption to the FOIA would no longer apply. When the judge granted the discovery motion, Wiener and his lawyers were able to seek information from those on the other side, speaking under oath. One of the reasons the FBI finally settled with Wiener was to stop revelations from the discovery sessions that the agency deemed damaging.

Steve Weinberg is a senior contributing editor to The IRE Journal, a professor at the Missouri School of Journalism and a former executive director of IRE.

Woodward warns against ego

Remember, it's the work that's important not the person doing the work, he says

BY KATE MILLER

It's hard to imagine legendary investigative reporter Bob Woodward ever feeling small in the face of a big story, but that's just how he felt back when Watergate was a story in progress instead of a legend.

In his January keynote address at the IRE Regional Conference in Washington, D.C., Woodward explained the makings of the Watergate story were largely the same as any other investigative story and not the stuff of movies.

"In journalism, you are confronted with the inconceivable and unlikely constantly," he said. "You are often on a course that you don't understand at all, your information incomplete; you're swimming in very murky waters, and

you're not cute about it, and you don't talk about the Constitution."

While the principal features of investigative reporting may be the same, Woodward acknowledged the operating environment within which investigative journalists work has changed dramatically since the days of Watergate.

One of the biggest changes has been speed. Woodward recalled the cautious pace of Watergate and the impossibility of that luxury today.

"It was a completely different environment where editors could say 'wait, you don't have it yet, go back.' We could wait days, sometimes weeks between stories," he said. "Now in the

current environment, if newspaper reporters have a story, the question by editors will be, 'Can we have it on our Web sites by noon?' It's a completely different atmosphere."

According to Woodward, the sophistication of the government's defensive mechanisms toward the media has also changed dramatically.

"I think that on the national level, particularly when it comes to the White House or political campaigns, that what the investigative reporter finds is that ... the apparatus to deal with and divert somebody who might look at something they don't want examined is very sophisticated," he said. "It's a full-time effort and it makes it very, very difficult to get to the bottom of many of the things that might go on."

Speaking of things the White House would rather journalists hadn't looked into, Woodward ardently defended the role of the media in the Lewinsky scandal.

"It looked like overkill, but it was a very serious criminal investigation of a sitting president..." he said. "The problem was, as the evidence came out, there was no strong witness. It was rightly covered, but it was rightly covered downward. There were no secret tapes. There was no witness."

Woodward attributed much of the post-Lewinsky public and official backlash toward the media not only to the uneventful outcome of the investigation, but also the attitude and behavior of many journalists covering the story.

"Much of the opprobrium that has been directed at the news media, I feel has to do with the tone and the way questions are asked – the shouting at a president from the rope line; the very aggressive, tough, almost hostile stance reporters take sometimes during press conferences and so forth," he said. "That ought to be chilled out and eliminated entirely."

Woodward cautioned journalists against exaggerated feelings of self-importance.

"We're always in danger of taking ourselves too seriously. The way to fix that is to get our heads down and take the work seriously, but not ourselves," he said. "The work is important, not who's doing it."

Woodward said he believes the best way to combat the backlash is with quality. Just like the selling of toothpaste or cars, he said, "if the quality is good, you will like it."

Some key elements of quality work, he explained, are careful planning, generous



Bob Woodward delivers the keynote address at the IRE Regional Conference in Washington, D.C.

reporting time allowances and careful internal scrutiny.

"Where some of these long-term projects or investigative stories go astray I think is that reporters and editors don't send out scouting parties. They don't take the time to think 'is that really a story we want our reporters to spend two years on?'" he said. "We must be willing to take a week or two to go make a preliminary examination of something and say 'is this really obtainable, are we going to make

“No one likes what we do and [we're] always uncomfortable with it, but it is the discomfort which gives impulse and comfort really to knowing that we have made a real sincere effort to not just do the surface of something but to get very far into its insides.”

this understandable and can we really get to the bottom of it?"

Once a project is decided on, Woodward believes reporters must be allowed to submerge themselves in the project completely and not just for an afternoon or a week. Once a project is completed, strict internal scrutiny should be conducted on every aspect of the work to ensure quality. The options of eliminating weak portions of a project or even the entire project when findings are insufficient must be left open.

In closing, Woodward reminded the audience that the goal of investigative reporting is not to make friends.

"No one likes what we do and [we're] always uncomfortable with it, but it is the discomfort which gives impulse and comfort really to knowing that we have made a real sincere effort to not just do the surface of something but to get very far into its insides," he said.

Kate Miller is a graduate student at the Missouri School of Journalism and an editorial intern for The IRE Journal.

Houston column

CONTINUED FROM PAGE 4 >

McGraw and Kaplan said they know there is significant work being done in these categories and they want the chance for IRE to recognize that work. They asked that members send them ideas on how to attract more entries.

And, of course, the contest committee had to deal with the trend of corporations and their law firms making pre-emptive strikes against contest entries. This year the committee spent significant time examining a detailed letter and a hundred pages of attached documents sent by a law firm challenging one of the finalists.

What makes IRE's contest different

McGraw also thanked all the entrants for taking the time to fill out IRE's contest forms.

"Even though some people complain they are onerous, they are blueprints that teach IRE members how to do investigative stories," he said.

The entry form asks contestants to explain how they did stories, what documents and databases were used, what human sources were found, and what challenges were faced and overcome.

With this year's entries, the IRE Resource Center (indexed at www.ire.org) has grown to nearly 17,000 stories, most them accompanied by the filled-out entry forms.

In addition, many of the editors and reporters who did the stories have spoken at IRE conferences (from which tipsheets are available) or written stories for our publications.

Articles related to this year's work include:

- A story in the September 1999 *IRE Journal* on reporting on nuclear energy noted *The Toledo Blade's* work
- A story in the January-February *Uplink* by Russ Carollo on military aviation databases used in the *Dayton Daily News* series
- A story in the same *Uplink* by Mark Greenblatt about his award-winning broadcast on dangerous bridges
- A story in the August 1999 *IRE Journal* spotlighting Kate Boo of *The Washington Post*, who wrote "Invisible Lives"

In the coming months, more articles on award winners are expected in both the *Journal* and *Uplink*.

Plaudits for the new IRE Journal

We have received many compliments during the past few weeks on the newly revamped Journal. We appreciate the great response and pledge to continue our improvements.

I would like to especially thank Len Bruzzese and his staff for the terrific dedication and work that created the new Journal. As director of publications and now editor of the Journal, Len has spent countless hours on this project, bringing to it the expertise and care that comes naturally from 20 years of newspapering.

I also want to thank former editor Steve Weinberg, now senior contributing editor, for his continuing work, and former managing editor Jan Colbert, who oversaw the production of the Journal on very limited resources for many, many years.

IRE 1999 Awards

CONTINUED FROM PAGE 17 >

Port, Ben Lesser, Sydney H. Schanberg, APBnews.com.

- *Florida Times-Union*, Joe Adams, "The Florida Public Records Handbook"
- *The Daily News*, *The New York Times Co.*, *Newsday*, A.P. and the NY Press Club for lawsuit against Rudolph Guiliani, Howard Safir and the City of New York.

BOOK

CERTIFICATE

"Animal Underworld: Inside America's Black Market for Rare and Exotic Species," Alan Green, The Center for Public Integrity.

With a passion for detail and an even-handed approach, this book documents the sophisticated business of laundering exotic animals and the paperwork that's supposed to keep track of them. Showed hypocrisy of animal conservationists who are opposed to "canned hunts" but who participate in them. The book also documented the hypocrisy of zoos and animal rights groups who pretend to be opposed to many of their own business practices.

FINALISTS

- Charles C. Thompson II, W.W. Norton, "A Glimpse of Hell: The Explosion on the USS Iowa and Its Coverup"
- Joe Jackson and William F. Burke, Jr., Times Books, "Dead Run"

STUDENT

CERTIFICATE

"Troubled Bridges," KOMU-TV, Channel 8, Columbia, MO., Mark Greenblatt.

Enterprising use of computer-assisted reporting, sourcing and internal documents to show that mid-Missouri's bridges are deteriorating and placing drivers in dangerous situations. Also uncovered improprieties in which tax dollars were used to repair a bridge used by a private firm. Partly as a result, two Missouri lawmakers have proposed the Emergency Bridge Repair and Replacement Fund to address the problem which would appropriate \$25 million for the kinds of problems documented in this report.

FINALISTS

- *University Daily Kansan*, Emily Hughey, "Coach Under Fire"
- *The Columbia Missourian*, Lynn May, Jeff Walling and Claire Hunt, "The Surgeon Disaster: Twenty Years Later"

Dirty secret

Government as likely to pollute as to enforce environmental laws

BY DAVID ARMSTRONG

Asking two questions about the enforcement of the country's environmental laws can lead to good stories at the local, regional or national level: First, is the government enforcing the laws to the extent it says it is? And secondly, is the government itself abiding by the same laws it is charged with enforcing? The answer to both questions is often no.

It was information provided by an EPA official who was concerned about his own agency's inaction that prompted *The Boston Globe* to investigate the answers to these questions.

When it comes to polluting, the federal government is in a league of its own. From military bases to nuclear weapons plants to the nation's parks, the government is a pervasive polluter that often violates the same rules it

enforces against private industry.

Several newspapers have produced excellent stories regarding hazardous waste contamination at some large military bases and Department of Energy plants. But the pollution extends beyond those large facilities and often overlooked is the fact that special exemptions immunize the government from penalties levied under some laws, including the Clean Water Act.

We found there are two sets of rules for polluters: one for federal agencies and one for everyone else. The government receives breaks from both the officials charged with enforcing the environmental laws, and from Congress, which has failed to close loopholes that grant special status to federal agencies. Among the federal agencies that have violated environmental laws are the U.S. Mint, NASA and even the EPA.

The polluting by the federal government extends beyond our national borders. Dozens of countries across the world are trying to clean up or control hazardous waste generated by the U.S. military and other agencies. In the Philippines, for instance, children are drinking from wells contaminated with mercury, gasoline and other waste dumped into the ground by the U.S. Air Force.

“ We found there are two sets of rules for polluters: one for federal agencies and one for everyone else.”

To its credit, the EPA and some of the other federal agencies have made a great deal of information, including searchable databases, available via the World Wide Web. Several of these sources allow for checking on government polluting in your area. The EPA's Office of Federal Facilities has some good data on federal polluters, some of which can be accessed via its Web site. The EPA also has an enforcement database called IDEA (Integrated Data for Enforcement Analysis) that members of the public can subscribe to via the National Technical Information Service. A Windows version of the product is now available and allows users to isolate violations against government agencies by region or agency. A deposit of \$200 is necessary to access IDEA. The EPA also allows searches for government-owned Superfund sites.

In several instances, federal agencies generate reports of their own environmental wrongdoing. The Department of Defense Inspector General, for instance, offers a searchable database of its reports, several of which have examined environmental cleanups and spending by the military.

Neglected sites

While military bases, particularly those about to close, receive most of the scrutiny and funding when it comes to environmental issues, two other areas have been largely neglected even though they impact just about every nook and cranny of the country.

The first is called Formerly Used Defense Sites or FUDS. These sites were operated by the Department of Defense prior to the first round of widespread base closings beginning

Photo: Tom Herde | The Boston Globe



Range Officer Glen Morin walks past UXO's (Unexploded Ordnance) on the firing range at the Mass. Military Reservation. The EPA closed the range to artillery and mortar fire in 1997.

in 1982. Many of these sites have been forgotten or transferred to private owners or other government entities.

In many cases, residents and local officials are unaware of these sites even though they may still present an environmental danger. To search for FUDS in your area check with the Army Corps of Engineers. Also check with state officials responsible for federal facility enforcement. They often know of FUDS sites that the military has neglected to list in its records.

The other area worth exploring in your region is UXO sites – military jargon for bombing and munitions ranges. The federal government is just now trying to figure out what to do with the more than 50 million acres in this country contaminated by heavy metals, chemical residue and other byproducts littering the ranges. An EPA official, in a memo to his superiors, warned that cleaning up these ranges represents the largest cleanup program facing the country. Yet the military is turning many of these properties over to private owners, without doing a full clean-up. There is no easy way to search for range sites on the Internet, but regional EPA officials are likely to have an inventory of UXO sites that can be requested through the Freedom of Information Act.

The prosecutors

What is the federal government doing about environmental crime in your region? Federal prosecutors and the Department of Justice

hate this kind of question and the comparisons that result.

One reason this inquiry is so loathsome is it allows reporters to question what is truly a priority for any of the 93 U.S. attorneys across the country. A U.S. attorney may say environmental crime is a priority, but when his or her record is compared to similar regions, or other federal districts in the same state, the data may call that assertion into question.

The best resource for federal prosecution data is the Transactional Records Access Clearinghouse at Syracuse University (trac.syr.edu). Working with TRAC, we analyzed the enforcement of environmental laws in every region of the country since 1993. TRAC can provide regional or state specific information as well.

The data showed many federal prosecutors were doing little or no environmental enforcement. Reporting on the data also showed what many prosecutors were reluctant to admit: enforcing these laws is a matter of priority. U.S. attorneys do not have unlimited resources and have to make decisions: Are drug prosecutions more important than corruption cases? Are white-collar crimes more of a priority than pollution cases?

In South Florida, for instance, the U.S. attorney has one of the highest per-capita rates of environmental prosecutions in the country. The office has a full-time environmental crimes unit, with a section chief and five lawyers. Massachusetts, by comparison, had one of the lowest prosecution rates. There are no full-

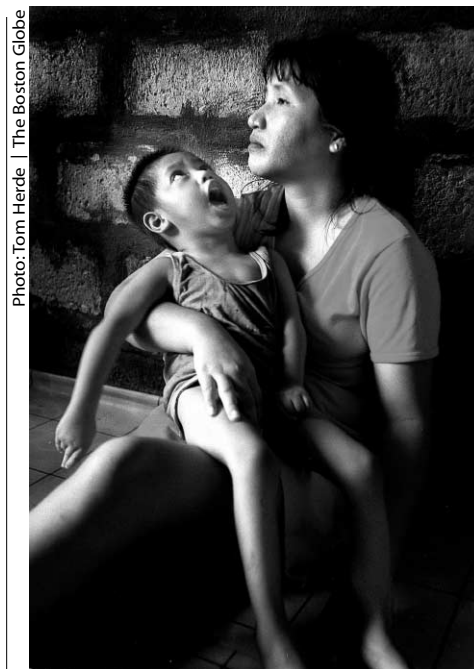


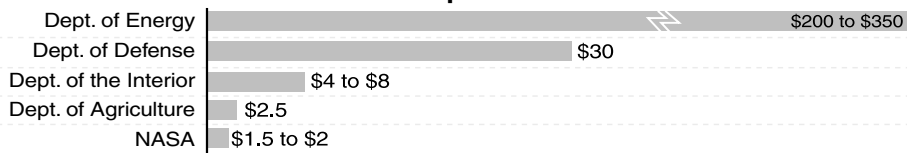
Photo: Tom Herde | The Boston Globe

Elvira Taruc with her 5-year-old son Abraham in their home at the Madapdap Resettlement Center. He is one of hundreds of seriously ill Filipino children born or raised near Clark Air Force Base.

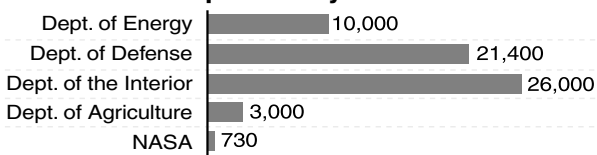
time environmental crime prosecutors in the office and most of the environmental referrals were handed out to lawyers in the economic crimes section.

Overall, the TRAC data was a key element in helping us determine that environmental enforcement was both lax and haphazard nationally. Human sources were key to telling this story as well. The story of two federal

Estimate of cleanup costs IN BILLIONS



Estimated number of potentially contaminated sites



DEPARTMENT OF DEFENSE
The nation's largest employer, the DOD provides the military forces needed to deter war and to protect the security of the United States. The DOD operates in more than 140 countries.
Most common type of contamination: Fuels, solvents, industrial waste, upexploded ordnance
Major source: Underground storage tanks, landfills

DEPT. OF AGRICULTURE
The department supports agriculture production, manages the food supply, and provides economic opportunities for farm and rural residents.
Most common type of contamination: Hazardous waste, mining waste, chemical waste
Major source: Abandoned mines, landfills

DEPARTMENT OF ENERGY
Manages and dismantles excess nuclear weapons, disposes of surplus fissile nuclear materials, and ensures the security of nuclear assets.
Most common type of contamination: Radioactive waste, hazardous waste, mixed waste, fissile material
Major source: Former weapons production facilities

DEPARTMENT OF THE INTERIOR
As the nation's principal conservation agency, the DOI has jurisdiction over about 450 million acres of federal lands and has employees who work at more than 4,000 sites across the country.
Most common type of contamination: Mining waste, municipal waste, industrial waste
Major source: Abandoned mines, oil and gas production

NASA
The agency operates nine field centers, the contractor-operated Jet Propulsion Laboratory, and the Wallops Flight Facility. NASA explores space for human enterprise, and develops advanced aeronautics technologies.
Most common type of contamination: Fuels, solvents, industrial waste
Major source: Underground storage tanks, spill areas

environmental prosecutors, in different regions of the country, demonstrated how politics played a role in scuttling environmental cases.

One warning: The people at TRAC are highly skilled and incredibly helpful. However, you still need to know how the data is collected, what information is contained in the data and what is not. Find out who determines how crimes are classified and categorized. Also, talk to the agency you are reporting about and ask them for feedback on your findings.

The environmental crimes section of the Justice Department, for instance, complained about the way the environmental crimes were classified by TRAC. In reality, TRAC was not classifying the crimes, but using the classification codes created by the Executive Office for United States Attorneys. It turns out this was an internal fight. Nonetheless, we decided to do all of our analysis based on the criteria used by the environmental crimes section. The data, and rankings, did not change markedly, but we eliminated the most persistent criticism of the data. There was not one word of complaint about the comparisons we published.

The regulators

In some cases, the performance of prosecutors can be traced to the performance of regulators.

In Massachusetts, for instance, the local criminal EPA agents produced the fewest referrals, per capita, in the country. Perhaps it should not be surprising the U.S. attorney's office in Massachusetts ranks near the bottom in per-capita environmental prosecutions.

The EPA Criminal Investigation Division produces an annual report on the work of criminal agents in every part of the country. At the same time, we found that some of the criminal agents were engaged in inappropriate, and perhaps illegal, activities. Some of the allegations against the agents, culled from court records, included altering records and withholding evidence.

Another source for checking on the work of regulators is the EPA Inspector General, who audits the performance of both civil and criminal agents and various enforcement programs.

David Armstrong is a reporter for The Boston Globe. His stories have won several awards, including the Polk Award and the IRE Award. This latest series of stories can be found at <http://www.boston.com/globe/nation/packages/pollution/day1.htm>

RESOURCES

Office of Federal Facilities
(<http://es.epa.gov/oeca/fedfac/oversight/oversight.html>)

Some good data on federal polluters in different areas.

National Technical Information Service
(<http://es.epa.gov/oeca/idea>)

Holds enforcement database called IDEA – Integrated Data for Enforcement Analysis. Allows subscribers to isolate violations against government agencies by region or agency.

Federal Superfund sites
(<http://www.epa.gov/superfund/sites/index.htm>)

Allows search for government-owned Superfund sites.

Department of Defense Inspector General
(<http://www.dodig.osd.mil/audit/reports/index.html>)

Offers a searchable database of its DoD reports, several of which have examined environmental cleanups and spending by the military.

Formerly Used Defense Sites
(<http://pirs.mvr.usace.army.mil/derp/fuds/fuds.htm>)

Search for FUDS in your area on a site designed by the Army Corps of Engineers.

Department of Energy
(<http://cid.em.doe.gov>)

This is a new site put together by the Department of Energy. The first page displays a map of the United States, allowing users to click on areas of interest. The site contains data on waste management and cleanup activities at DOE sites.

Department of Defense Environmental Cleanup Home Page
(<http://www.dtic.mil/envirodod>)

Scorecard Home
(<http://www.scorecard.org>)
Database that maps toxic releases by state or region.

Right to Know page with environmental databases
(<http://www.rtk.net>)

Searchable databases for toxic releases, hazardous waste spills, and chemical accidents.

EnviroSense Link to all EPA enforcement areas/ Databases
(<http://es.epa.gov>)
Search many EPA databases at this site.

Environmental Protection and Pollution Resource Sites on the Web
(<http://www.familyhaven.com/InternetReferenceDesk/enviropro.html>)

Federal Agency Environmental Homepages
<http://www.envirosense.com/development/november/cfa/link.htm>

Good links to federal agency environmental programs.

EPA Inspector General
<http://www.epa.gov/oigearth/>
A source for checking on the work of regulators. Audits the performance of both civil and criminal agents and various enforcement programs.

MEMBER NEWS

CONTINUED FROM PAGE 5 >

■ **Alla Lora** has joined the MSNBC management team as senior producer. She was previously at WTNH-TV in New Haven. ■ **Tony Mauro** left *USA Today* for a newly created position of Supreme Court correspondent at American Lawyer Media, which includes *Legal Times* and *legaltimes.com*. He covered the Supreme Court and legal affairs for *USA TODAY* and Gannett News Service for 20 years. ■ **Brian Melton** is the new managing editor of *The Macon Telegraph*. He leaves *The Charlotte Observer* where he was the investigations editor. ■ **Dion Nissenbaum** is now an investigative reporter at *San Jose Mercury News* where he will be covering state government and politics. He leaves *The Press-Enterprise* in Southern California where he was a special projects reporter. ■ **Jill Spielvogel** has moved from *The Press-Enterprise* to *The San Diego Union Tribune* where she will cover education. ■ The Fund for Investigative Journalism, a Washington based non-profit, has given its first annual book award to IRE member **Charles C. Thompson II** and former member **Roger Charles**. The book award of \$25,000 will supplement the authors' advance for a non-fiction book examining hostilities in the Persian Gulf that led to the 1988 U.S. Navy attack on an unarmed Iranian passenger plane. ■ **Todd Wallack** is now a business reporter at the *San Francisco Chronicle* covering mainly telecommunications and computer networking. He was a technology writer and weekly columnist for the *Boston Herald* for two years. ■ **Michelle Williams** is the new news editor for the Nashville AP bureau. She was formerly correspondent in the San Diego bureau and has been with AP for 10 years. ■ **Lisa Zagaroli** of *The Detroit News* shared first prize in the news reporting/newspapers category of The Detroit Press Club's 2000 International Wheel Awards honoring excellence in covering the automobile industry. Zagaroli shared the prize with James R. Healy of *USA Today*. They also shared the Golden Wheel award honoring the best among all print categories.

IRE SERVICES

INVESTIGATIVE REPORTERS AND EDITORS, INC. is a grassroots nonprofit organization dedicated to improving the quality of investigative reporting within the field of journalism. IRE was formed in 1975 with the intent of creating a networking tool and a forum in which journalists from across the country could raise questions and exchange ideas. IRE provides educational services to reporters, editors and others interested in investigative reporting and works to maintain high professional standards.

Programs and Services:

IRE RESOURCE CENTER – A rich reserve of print and broadcast stories, tipsheets and guides to help you start and complete the best work of your career. This unique library is the starting point of any piece you're working on. You can search through abstracts of more than 15,000 investigative reporting stories through our Web site.

Contact: Noemi Ramirez, noemi@ire.org, 573-882-3364

DATABASE LIBRARY – Administered by IRE and the National Institute for Computer-Assisted Reporting. The library has copies of many government databases, and makes them available to news organizations at or below actual cost. Analysis services are available on these databases, as is help in deciphering records you obtain yourself.

Contact: Jason Grotto, jason@nicar.org, 573-884-7711

CAMPAIGN FINANCE INFORMATION CENTER – Administered by IRE and the National Institute of Computer-Assisted Reporting. It's dedicated to helping journalists uncover the campaign money trail. State campaign finance data is collected from across the nation, cleaned and made available to journalists. A search engine allows reporters to track political cash flow across several states in federal and state races.

Contact: Cindy Eberting, cindy@ire.org, 573-882-1982

REPORTER.ORG – A collection of Web-based resources for journalists, journalism educators and others. Discounted Web hosting and services like mailing list management and site development are provided to other nonprofit journalism organizations.

Contact: Ted Peterson, ted@nicar.org, 573-884-7321

Publications

THE IRE JOURNAL – Published six times a year and contains journalist profiles, how-to stories, reviews, investigative ideas and backgrounding tips. The Journal also provides members with the latest news on upcoming events and training opportunities from IRE and NICAR.

Contact: Len Bruzzese, len@ire.org, 573-882-2042

UPLINK – Monthly newsletter by IRE and NICAR on computer-assisted reporting. Often, Uplink stories are written after reporters have had particular success using data to investigate stories. The columns include valuable information on advanced database techniques as well as success stories written by newly trained CAR reporters.

Contact: Mary Jo Sylwester, maryjo@nicar.org, 573-884-7711

ON-THE-ROAD TRAINING – As a top promoter of journalism education, IRE offers loads of training opportunities throughout the year. Possibilities range from national conferences and regional workshops to weeklong bootcamps and on-site newsroom training. Costs are on a sliding scale and fellowships are available to many of the events.

Contact: Tom McGinty, tmcginty@nicar.org, 573-882-3320

For information on:

MEMBERSHIP AND SUBSCRIPTIONS – John Green, jgreen@ire.org, 573-882-2772

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BOOT CAMPS – Laura Ruggiero, laura@ire.org, 573-884-1444

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IRE Membership Status (required)

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- I am a current IRE member through 7/1/00.
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\$100 I would like to attend the main conference days June 2-4 as a student IRE member.

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Thursday, June 1 is the optional Computer-Assisted Reporting Day and requires an additional fee. If you would like to attend, please check one of these options:

\$50 I would like to attend the CAR Day June 1 as a professional or international IRE member.

\$35 I would like to attend the CAR Day June 1 as a student IRE member.

Total Fees (required)

\$15 Late fee for registrations postmarked after May 18, 2000

\$ Total Fees