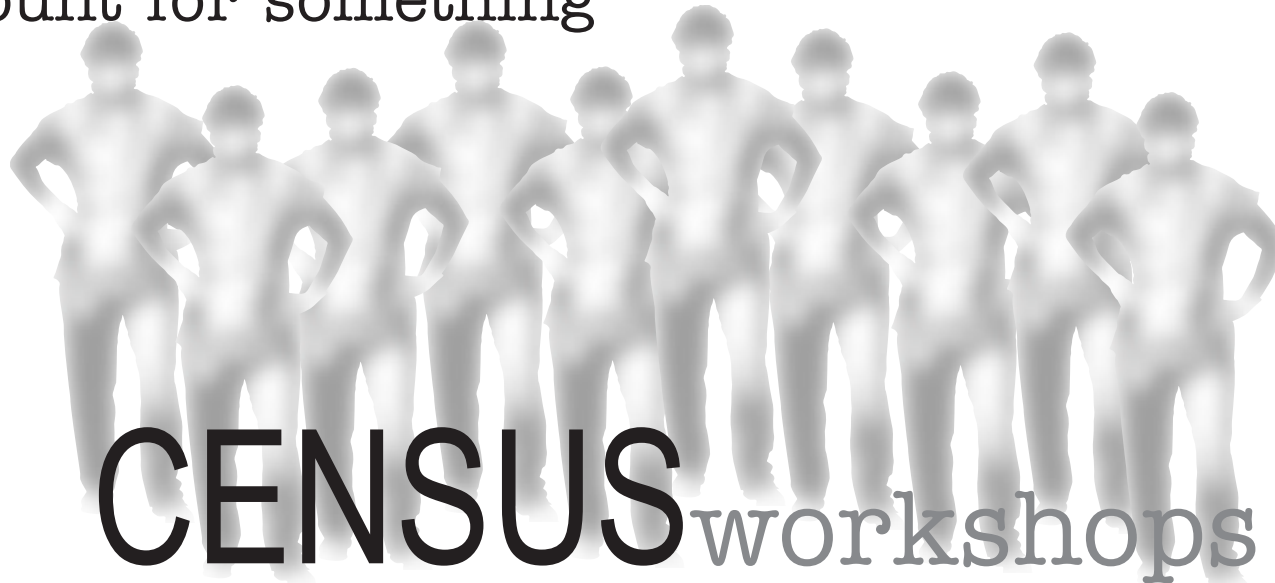


count for something



CENSUS workshops

Census 2000 is about to kick off, but you still have time to get ready to use this once-a-decade flood of information. Smart reporters already are getting ready, and you can be among the well-prepared by attending one of IRE and NICAR's Census 2000 seminars.

These intensive two-day sessions will be a fast-track lesson on what you need to know to start producing stories when the data begins to emerge at the end of this year.

Instructors will be Paul Overberg, a database editor at USA Today, and Steve Doig, the former Miami Herald research editor who now teaches computer-assisted reporting at Arizona State University. Both have long experience working with census data.

workshop topics will include:

- census story ideas
- the data rollout schedule
- census definitions
- geography
- mapping
- reapportionment
- getting the data
- making comparisons to 1990
- the new race categories
- the controversy over using adjusted census counts.

workshop fees:

To attend, you must be an IRE member. Fees for non-members will include a discounted one-year membership.

Workshops run 8:30 a.m. to 5 p.m. on Saturday and 9 a.m. to 5 p.m. on Sunday.

One day

\$50 for IRE members

\$90 for non-members (includes one-year membership)

Both days

\$75 for IRE members

\$115 for non-members (includes one-year membership)

The seminar is aimed at reporters and editors who will work with the data, but no particular level of number-crunching expertise is required to attend. Because of the expected size of the audience, the format will be lecture, demo and discussion rather than hands-on. But you will leave with handouts, Web site addresses and sample data that will give you plenty to practice with when you get back to your newsroom.

workshop locations for 2000

April 8-9

Arizona State University, Tempe, Ariz.

Courtyard by Marriott Tempe
601 S. Ash Ave.
Tempe, AZ 85281-2822
Phone: 480-966-2800
Rate per night:
\$79-King, \$104-Double

Holiday Inn Inns Tempe-ASU
915 E. Apache Blvd.
Tempe, AZ 85281-5817
Phone: 480-968-3451
Rate per night:
\$134-King, \$120.60-Double

August 5-6

Missouri School of Journalism, Columbia, Mo.

Ramada Inn: Columbia Centre
110 Vandiver Drive
Columbia, MO 65202
Phone: 573-449-0051
Fax: 573-874-8963
Rate per night: \$58

December 9-10

University of Maryland, College Park, Md.

The Inn and Conference Center
University of Maryland University College
3501 University Blvd East
Adelphi, MD 30783
Phone: 301-985-7300
Rate per night: \$99

More Workshops
to come in **2001**



THE IRE JOURNAL

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Inept and overwhelmed bureaucracies, money and sympathetic victims are the ingredients that make up solid child welfare stories.

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Cover photo by
Preston C. Mack, The Sun-Sentinel

IRE EXECUTIVE DIRECTOR
Brant Houston

THE IRE JOURNAL

VOLUME 23 | NUMBER 3

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The IRE Journal (ISSN0164-7016) is published six times a year by Investigative Reporters and Editors, Inc. 138 Neff Annex, Missouri School of Journalism, Columbia, MO 65211, 573-882-2042. E-mail: journal@ire.org. Subscriptions are \$40 in the U.S., \$60 for institutions and those outside the U.S. Periodical postage paid at Columbia, MO. Postmaster: Please send address changes to IRE. USPS #4516708

FROM THE IRE OFFICES

Newest training efforts reach across newsroom



BRANT HOUSTON

IRE has long been known as the organization to call on when you want training for your reporters. In the last decade, its reputation for providing valuable resources for editors and news directors has been steadily increasing.

Not only have they been a larger part of the mix of our conferences, Missouri workshops and on-the-road seminars, but we've also been developing specific curricula, materials and seminars that specifically address the challenges news managers face.

Recently, we conducted our second "Editors Boot Camp," which is a seminar designed to help editors and news directors cope with the new questions that the Web and computer-assisted reporting bring to the newsroom.

The seminar covered a wide-range of topics. Among them:

- Good stories that have been done using the new technology tools.
- Electronic resources – online resources and government databases – that you can (within reason) trust.
- How to build an internal database library for daily and beat stories.
- The basic tools for computer-assisted reporting.
- How to keep reporters from getting lost in the data.
- Key questions to ask reporters using databases.
- How to structure and train a newsroom effectively to use these resources.
- The ins and outs of the Electronic Freedom of Information Act.
- Effective uses of graphics.

Editors teaching editors

This curriculum was put together by IRE and NICAR trainers who have been asked more frequently to do special sessions with editors or news directors when training at newsrooms and conferences. It also was formed with the help of many editors who guide projects, including David Boardman of *The Seattle Times* and Rich Galant of *Newsday*. They also helped teach the first boot camp last year. This year, former IRE and NICAR training directors Jennifer LaFleur, now of the *St. Louis Post-Dispatch*, and Sarah Cohen, now at *The Washington Post* helped in the training.

The three-day workshop, however, involved more than discussions and presentations. We made sure to get the participants into the computer lab, where they received hands-on training in the three basic tools of computer-assisted reporting: online resources, spreadsheets and database managers.

Although the hands-on training wasn't as intense as in our regular seminars, we wanted the editors and news directors to get a good idea of how much effort reporters have to exert in order to become comfortable with electronic documents and data.

Overall, the participants were pleased with the results.

"It opened my eyes to possibilities of CAR (computer-assisted reporting), especially in daily stories," one editor said. "There is a misperception in our newsroom, and I would venture in others, that CAR is only for investigative reporters. I left with the feeling that within five years, doing CAR at newspapers will be like typing – the price of admission into journalism."

CONTINUED ON PAGE 33 >

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.

Journal intern named winner of MU fellowship

University of Missouri student and *IRE Journal* editorial intern Kate Miller was named the first recipient of the Brent Johnson Memorial Fellowship.

The working fellowship was created to honor an MU graduate student who died in April 1999 of cardiac arrest. Brent Johnson worked at IRE as managing editor of *Uplink*, a publication focused on computer-assisted reporting.

The fellowship – established with gifts from IRE members, Johnson's family and friends – allows a graduate student in the School of Journalism to work on IRE publications. The award carries \$1,000 from the Brent Johnson Memorial Fund and \$1,000 from IRE.

Miller, a native of Helena, Ark., will continue to serve as an editorial intern on the staff of *The IRE Journal* while completing her graduate studies.

Aviation safety book is available from IRE

A reporter's handbook on covering air safety is now available from IRE. "Covering Aviation Safety: An Investigator's Guide" is the first in a planned series of IRE "beat books."

The book, written by Maine freelancer and college instructor Marie Tessier, incorporates the best stories, resources and tipsheets IRE has compiled over the years along with input from the top aviation reporters in the country.

The 104-page guide offers advice on creating a newsroom crash plan, getting federal records on planes and pilots, starting out on the aviation beat, story ideas, resources and more. The book can be ordered for \$18 through the IRE Web site bookstore (www.ire.org) or by calling the IRE offices at 573-882-2042.

Ordered the book? Now order some data

The FAA Service Difficulty Reports (SDRs) dataset, available from the IRE and NICAR database library, is now updated through March 2000.

This dataset is extremely useful whenever an airplane crashes because it can be used to track repair problems with private, commercial and military aircraft and aircraft components. These are largely self-reported

by the aircraft owners and include aircraft tail number (N-number) and serial number.

The 1990-March 2000 data is available for \$75-\$125 depending on the size of your news organization. Older data, from 1974-1989, is available for \$50 for any size news organization.

The data library also provides SDRs on a monthly subscription service. Contact Mary Jo Sylwester or Jason Grotto at 573-884-7711 for further information. More details about the SDR database is available on the Web at www.nicar.org/datalibrary/databases.

IRE members among latest Pulitzer winners

Several IRE members and frequent IRE panelists were among those honored by the Pulitzer board in April.

Katherine Boo won the Public Service award for *The Washington Post* for her work covering abuse and neglect in Washington, D.C. group homes for the mentally retarded.

The AP's Charles J. Hanley and Martha Mendoza won the Investigative Reporting prize for their work on American atrocities during the Korean War. Sam Roe of *The Blade* in Toledo, Ohio, was a category finalist for his series on the U.S. government and the beryllium industry.

Ken Armstrong, Steve Mills and Maurice Possley of *The Chicago Tribune* were Public Service finalists for their work on justice system failures. Mark Fazlollah, Michael Matza and Craig McCoy of *The Philadelphia Inquirer* were also category finalists for their investigation into misconduct by the Philadelphia police concerning sexual assault claims.

The Chicago Tribune's David Jackson was a National Reporting finalist for a series about the effects of privatization on jails and foster programs for troubled youths.

David Cay Johnston of *The New York Times* was a Beat Reporting finalist for his work on IRS problems.

Alex Pulaski and Brent Walth of *The Oregonian* were Explanatory Reporting finalists for their story on political influence in pesticide regulation.

Anne Hull of *The St. Petersburg Times* was a finalist in both the Features Writing and National Reporting categories for her stories on Mexican women migrating to the crab shacks of North Carolina in pursuit of a better life.

MEMBER NEWS

Ken Armstrong and Steve Mills of *The Chicago Tribune* won a George Polk Award

for criminal justice reporting. The duo, along with **Maurice Possley**, also won the Scripps Howard Public Service Award for two series on the death penalty and prosecutorial misconduct. (Armstrong and Mills have a story on page 30.) ■ After 18 years at *The Pompano Ledger*, **J.P. Bender** has moved to *The Business Journal* in Hollywood, Fla., where he will be an investigative reporter on the health beat. ■ **Terry Burns**, a former correspondent for Copley News Service in Chicago, is now the statehouse bureau chief in Indianapolis for *The Times* of Northwest Indiana. He was with Copley newspapers for 16 years.

■ **Jesse Drucker** has left *The Star-Ledger* for Salon where he will cover the New York Senate race between Rudy Giuliani and Hillary Rodham Clinton. ■ **John Fairhall** is the new city editor at the *Baltimore Sun*. He was the Howard County bureau editor. ■ **Sandra Guy** is now a business writer at the *Chicago Sun-Times*.

■ **Amy Haimerl** has moved from the *Colorado Springs Business Journal* in Colorado Springs, Colo. to the *Silicon Alley Reporter* in New York where she will cover the new economy.

■ **Jim Hopkins** has moved from *The Courier-Journal* in Louisville to *USA Today* in San Francisco where he will cover the national small business beat. ■ **Jeffrey S. Hyer**, a student editor and reporter for the Cape Cod Community College newspaper, the *Main Sheet*, has been awarded a scholarship to attend The Institute on Political Journalism at Georgetown University this summer. ■ **Kathleen Johnston** and **Gerry Lanosga**, members of the investigative team at WTHR-TV in Indianapolis, were awarded a Silver Baton in the annual Alfred I. duPont Columbia University Awards for their series "Guarding the Guardians."

■ **Leonora Bohem LaPeter** of the *Savannah Morning News* won the Jesse Laventhol Prize

CONTINUED ON PAGE 35 >

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

Budget proposal

IRE continues efforts to move revenues and expenses to appropriate programs

BY BRANT HOUSTON
OF THE IRE JOURNAL

Here is the proposed budget for IRE's upcoming fiscal year, which runs from July 1, 2000, to June 30, 2001. The board of the directors will review this budget, make changes if necessary, and vote on it during IRE's National Conference in New York City.

We have continued our accounting efforts to move more of our revenues and expenses to the appropriate program in the budget. For example, over the past year we have allocated more staff salaries into particular areas such as the resource center and database library. This sometimes makes one year difficult to compare to the last, but we identify those areas to make the budget easier to understand.

Estimated changes

Budgets are always estimates based on predictions of the how the year will go. This year's budget underwent several changes.

For example, we lowered revenues and expenditures in the conference and training section because we moved the NICAR national conference from this spring to next fall, we gave fewer specialized computer-assisted reporting seminars on the road, and revenues were less than projected at our Los Angeles conference.

At the same time, our revenue was higher than expected at our Washington, D.C., conference and is expected to be higher in New York City. This coming year we expect the conference and training section

to show growth because of the addition of a national NICAR conference and renewed effort in specialized road seminars. We also expect revenues to rise in sales and services because our new series of beat books is starting to roll off the presses.

And we expect an increase in membership dues revenues because dues have gone up by \$10 to \$50. That increase, however, will allow us to spend more money on *The IRE Journal* as we strive to make it a

better magazine for our members and all journalists.

Grants

The proposed budget predicts few grants, although we have applications under way for several large grants. If any of those grants are given, then we will readjust our budget. Last year, we did not have a Joyce grant in the budget, but received a 16-month, \$200,000 grant for our campaign finance center after the budget was approved.

We hope to receive more funds for minority training, small news organization workshops, international training and campaign finance efforts, but you will not see any projected grants in the budget.

As usual, the budget is intended to reflect IRE policies and goals. The budget, as previously mentioned, contains an increase in membership dues because the IRE Board wanted to improve the content and appearance of the *Journal*.

The budget predicts an 8 percent increase in sales and services, which contains our resource center or database library because we are in the midst of developing new products and marketing strategies for them. But although demand for the services has

IRE Salaries for Fiscal Year 2001 Salaries and Benefits Proposed to Board (subject to change)

	estimated	est. bene	total pay/bene	contributions and allocations
Executive Director	\$68,870	\$12,251	\$81,121	\$25,866 – Journalism School
Deputy Director	\$63,032	\$14,708	\$77,740	\$13,488 – Journalism School
Training Director	\$46,870	\$8,829	\$53,042	\$53,042 – Program – On the Road training
Database Administrator	\$29,000	\$6,172	\$35,172	\$15,000 – Joyce Grant
Web Administrator	\$30,467	\$6,270	\$36,737	\$36,737 – Program – Web site
Resource Center Director	\$24,000	—	\$24,000	\$24,000 – Schumann Grant
Conference Coordinator	\$37,822	\$7,453	\$45,275	
Campaign Finance Director	\$41,200	\$7,949	\$49,149	\$49,183 – Joyce Foundation
Finance Officer	\$28,000	\$5,884	\$33,884	
Admin. Asst. – Office/Personnel	\$28,450	\$5,638	\$34,087	
Admin. Asst. – Membership	\$28,325	\$5,859	\$34,184	
Receptionist	\$15,360	\$3,909	\$19,269	
Subtotal	\$441,396	\$84,922	\$523,660	\$217,316
Graduate Assistants	\$50,000	\$3,000	\$53,000	\$12,000 – Journalism School \$53,000 – Database Library/Resource Center
Student Publications Designers			\$20,600	
Student Web Designers			\$15,000	
Student Assistants			\$20,000	
Temporary Help			\$9,600	
Subtotal			\$118,200	
				\$282,316
Total Salaries and Benefits			\$641,860	\$359,545 \$14,381.79 \$373,927
				Subtotal Net salaries and benefits Salary raise pool Total in general and administrative expenses if raises approved

increased, our fees are so modest that increased demand does not lead to as large an increase in revenues.

We forecast an increase of 4 percent in conferences and seminars because we recognize that our next national conference will not be as large as this year's in New York City. The biggest difference in projected revenues, however, is in the area of the grants where we do not show revenues until the grant is assured. There we show a drop of 44 percent, although that could reverse direction quickly if a grant proposal is approved.

We believe this is the prudent approach because it prevents any expenditure based on the hoped-for approval of a grant.

Expenditures stay low

In the area of expenditures, we show a 60 percent increase for the *Journal* because of the clear wish on the part of the Board, staff and members to have a better magazine.

We plan to keep expenses in sales and services stable because we have finished most of our major upgrading of the equipment and networking for the resource center and database library.

In conferences and training, the expenses will drop because we will not be conducting another grant-funded special research project into training for small news organizations.

In general and administrative salaries, the budget shows an 8 percent decrease. This is partly due to savings on a few salaries and because we continue to allocate salaries to specific programs. The actual overall change in total salaries and benefits is about 5 percent. In addition, IRE salary costs are defrayed by the Missouri School of Journalism, which contributes nearly \$50,000 a year for teaching duties and graduate assistants.

You will see decreases in general office expenses because, once again, we do not expect to have major equipment upgrades.

We have once again prudently kept \$20,000 in a rainy-day fund for unexpected costs. In addition, 10 percent of membership revenues are slated for the endowment fund.

The approved budget will be presented to the annual membership meeting on June 3 in New York City, then posted to the IRE Web site. A copy of IRE's 990 form filed with the Internal Revenue Service is also made available on the Web site.

Budget Proposal 2000-2001 (July 1, 2000 to June 30, 2001)

General Fund Revenue			General Fund Expenses		
	Estimated 99- 2000	Proposed 2000-2001		Estimated 99- 2000	Proposed 2000 - 2001
Membership			Conferences and Training		
New and Renewed Membership	\$132,000	\$175,000	IRE National	\$150,000	\$125,000
Student Membership	\$5,000	\$5,000	IRE National - Optional CAR Day	\$5,000	\$5,000
International Membership	\$6,000	\$5,000	IRE Newsroom Seminars	—	\$5,000
Total Membership	\$143,000	\$185,000	NICAR National	\$1,000	\$65,000
Sales and Services			NICAR Missouri Seminars	\$12,000	\$12,000
IRE Book Sales	\$25,000	\$30,000	NICAR On the Road Seminars	\$35,000	\$75,000
IRE Resource Center	\$20,000	\$20,000	IRE Reg. Conference - Los Angeles 99	\$35,000	—
IRE Royalties	\$10,000	\$10,000	IRE Reg. Conference - Washington D.C.2000	\$32,000	—
IRE Journal Subscriptions and Back Issues	\$4,000	\$5,000	IRE Reg. Conference 1	\$15,000	\$5,000
IRE Other Income	\$11,000	\$2,000	IRE Reg. Conference 2	\$15,000	\$5,000
NICAR Book Sales	\$20,000	\$25,000	IRE Reg. Conference 3	\$15,000	\$5,000
NICAR Database Library	\$65,000	\$70,000	Small News Conference Follow-up	\$55,000	—
NICAR Uplink Subscriptions	\$12,000	\$14,000	CFIC Workshops	\$11,000	\$12,000
CFIC newsletter	—	\$1,000	Expenses from Future Conferences	—	—
NICAR Other Income	\$500	\$1,000	Expenses from Previous Conferences	—	—
Web Site	\$12,000	\$15,000	Total Conferences and Training	\$381,000	\$314,000
Total Sales and Services	\$179,500.00	\$193,000.00	Conference Fellowship Programs		
Conferences and Training			Diversity Fellow Program	\$15,000	\$15,000
IRE National	\$225,000	\$200,000	Small News Organization Fellow Program	\$5,000	\$5,000
IRE National - Optional CAR Day	\$20,000	\$20,000	Total Fellowships	\$20,000	\$20,000
IRE Newsroom Seminars	\$11,000	\$10,000	Awards		
NICAR National	\$15,000	\$85,000	Awards	\$7,000	\$8,000
NICAR Missouri Seminars	\$80,000	\$85,000	Renner Award	\$1,000	\$1,000
NICAR On the Road Seminars	\$100,000	\$125,000	Total Other Expenses	\$8,000	\$9,000
IRE Reg. Conference - Los Angeles 99	\$40,000	—	General and Administrative		
IRE Reg. Conference - Washington D.C.2000	\$48,000	—	Salary and Personnel Costs (see salaries)	\$390,000	\$360,000
IRE Reg. 1	\$15,000	\$20,000	Professional Services		
IRE Reg. 2	\$15,000	\$20,000	Consulting	\$35,000	\$40,000
IRE Reg. 3	\$15,000	\$20,000	Promotion	\$12,000	\$12,000
CFIC Workshops	\$9,000	\$30,000	Accounting	\$20,000	\$15,000
Revenue from Previous Conferences	—	—	Legal	\$18,000	\$15,000
Contribution in Kind	\$10,000	\$10,000	Total Professional Services	\$85,000	\$82,000
Total Conferences and Training	\$603,000.00	\$625,000.00	General Office Expense		
Contributions			Telephone and Fax	\$12,000	\$12,000
(excluding conferences)			Postage	\$5,000	\$5,000
Joyce Foundation(CFIC)	\$125,000	\$75,000	Office Supplies	\$7,000	\$8,000
McCormick	—	—	Fundraising Expense	\$5,000	\$5,000
Open Society	\$108,000	—	Photocopying	\$2,000	\$2,000
Other Grants	\$30,000	\$60,000	Computer Supplies	\$3,000	\$3,000
Knight Foundation	\$50,000	\$25,000	Equipment Expense	\$40,000	\$15,000
Schumann Grant	\$96,000	\$70,000	Promotional Materials	\$10,000	\$10,000
Total Contributions	\$409,000	\$230,000	Other Office Expenses	\$4,000	\$4,000
Other Revenue			Total General Office Expense	\$88,000	\$64,000
Awards contest entry fees	\$20,000	\$21,000	Other Expenses		
Renner Award	\$1,000	\$1,000	Publications	\$3,000	\$3,000
Interest Income	\$15,000	\$15,000	Travel Costs - Board	\$10,000	\$6,000
Total Other Revenue	\$36,000	\$37,000	Board Teleconferencing	\$2,000	\$1,500
Total General Fund Revenue	\$1,370,500	\$1,270,000	Travel Costs - Staff	\$3,000	\$4,000
General Fund Expenses			Staff Training	\$3,000	\$4,000
	Estimated	Proposed	Staff Hiring and Moving	\$500	\$5,000
	99 - 2000	2000 - 2001	Greene Lecture	\$750	\$1,000
IRE Program Expenses			FOI travel expenses	\$1,000	\$2,000
Membership			Miscellaneous	\$3,000	\$3,000
IRE Journal	\$50,000	\$80,000	Depreciation	\$35,000	\$35,000
Web Site	\$50,000	\$45,000	Contribution to Rainy Day Fund	\$20,000	\$20,000
Informational Mailings	\$5,000	\$10,000	Contribution to Endowment	\$14,000	\$18,000
Total Membership	\$105,000	\$135,000	Total Other Expenses	\$95,250	\$102,500
Cost of Sales and Services			Total General and Administrative Expenses		
IRE Books	\$15,000	\$15,000		\$1,334,250	\$1,247,500
IRE Resource Center	\$70,000	\$60,000	Excess Revenue Over Expenses		
NICAR Books	\$12,000	\$15,000		\$36,250	\$22,500
NICAR Database Library	\$60,000	\$60,000			
NICAR Uplink newsletter	\$4,000	\$6,000			
CFIC Tracker newsletter	—	\$4,000			
Fellowship promotions	\$1,000	\$1,000			
Total Sales and Services	\$162,000	\$161,000			

Photo: Bob Fila | The Chicago Tribune



Twelve men sentenced to be executed in death chambers such as this one in Downstate Tamms have been exonerated since Illinois reinstated the death penalty in 1977.

Justice gone awry

Tribune examines hundreds of Death Row cases to reveal state's faulty lawyers, evidence, system

BY KEN ARMSTRONG
AND STEVE MILLS
OF THE CHICAGO TRIBUNE

Since Illinois reinstated the death penalty in 1977, 12 of the state's Death Row inmates have been executed. During the same time, 13 have been exonerated.

It is a jarring tally, one that has attracted attention both nationally and internationally.

When Anthony Porter was freed from Illinois' Death Row in February 1999 – an innocent man saved by journalism students, not the justice system – he became the state's 10th Death Row inmate to be cleared. Porter once had come within two days of execution, only to win a reprieve because of concerns about his IQ, not his innocence. After Porter's execution was delayed, a private investigator working with Northwestern University journalism students obtained a videotaped confession from the real killer. Porter was freed, and the dramatic circumstances of his case initi-

ated a clamor for reform from state legislators and justices.

The Illinois General Assembly and Illinois Supreme Court established committees to propose improvements and provide explanations for the state's dubious track record of exonerating as many Death Row inmates as it executes. But none of those committees was willing to do the hard work of going beyond the anecdotal evidence to root out and quantify those problems undermining the state's system of capital punishment.

So we decided to do it for them.

Rooting out the problems

The *Chicago Tribune* conducted an exhaustive investigation into all 285 death penalty cases in Illinois going back to capital punishment's reinstatement. That research helped us isolate particularly compelling examples of justice gone awry while also showing how certain fault lines run through dozens or even scores of Illinois capital cases.

Our research showed that capital punishment in Illinois is a system so riddled with faulty evidence, unscrupulous trial tactics and legal incompetence that justice has been forsaken.

That research took eight months to complete and resulted in a five-part series, "The Failure of the Death Penalty in Illinois." The series ran Nov. 14-18 and yielded dramatic results, both for individual inmates and for the overall system of capital punishment.

Executions halted

On Jan. 18, Cook County prosecutors dropped charges against Steve Manning, an inmate whose case we investigated in our series' third part, which explored the corrosive effect of using jailhouse-informant testimony to secure convictions. That made Manning the 13th Illinois Death Row inmate to be cleared. Both Manning and his attorney credited the *Tribune's* investigation with his exoneration.

On Jan. 31, Illinois Gov. George Ryan took the historic step of suspending the death penalty in Illinois, citing the *Tribune's* investigation and the state's escalating number of wrongful convictions in capital cases. Ryan specifically noted several of the *Tribune's* findings, including the extraordinary number of Death Row inmates who were represented at trial by attorneys who have been disbarred or suspended, and the pervasive use of jailhouse-

CONTINUED ON PAGE 15 >

RUNNING THE TRAPS

Although appellate and trial rules will vary in certain ways from state to state, the basic approach that we used to examine death row convictions could almost certainly be replicated in any jurisdiction with the death penalty.

In addition, relying on capital cases to examine the criminal justice system offers two distinct advantages: Death-penalty cases provide a finite universe within which to work, and the extensive system of appeals for capital cases typically translates into a more complete court record than will be found in most non-capital cases.

In doing our research, we:

- Examined Illinois Supreme Court opinions and federal court rulings for every Illinois death-penalty case. We also looked at appellate briefs, trial transcripts, trial exhibits, affidavits and other supporting materials used on appeal.

- Identified the trial participants in every case – the judge, prosecutors and defense attorneys – in order to discern patterns and to run names through lawyer disciplinary records. We used Illinois Attorney Registration and Disciplinary Commission records, including disciplinary orders and, in some cases, transcripts of the underlying proceedings. Further, we looked at Illinois Supreme Court electronic records to get such bare-bones details as a case's appellate status and the names of attorneys handling the appeals.

- We used Lexis-Nexis to track the procedural history of each case and to provide copies of appellate opinions, and used correspondence among prosecutors, parole reports, probation evalua-

tions, Illinois Department of Corrections records and, in one story, FBI investigative reports.

- Called attorneys involved in the various cases. Certain questions, such as the race of the murder victims, often go unanswered in court records, so we called attorneys and police officers across the state to gather that information for each individual case.

- Talked to prosecutors, defense attorneys, inmates, witnesses, police officers and prison officials.

Many of the cases we studied were old, which presented difficulties in trying to recreate what had happened and in finding various witnesses. We had to hunt down people all over Illinois, including numerous people with transient lives and a fugitive wanted in four other states.

In going through the Illinois cases, we selected a variety of fault lines to look for and quantify, focusing largely on different kinds of dubious evidence and trial tactics that have popped up regularly in wrongful conviction cases in Illinois. It helped to tap into the expertise of those state and local agencies that handled the bulk of Death Row appeals in Illinois, such as the Illinois State Appellate Defender's Office and the Cook County Public Defender's Office.

There were obstacles, of course. The Illinois Department of Corrections refused to provide journalists with access to Death Row, so in order to talk to particular inmates we spoke with them on the telephone when they made their weekly calls to their attorneys, or arranged interviews whenever they were returned to the local courts for an appeals hearing.

Interview both sides of mouth

Compare what industry experts say in public to what they say in professional conferences

BY ELLEN SCHULTZ
OF THE WALL STREET JOURNAL

If you've ever wished you could find out what your sources are really saying behind closed doors, there's a resource you may not have tapped. Lawyers, medical executives, human resource professionals, funeral directors, financial advisers and other professionals often speak very bluntly and unguardedly at professional conferences held each year in places like

New Orleans, Washington, D.C. and Disney World.

Many of these sessions are taped, and the tapes are for sale to professionals who missed the sessions. They're also available to enterprising journalists. If you cover the workplace, for example, you might want to get tapes from conferences for employers' lawyers, to hear how they fight discrimination suits, snoop on

employees and find legal ways to discriminate.

I discovered this a few years ago, when I was wondering why employers were adopting Employee Assistance Programs to counsel employees, even as they were cutting just about every other kind of benefit. I heard about a conference for EAP professionals that had taken place a few months before, so I obtained the tapes of the sessions.

On the tapes, the panelists openly discussed how EAP programs cut worker compensation costs, because the companies could use information gathered in private counseling sessions to deny workers' injury claims. For instance, if someone had casually mentioned to an EAP counselor that he played softball on weekends, any subsequent workplace injury claim could be denied on the grounds that the worker had hurt himself playing softball, not falling off the loading dock.

This gave me some ideas, so I contacted lawyers handling worker comp cases, and asked if EAP records were being used against their clients. Most said yes. My story went on to show how a legal secretary with carpal tunnel,

FINDING TAPES

Broadcast media can enjoy an added bonanza from taped sessions. After we ran a story that mentioned how some actuaries laughed when they discussed cutting benefits, NBC obtained that tape and played the segment. The laughter – as the actuaries joked that people wouldn't be able to figure out that their benefits had been cut until retirement – was far more dramatic on the air than in print.

You'll also discover that some of the more common speakers at these conferences tend to be people who also talk to the media a lot, but who present a completely different story to the public. This provides you with opportunities to ask your source why he's telling you that a certain procedure is completely safe when he discussed the gruesome risks at the Annual Conference for Proctologists in Palm Springs in 1996.

In addition, I suggest looking at:

Shut-outs

You'll want to pay special attention to the conferences that don't invite the media. A few years ago I attended a technical conference for the Investment Company Institute, a mutual fund trade group, where they clearly weren't expecting any media (reporters are usually invited to other conferences they hold that are geared to generate positive publicity). During one session, I enjoyed hearing a well-quoted mutual fund public relations person talk about how to lie to reporters who call to ask if investors were redeeming shares during a turbulent day in the market. After I reported these comments, the ICI banned reporters from that particular conference.

Past records

Even when reporters aren't invited to certain conferences, you can often obtain tapes from those conferences. And even if people start to clam up at conferences, which is something the actuaries have done this year, everything they've said over the years may be obtainable, because the tapes are made and sold by independent taping companies, like 5-Star Conference (800-350-TAPE) in Carlsbad, Calif., and Visual Aids Electronics Corp. (301-330-6900), in Gaithersburg, Md.

If you call them, they can send you lists of the conferences they have taped in dozens of fields. Teach 'em (800-225-3775) has a list of associations whose sessions it tapes (hospice groups, pediatric nurses, oncologists, turnaround management, travel professionals and more) on its Web site (<http://www.bonus-books.com/teachem/index.html>).

Special archives

Transcripts for some professional organizations' annual and quarterly meetings may be archived in specialized libraries. (I was able to find old transcripts of Society of Actuaries sessions from the 1980s and early 1990s in the College of Insurance Library in Manhattan). The professional groups may even make some transcripts available on their Web sites, though I notice that some have disappeared from actuary Web sites since my stories ran. (But you can still order the tapes). The Society of Actuaries (www.SOA.org) has transcripts of sessions from health and disability, as well as pension conferences, which can be handy for those working on investigative insurance pieces.

LEGAL CORNER

Public access in age of privacy:
Knowing it when you see it

DAVID SMALLMAN

In 1974, an obscure article with a seldom-cited alternate title appeared in the *University of Kansas Law Review*. The author of that piece – Is an Expanded Right to Privacy Consistent with Fair and Effective Law Enforcement? Or: Privacy, You’ve Come a Long Way, Baby – was a recently appointed U.S. Supreme Court associate justice, William H. Rehnquist.

Only three years earlier, as President Nixon’s assistant attorney general, Rehnquist had phoned the executive editor of *The Washington Post* and demanded the paper cease publishing stories based on the Pentagon Papers and return the documents to the Defense Department. (History records that Ben Bradlee refused.)

Subsequently, in his new capacity, Justice Rehnquist pondered the dual role of the government as both a logical source of protection from violations of personal privacy and a gatekeeper with effective monopoly power over access to official data and proceedings. He noted that: *[u]nregulated freedom is anarchy, and absolute order is despotism. A free society seeks to achieve a compromise between these two extremes in which substantial amounts of individual liberty may subsist in a society in which public order is preserved. So too, privacy is a value that competes with other values. Increased privacy of the individual may mean less effective enforcement of laws or a less well-informed citizenry.* (23 Kan. L. Rev. 2).

Access versus privacy

More than a quarter-century later, the concerns of Chief Justice Rehnquist echo resoundingly through the case law. Recent controversies have contrasted competing values of personal privacy and public access in a variety of contexts. These disputes have ranged from release of judicial financial disclosure forms on the Internet (APB News.com v. Committee on Financial Disclosure) to state disclosure of motor vehicle records (Reno v. Condon) to the openness of civil trial proceedings (NBC Subsidiary v. Superior Court of Los Angeles County) to police

departments withholding the addresses of arrestees (LAPD v. United Reporting Publishing Corp).

While free press advocates might be delighted if we could simply point to the First Amendment as the ultimate restraint on the government’s gatekeeper function, the reality is less straightforward. More typically, courts look to common law principles and legislative enactments, such as state sunshine laws and the federal Freedom of Information Act, to determine who is entitled to what.

Less frequently, but perhaps with greater import, courts adjudicate the constitutional dimension of public access. Many people – including a few lawyers – are surprised to learn that access to certain types of information has been accorded First Amendment protection. Equally intriguing to some is the notion that freedom to obtain such information is only a qualified, rather than absolute right. As a practical matter this means that courts establish these rights by balancing competing interests believed to be of a similar or equivalent magnitude.

While current observers of the High Court know that today’s majority may be tomorrow’s dissent, the following provides an overview of the existing legal test used to determine presumptive rights of public access under the First Amendment.

A general rule about access

The Supreme Court ruled in two separate 1974 decisions that prison facilities do not enjoy a special status for public access under the First Amendment, despite the obvious public interest in monitoring their operation by the government. In 1978, a divided Court held that the media have no special right of access to a county jail “different from or greater than that accorded the public generally.” (Houchins v. KQED, 438 U.S. 1) More specifically, four Justices concurred that neither “the public or the media have a First Amendment right to government information

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David Smallman is general counsel of DocketWatch.com, a real-time online legal data provider. He has been pro bono counsel to IRE and NICAR since 1993, and is the Journal’s contributing legal editor.

for instance, was thwarted in her worker comp claim because her EAP session showed she’d had an abortion; the employer contended it was emotional stress that caused her wrist pain. Similarly, employers also were using EAP records to defend against employee suits for racial discrimination, wrongful termination and so forth.

Remembering how useful the conference tapes had been for that story, last year I obtained dozens of tapes from actuarial and benefits conferences held over the years to see if I could figure out why companies were converting their pensions to cash balance plans. The companies insisted to me and the rest of the world that the new pension plans were better for employees – especially young, mobile workers – but didn’t harm older workers, and didn’t save companies any money.

This didn’t make sense to me. And sure enough, the tapes told another story. Over the years, consultants had openly discussed how the new plans work. While the consulting firms had provided me with only a sanitized version of the mechanics of cash balance plans, I was able to hear those same consultants provide enlightening details, on tapes from the Enrolled Actuaries’ conference sessions with titles like “How Cash Balance Plans Work.”

On the tapes, the very same guys who are often quoted in the press saying that cash balance plans don’t hurt older workers or save companies money openly discussed how the new plans save companies a ton of money by reducing pensions, especially for older workers. They also talked about how the new plans would make it easier to replace older workers with younger ones, adding that a big plus to the new pensions was that they were so confusing that workers could not even tell that their benefits had been cut by as much as 50 percent.

The taped material provided a lot of the background for a series of stories I did on pensions. A number of congressmen and senators became enraged when we made the actuaries’ comments public, since they’d been hearing the opposite versions from the consultants who were lobbying them about pension issues. They subsequently introduced a handful of bills to redress some of the problems with pension conversions. The EEOC started to investigate, as did the IRS, the GAO, and the Labor Department.

Ellen E. Schultz, a reporter at *The Wall Street Journal* for the past 10 years, has covered benefits, personal finance, and investments.

Shadowy saboteurs

Unearthing eco-terrorism in the American West

By **BRYAN DENSON**
OF THE OREGONIAN

In the first hours of Oct. 19, 1998, arsonists struck the nation's busiest ski resort at Vail, Colo., leaving ski lifts, a 500-seat restaurant and other unoccupied buildings in flames. Damages totaled \$12 million.

Two days later, a Portland, Ore., environmental activist named Craig Rosebraugh announced he had received an anonymous claim of responsibility for the arson from the Earth Liberation Front. According to Rosebraugh, the ELF set the fire in retaliation for the resort's proposed expansion into the forest habitat of a wildcat (now federally protected) called the Canada lynx. "Putting profits ahead of Colorado's wildlife will not be tolerated," the ELF wrote. "This action is just a warning."

The arson was the most destructive act of eco-terrorism in U.S. history.

In *The Oregonian's* newsroom, Len Reed, leader of the paper's Environment and Natural Resources Team, figured enough was enough. For nearly two years, as the ELF and its cousins struck repeatedly in the Pacific Northwest, his reporters had written about the crimes episodically. But little was known about the shadowy saboteurs. No arrests had been made and their motives and mission remained baffling

— to the newspaper, the public and, it seemed, law enforcement. Just who was ELF and what did they want?

Eleven months later, *The Oregonian* reported on the escalation of eco-terrorism with a four-part series, "Crimes in the Name of the Environment."

The series documented for the first time the extent of eco-terrorism's damage in the American West — nearly \$43 million in 100 major crimes since 1980, with two-thirds of that damage since 1996. The crimes included five bombings and 64 arsons or attempted arsons. The series also explored the genesis of the environmental and animal-rights undergrounds and revealed how the two had united in the late 1980s to inspire terrorist acts. While most investigative stories probe financial or moral wrongdoing, the series stressed a rigorous investigation of the forces behind deep social change.

As it happens, those forces took center stage two months later during riotous protests of the World Trade Organization in Seattle.

Reed first assigned reporter James Long to look into ELF and the apparent escalation of eco-terrorism. Long has a reputation as a tireless digger, the guy who could pull you out of the

mud. He was one of two reporters who had broken the story of Tonya Harding's involvement in the attack on rival figure skater Nancy Kerrigan and shared a 1983 IRE Award for stories probing the failure of a Portland bank.

Ordinarily, groups like the ELF fell on my regional reporting beat, which includes coverage of the Northwest's varied extremist groups. But when the Vail arson broke, I was in Texas for my father's funeral. When I got back, Reed paired me with Long to determine whether eco-terrorism posed a genuine public threat.

Tapping key players

Long began by phoning terrorism experts and getting to know Rosebraugh. The activist said he was merely the mouthpiece for ELF and its more prolific ally, the Animal Liberation Front (ALF). Rosebraugh claimed he did not know the identities of the saboteurs, but was all too happy to interpret their complaints about human exploitation of the Earth and its creatures.

While Long studied the motivations of the saboteurs, I began to tally their crimes. *The Oregonian's* library worked Nexis for stories of such incidents, and I pulled citations of the crimes off the Web plus phoned industry groups and public agencies begging for their tallies.

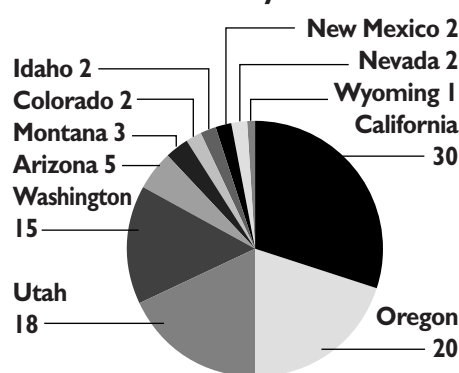
Federal authorities proved unhelpful. The FBI, ATF and Justice Department would talk only generally about eco-terrorism and refused to answer any questions, even on background, about the many open cases. We got the impression — wrongly, it would turn out — that no agents were experts in this apparently growing field of domestic terrorism. In truth, we hadn't done enough research to interest them.

We collected lists of alleged eco-terrorist

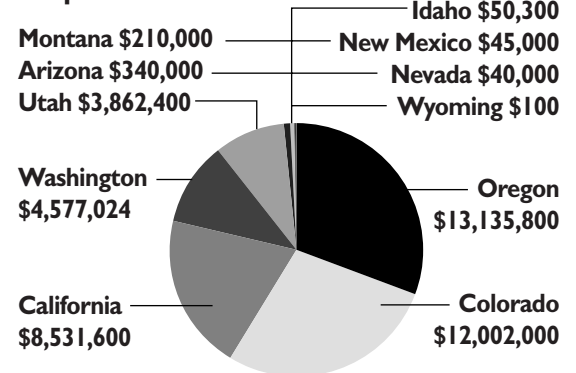
ECO-TERRORISM'S TOLL

The frequency and cost of eco-terror crimes vary widely by state and year. Overall, the incidents are concentrated in severity and value since 1996.

Number of incidents by state since 1980



Cost per state



incidents from industry groups and advocates for the crimes, but these partisans distorted and sometimes lied about the crimes to propagandize for their causes.

One of the most comprehensive lists is posted on the Web by Frontline Information Service, which keeps an international diary of crimes by the ALF. Other lists came from Americans for Medical Progress; Ron Arnold, executive vice president of the Center for the Defense of Free Enterprise; former private investigator Barry Clausen of North American Research; and Public Employees for Environmental Responsibility, which keeps a database of threats and attacks against the Forest Service and other federal land managers. We found more crimes listed in the 1993 Report to Congress on the Extent and Effects of Domestic and International Terrorism on Animal Enterprises, and from back issues of the *Earth First!* journal.

Fur Commission USA, which represents

the interests of mink ranchers, supplied a huge database. The commission keeps thousands of records, but we got them in the form of an obscure legal database that was incompatible with the Access database built by a newsroom technical assistant, Brian Hendrickson. He tweaked the commission's data to make it compatible, then built a form to document each case.

The form looked a little like an abbreviated police report, with fields for date, nearest city, type of crime, apparent intended target, injuries, damages, arrests, charges, convictions, incident description, impact of the crime and sources of information.

We began with a list of more than 500 incidents, quickly culling those that were duplicates or that occurred outside the 11 contiguous Western states. This left us with more than 300 incidents, ranging from someone pulling up survey stakes at a logging site to

the Vail arson.

Amanda Bennett, the newspaper's managing editor for enterprise, encouraged us to throw out small-time crimes, such as minor assaults at protests, bomb threats and vandalism or theft with damages less than \$10,000. Recently hired from *The Wall Street Journal*, Bennett had a reputation as a myth buster. She encouraged us to rigorously test for truth every case and said she'd be happy if we could show eco-terrorism was declining or posed no serious threat.

We narrowed our focus by writing a definition of eco-terrorism. We merged the FBI's definition of terrorism with a dictionary definition of eco-terrorism. Our definition: any crime intended to coerce, intimidate or change public policy on behalf of the natural world that was violent, potentially put human life at risk or ran up damages of \$10,000 or more.

This gave us a list of more than 200 incidents to verify. We stamped ahead, soon realizing



Bill Funk, of the Forest Service, looks at a vandalized truck.

Photo: Doug Beghtel | The Oregonian

that the \$10,000 threshold for damages still gave us too many cases to navigate. So with the blessings of Reed and Bennett, we set the threshold at \$50,000. This gave us a manageable list of about 125 cases.

On the trail

Long and I divided the West by state and began calling law enforcement, victims, industry groups, local librarians and others to confirm whether incidents had occurred and fill in exact details.

Terrorists using the anonymity of group names such as the ELF and the ALF had claimed responsibility for the majority of crimes, often communicating through spokesmen such as Rosebraugh. We didn't take claimants at their word, but corroborated the validity of their claims through law enforcement.

The tougher cases to verify were those in which the culprits left no graffiti or took no credit. In those cases, we were left to interview victims, police and others to make judgments on whether the cases could convincingly be linked to eco-terrorists. Most often, the victims had been frequent targets of protest, vandalism or other mischief. In some cases we relied on police – sometimes on background – to remember evidence found at the scenes and to offer their prevailing theories about what motivated the crimes.

Cases that could not be linked convincingly to eco-terrorists were dropped from the list. We debunked many such cases. We learned, for instance, that the firebombing of a federal dam in Oregon was more likely the work of a disgruntled former employee and that an accidental gas-line rupture caused the explosion that ripped through an outdoor outfitter in Washington.

As we verified and debunked cases, we began to piece together the players in the ever-changing movement to save the planet and its creatures. We did long interviews with leaders past and present, including Dave Foreman, a founder of *Earth First!*; Rod Coronado, who sank whaling vessels in Iceland and served time in a federal penitentiary for a series of arsons in the U.S.; and David Barbarash, a former Coronado associate who is now the spokesman for the ALF in North America. We

also read a small library of books and academic reports on the histories and philosophies of the most militant environmentalists and animal rights activists.

crimes seriously, while another admitted that opening a case against a group such as ALF was “like trying to grab Jell-O.”

For months, reporters and editors – faced with a mountain of reporting, data analyses, maps, graphics and photos – struggled to find a form to break up the news about eco-terrorism and clearly explain the phenomenon. Parts one and two would deal with the crimes, and those behind them, but the rest of the story would take more reporting and many weeks of refinement. We decided that part three would state the impact of the crimes, while part four would open the subject to public discourse: Can sabotage have a place in a free society?

The blame game

The series rolled out Sept. 26-29 and reaction was swift. We received hundreds of letters, e-mails and voice-mails – from thankful industry groups and law enforcement to conservationists and animal welfare groups that felt they had unfairly been linked with terrorists. Most of the critics were angry that *The Oregonian* had used the term eco-terrorism to describe the crimes when, in their view, the real terrorists were corporations that plunder Earth for profit.

Since the series ran, the West and Midwest have been struck repeatedly by arson and vandalism claimed by the ELF and the ALF. In one instance, the \$1 million torching of an Oregon timber office, *The Oregonian* received a claim of responsibility directly from the ELF. Another group, calling itself the Justice Department, mailed letters rigged with razors to primate researchers nationwide.

Two Oregon lawmakers, backed by the state's attorney general, recently proposed a bill that would make repeat eco-terrorism punishable under Oregon's RICO statute, and a similar proposal is under consideration in Wisconsin.

In February, Craig Rosebraugh's home was raided by federal agents. He was summoned before a federal grand jury to answer questions about several ELF arsons, including Vail.

Bryan Denson has been a staff writer for The Oregonian since July 1995. Assigned to the regional team, he covers radical groups as part of a beat called The Fringe.

Photo: Glenn Asakawa | The Associated Press



The Two Elk Lodge restaurant (foreground) atop Vail Mountain in Colorado was burned to the ground Oct. 19, 1998, by people claiming that Vail's resort expansion threatened lynx habitat. The \$12 million arson, which encompassed several structures, was the worst act of eco-terrorism in U.S. history.

Throughout our research, we found local law enforcement helpful in piecing together the crimes. Although we wrote a slew of open-records requests, detectives close to the investigations were often so frustrated by the unsolved cases that they freely shared their reports and observations. We would eventually gather thousands of pages of police and fire department reports, news accounts and industry newsletters, perpetrator dossiers kept by industry groups, congressional reports and testimony, federal sentencing memorandums and communiqués by the terrorists.

“ One agent told us that someone would have to die at the hands of eco-terrorists before the government took the crimes seriously ... ”

Federal agents and prosecutors most familiar with the major cases declined to comment until we related the extent of our own investigation, walked them through our general findings and explained that we planned to publish a map and other graphics detailing the crimes. Some then became remarkably candid. One agent told us that someone would have to die at the hands of eco-terrorists before the government took the

Death penalty

CONTINUED FROM PAGE 9

informant testimony to put defendants on Death Row.

Of the 38 states with the death penalty, Illinois became the first to declare a moratorium on executions. Ryan's announcement made headlines around the country and world, and it created a ripple effect that continues to expand.

In Illinois, Ryan's decision won sweeping praise that extended across party lines and even included some of the state's most conservative legislators. A *Tribune* poll conducted one month after the moratorium's imposition showed that two-thirds of Illinois voters supported Ryan's decision to suspend the death penalty.

Nationally, President Clinton described Ryan's decision as courageous and said governors in other death-penalty states should consider following Ryan's example.

Put into context

In reporting on the death penalty in Illinois, our goal was to move beyond the kind of anecdotal reporting that so often defines coverage of criminal justice issues. An in-depth account of a single case can certainly make for a gripping story; but stranded without context, isolated miscarriages of justice can be, and often are, dismissed as mere aberrations.

A comprehensive approach, one that quantifies those elements that regularly contribute to individual cases of wrongful conviction, assumes a power and significance that reporting on a single case can never provide.

In investigating all 285 death-penalty cases in Illinois, we came up with the following findings:

- At least 33 times, a defendant sentenced to die was represented at trial by an attorney who had been disbarred or suspended – sanctions reserved for conduct so incompetent, unethical or even criminal the lawyer's license is taken away.

In one case, a judge appointed an attorney to defend a man's life a mere 10 days after the attorney got his law license back. The attorney had just served a nine-month suspension for failing a string of clients through incompetence and dishonesty.

In another case, a judge appointed a convicted felon and previously disbarred attorney

who had been reinstated despite concerns about his emotional stability and drinking, according to lawyer disciplinary records. That attorney later became the only Illinois lawyer ever disbarred twice.

- At least 35 times, a defendant sent to Death Row was black and the jury that determined guilt or sentence was all white – a racial composition that prosecutors consider such an advantage that they have removed as many as 20 African-Americans from a single trial's jury pool to achieve it. Of the 65 death-penalty cases in Illinois with a black defendant and white victim, the jury was all white in 21 of them, or nearly a third.

- In at least 46 cases where a defendant was sentenced to die, the prosecution's evidence included a jailhouse informant – a form of evidence so historically unreliable that some states have begun warning jurors to treat it with special skepticism.

“Of the 65 death-penalty cases in Illinois with a black defendant and white victim, the jury was all white in 21 of them, or nearly a third.”

- In at least 20 cases where a defendant was sentenced to die, the prosecution's evidence included a crime lab employee's visual comparison of hairs – a type of forensic evidence that dates to the 19th century and has proved so notoriously imprecise that its use is now restricted in some jurisdictions outside Illinois.

- Errors by judges, ineptitude by defense attorneys and prosecutorial misconduct have been so widespread in Illinois death-penalty cases that a new trial or sentencing hearing has been ordered in 49 percent of those that have completed at least one round of appeals.

Individual cases illustrate problems

While statistical findings served as the backbone for our series, individual cases provided the flesh and blood. We selected at least one case or attorney to illustrate the pitfalls associated with different kinds of evidence or representation.

Steve Manning's case exemplified the hazards of jailhouse-informant testimony. In securing a conviction and death sentence against Manning, Cook County prosecutors relied almost exclusively upon the word of Tommy Dye, a convicted con man dubbed a “pathological liar” by federal authorities.

Dye, whose many aliases have included “Big Daddy Woo Woo,” testified against Manning in exchange for a sharply reduced sentence on theft and firearms charges. Dye claimed that while he and Manning were in jail together, Manning twice confessed to him. Federal authorities had wired Dye and secretly tape recorded those conversations, but the six hours of tape revealed no confession whatsoever.

Dye explained to jurors that the confessions occurred during two seconds-long gaps in the recordings, one caused by a malfunction, the other by Dye bending over and inadvertently covering the microphones tucked under his underwear waistband.

Results

Because of the facts revealed about Illinois Death Row cases, in March alone the following events took place:

- Indiana Gov. Frank O'Bannon called for an in-depth study of his state's death penalty procedures, saying he wanted to protect the criminal justice system against racial bias and the possibility of condemning innocent defendants.
- The New Hampshire House passed a bill to repeal the death penalty – although the state's governor has vowed to veto any such legislation.
- In Congress, House members from both parties introduced federal legislation designed to provide nationwide safeguards against the threat of sending innocent men and women to the execution chamber.

Ken Armstrong and Steve Mills have each worked at the Chicago Tribune for about six years. Armstrong is the Tribune's legal affairs writer. Mills covers police. Their death penalty series recently won a George Polk Award, and, along with a series on prosecutorial misconduct written by Armstrong and Maurice Possley, the Scripps Howard Foundation's Roy W. Howard Award for Public Service Reporting, the National Headliner Awards “Best of Show,” and an IRE Award.

Defense background checks

Finding the cracks – and gaping holes



BY EDWARD T. POUND
OF USA TODAY

Old dogs can learn new tricks. I'm a case in point.

While rummaging for a story last spring, I phoned a friend of mine, a government official in Washington, who is usually good for a lead or two. Oh, boy, did he have one for me this time. You need to look into the Defense Security Service, he said. It's a mess.

Forgive me, but my heart did not begin racing in anticipation of the "Great Scoop." No, my first reaction was "what the heck is the Defense Security Service?"

As it turned out, the Defense Security Service, an agency in the Department of Defense, is a very important outfit. Here's why: Before Pentagon civilian and military employees or personnel working for defense contractors can get access to classified information – the nation's secrets – they must undergo a background investigation by the Defense Security Service.

If that agency does a lousy job, if it doesn't weed out the potential spies or high-risk employees, the nation pays – and sometimes it's

a very big price. Jonathan Jay Pollard, the Navy analyst, is one reminder of that price. He gave top secrets to Israel. There are other reminders, 79 of them, in fact. That's the number of other Defense Department employees and workers at defense plants convicted of espionage in the past two decades. The number of spies seems terribly small, but in the real world it's not. Government security experts constantly sing the same refrain: "It only takes one person to cause untold damage to national security."

I started the project knowing not much at all about the security clearance business. But, by the end of the year, after seven months of digging, I developed more than 25 stories. The most important findings were these:

- The Pentagon was buried under a pile of crucial security background investigations. It had a backlog of 600,000 cases and a fancy and expensive computer case-processing system that didn't work. The thing was so bad that once an investigation was completed, it took an average of 20 days to get a print-out. The Defense Security Service was in turmoil. Old

hands who knew a lot about security had been pushed out, replaced by new faces intent on "reinventing" government and cutting costs.

- Officials at the super-secret National Security Agency, which oversees satellite and intelligence gathering, were so disgusted with the chaos that they began to conduct their own background investigations of NSA employees. As my newspaper prepared to publish my story in early June, top Pentagon officials sought to get out front: they removed Steven Schanzer as director of the Defense Security Service and announced that reforms were under way.

- A respected career investigator named David Kerno, who worked for the Defense Security Service, was demoted to a desk job after he began a background investigation of former U.S. Sen. Gary Hart. Hart was appointed to a high-level security commission by his old pal, Defense Secretary William Cohen. When Hart learned that Kerno was asking about his personal life – something Kerno was required to do – he called Cohen's top aide and Kerno was pulled from the investigation.

- Felons are capable of gaining access to the nation's secrets. This story detailed how the Defense Office of Hearings and Appeals had issued sensitive clearances to employees of defense contractors who had long histories of financial problems, drug use, alcoholism, sexual misconduct and criminal conduct.

These stories, I believe, provide strong evidence showing why a reporter needs to follow his/her instincts and maintain tunnel vision – something critical to investigative stories. You can't get distracted by other news. As you will see, had I been distracted, this project wouldn't have been completed.

Records check

How did I develop this scandal? I did it from the ground up. I began by reviewing budget materials and searching the Web site of the Defense Security Service to familiarize myself with its operations. It was a little-known agency that had only 2,400 employees and a \$190 million budget. But, with 2.4 million people holding Pentagon-issued clearances, the agency played a vital security role. I also used the Internet and the *USA Today* library to identify current and former officials of the agency who might tell me what was going on there. Very little had been written about the agency, certainly nothing to suggest the problems that I would ultimately uncover.

I also pulled together clips on security

clearance issues, actions by Congress in the past decade and reports issued by various federal security commissions (outfits such as the Joint Security Commission, appointed by the CIA and the Pentagon, and the Security Policy Board, an interagency body appointed by President Clinton). I got copies of reports issued by the General Accounting Service on security matters in the past 10 years. And, I obtained summaries of espionage cases prepared by the Congressional Research Service. Those are just some of the official reports I read.

Meanwhile, I began contacting former security officials. Most people in government security and intelligence prefer – insist, in fact – that they meet you. They don't trust the telephone. So, I cultivated several key contacts in person. One source provided me with internal memos describing the chaos within the Defense Security Service.

In a key interview, senior Pentagon officials confirmed that the backlog of security investigations totaled about 600,000 people. These were important investigations, formally known as "periodic reinvestigations," or PRs. Security experts liken a PR to a periodic physical. It is a formal check to uncover changes in behavior that may have occurred after an initial clearance. These PRs play a critical role in protecting secrets because most spies already hold clearances.

This reporting and writing took five weeks. On June 3, *USA Today* published a front-page cover story headlined, "Pentagon crisis: Security-check backlog." You have to think ahead. I followed up with a story showing how industrial spies from dozens of nations were gathering intelligence at U.S. defense plants. This article was based on intelligence sources I had developed before my first story was published. Later that month, I interviewed Charles Cunningham, the new director of the Defense Security Service, who detailed his management reforms. But by mid-June, I was out of gas. I had nowhere else to go.

Gut feeling

My instincts told me, however, that there was more gold to be mined. I began a new round of calls to my sources but turned up nothing. On the morning of June 23, I reached a contact who had been a key official in the Defense Security Service. "You really have only scratched the surface," he complained. He then went on to explain how a veteran agent, David Kerno, had been run "through the meat grinder."

"What are you talking about?" I asked.

He told me about Kerno's problems. The agent – based in a Defense Security Service office in Lakewood, Colo., near Denver – had been put on a lowly desk job after he began asking questions about Gary Hart's private life. (Hart's presidential bid was shattered in 1988 when he was linked to a model named Donna Rice.) Kerno's agency had moved to suspend him, an action that would end his career.

It took nearly three weeks to put this story together. First, I needed to check out Kerno. Was he a straight shooter? When you are writing about the subject of a controversial story, you want no surprises to turn up after you've published. I interviewed many of his close associates and others who knew him. He came up clean. Kerno was a decorated Vietnam War veteran who had been severely wounded. He was a devout Roman Catholic and doting father. At age 53, he had spent two decades in the Defense Security Service and was considered an outstanding performer.

“In a key interview, senior Pentagon officials confirmed that the backlog of security investigations totaled about 600,000 people.”

I also obtained confidential defense files on the suspension action from people close to the case. I studied the confusing array of DOD regulations that governed what questions an agent could ask an applicant for a clearance. In the end, after interviewing lawyers and agents who worked this turf, I concluded that Kerno had acted properly in pursuing questions about Hart's personal life. We published our story on July 14. A month later, the Pentagon dropped its charges and reinstated Kerno.

I kept pressing. From a Pentagon official, I got my hands on a confidential report prepared by the GAO. It showed that the Defense Security Service had failed to conduct thorough background investigations in 92 percent of the cases studied by the GAO. That was a devastating finding. It meant that people were getting clearances who hadn't been thoroughly checked out.

By late September, I was at work on what I figured would be my final story: the importance of reinvestigations to protecting the nation's

secrets. But I needed a way to make a dry subject readable. Where could I find some clearance cases in the public record? On Sept. 28, I phoned another contact at the Defense Department. He suggested I look at the Web site of something called the Defense Office of Hearings and Appeals (DOHA), a Pentagon agency. DOHA decides whether to grant or deny clearances to employees of defense contractors. Cases decided by DOHA administrative judges are posted on its Web site, though the agency deletes names and other identifying information. Still, there's plenty of information in those files, as I soon learned.

I discovered that DOHA's judges had granted clearances to people who had criminal histories or serious personal problems. I even found one guy with a secret-level clearance who had been convicted in a murder case years before.

After more than 35 years as a reporter, I am not easily astounded, but this time I was. So, too, were my newspaper colleagues. I soon changed direction. My topic no longer would be reinvestigations.

But I had to find out how often such decisions were rendered. Investigators at the Defense Security Service told me, on background, about cases in which they had uncovered substantial dirt on applicants, only to see DOHA award the clearances. I reviewed DOHA files going back to 1994. My eyes glazed over at times. Some files ran up to 20 pages, and I read more than 1,500 cases posted on the Web site or in bookbinders at DOHA's headquarters in Arlington, Va. I also looked at another 1,000 cases handled by other Pentagon agencies, including files I got under the Freedom of Information Act.

Other so-called adjudication agencies in the Pentagon seemed far tougher than DOHA. I interviewed Army and Navy officials, other officials in the Pentagon and lawyers who had represented clients in DOHA hearings. We published a front-page story on Dec. 29. Sen. John Warner, chairman of the Armed Services Committee, expressing shock at the decisions, ordered an investigation by his panel.

Looking back, the investigation has been a great learning experience. Tackling stories like this – where you initially know little, or nothing, about a subject and where action is provoked – is what makes investigative reporting so rewarding.

Edward T. Pound is a senior investigative reporter at USA Today.

PROTECTING CHILDREN



Child welfare stories usually have a lot of the ingredients needed to make solid, investigative pieces. If you look hard enough, say those who cover such issues, you can probably find an inept and overwhelmed bureaucracy, money and sympathetic victims who make for great stories.

Foster Care

We turned off the two-lane black top onto a rutted dirt road that wound through the dark pine forests of Michigan's Upper Peninsula. Even though it was August, the land looked tense, as if waiting for the first bite of winter.

We'd spent the last few days criss-crossing the Midwest as we investigated one of the largest foster care agencies in the country: Specialized Alternatives for Family and Youth (SAFY). We'd been told repeatedly that its director, Bruce Maag, a man with more than 1,200 foster children in his agency's care, allegedly had improper sexual contact with one of his own foster children years earlier and gotten away with it.

At the end of the dirt road we hoped to nail down this final, explosive piece of the story.

We had been working on a four-part series on foster care for the past six months and the picture that was emerging was more depressing than we had imagined. We had knocked on doors of foster homes across Ohio, Indiana and Texas and found children living in unimaginable squalor. We found foster programs that left kids unsupervised and engaging in illicit drug use and sex.

We were nearing the end of our research when we obtained state documents that detailed how Maag, the founder and head of SAFY, had acknowledged in 1986 that he had kissed his foster daughter and given

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BY DEBRA JASPER
FORMERLY OF THE
DAYTON DAILY NEWS
AND ELLIOT JASPIN
OF COX NEWSPAPERS



Treatment Centers

I couldn't shake the image of the teenage girl, her legs in braces from cerebral palsy, being forced to the ground and restrained by staff who were supposed to be nurturing caretakers.

The girl, abused by her parents and abandoned by an adoptive family, had been placed in this locked psychiatric center, largely because she had no place else to go. Her care there, which a judge later determined bordered on abuse, was paid for by the taxpayers of Florida.

In 10 years of covering child welfare, I had encountered dozens of children like her – victims of severe abuse and neglect, caught up in a system that often left them more damaged. These children seemed to follow a familiar path.

They bounced from foster home to foster home and failed school. They ran away and fought with other kids. Exasperated social workers then shipped them off to "residential treatment centers," a euphemism for mental institutions, where many were kept until they turned 18.

BY SALLY KESTIN
OF *THE SUN-SENTINEL*

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Daycare Demons

For 20 years, little children were hurt, neglected or subjected to dirty and dangerous conditions at a Long Island day-care center, A to Z Adventures. One winter night the staff overlooked a 2-year-old when they locked up the drafty building. She was found four hours later, shivering and soaked with urine, after her frantic mother got police to break in.

New York State's regulatory agency for day care knew all about the center's troubled history. Inspectors had cited dozens of violations and recommended strong action. The center could have been fined or had its license suspended or revoked. But none of those steps was taken, and children remained in the same squalid conditions.

The state put more kids in danger by approving Holly Hanemann as a day-care provider. Her drinking problem and violent temper would have been easy to discover. She had one conviction for killing a young man in a DWI crash and another for criminal mischief.

But New York doesn't check day-care applicants for criminal records. At least four children were hurt in Hanemann's day-care home after the state licensed her, documents show. One baby went hungry for hours after Hanemann passed out while caring for a houseful of kids.

The police came often to Deborah Brendel's day-care house. There were violent, screaming fights between Brendel and her boyfriend. One Monday afternoon, neighbors said, the boyfriend threw beer bottles at kids building a fort in the lot next door. Then he dropped his pants and mooned them. Then he tore down the fort.

In New York, however, day-care regulators and police departments operate like moles in separate tunnels. The state doesn't tell police which homes it licenses for day care. So cops who come to those homes for domestic violence or other lowlife behavior don't know they're visiting a state-approved day-care facility.

Because important information remains

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Parental Rights

It all started with Betsy Lee. One phone call from this distraught foster mother in the fall of 1998 pushed the *Pittsburgh Post-Gazette* into a year-long investigation of child welfare and juvenile court practices in Beaver County.

Lee told me she and her husband had cared for a foster child for 14 months, but the Beaver County child welfare agency planned to place the baby for adoption with a couple the child had never met. The baby was a triplet, and her birth mother and her two sisters' foster mothers all felt the Lees would be best to adopt the girls.

I wrote about the child welfare agency's plan to disrupt the triplets' bonded relationship with the Lees and to ignore federal policy against such moves for adoption. Then Amanda Kolle called me. She thought I covered Beaver County adoptions because of the Lee story.

She told me that seven months earlier she had been an unmarried 19-year-old with a newborn. She had asked a friend to care for the infant while she recovered from depression. Five months later, without getting Kolle's consent, the friend gave Kolle's son to a Beaver County lawyer and her husband to adopt. The Beaver County couple refused to give the baby back to Kolle and asked the county's chief judge to terminate Kolle's parental rights, a step necessary before an adoption.

Her story was so outrageous, it seemed unbelievable to me. I told Kolle and her lawyer I needed proof, court papers, something. The lawyer said she couldn't give me documents because attorneys are bound by laws sealing adoption information. It's so covert that lawyers for the adoptive couple told Kolle she had no right to know the names of the people who had her child. When Kolle's lawyer found the names on court documents, Beaver County's chief judge ordered her not to reveal them to Kolle. Kolle's attorney conceived a novel method to let me see the documents. She could, of course, give a copy to her client, Kolle. Then Kolle, who was not bound by the secrecy rules, could make a copy for me.

The Kolle and Lee cases made me wonder

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BY BRIAN DONOVAN
OF *NEWSDAY*

BY BARBARA WHITE STACK
OF *THE PITTSBURGH
POST-GAZETTE*

PROTECTING CHILDREN

Foster Care

her beer. The information was in the form of notes from a state investigator that were maddeningly incomplete. Some names were blanked out. There were references to secret court documents.

At the center of the story was a girl whom we only knew by the first and last letter of her first name “S and a” – the rest was omitted. It was clear we had to find “S.”

We holed up in hotel just outside Lima, Ohio, a fraying blue-collar town near where Maag lived, and sifted through documents trying to piece together enough information to track her down. We had little to go on. In addition to two letters in her first name, we had the name of her ex-husband, her birth date, and a tip from a source who said she might have moved to northern Michigan several years ago.

That was it.

We began a computer search using a database called Autotrack to see if we could find a woman in Michigan with the same profile and any possible links to Ohio.

One name popped out. The woman had no listed phone number. She lived on a desolate lake in the backwoods of Michigan’s Upper Peninsula. With our deadline looming, the pressure was on to find her.

Follow the money

Debra had first met Maag two years earlier at a Florida resort. She was doing a series on foster care in Ohio and had gone to Florida to check out a weeklong seminar SAFY was holding for social workers from around the country.

In his first encounter with Jasper, he wanted to know “what the hell” she was doing there, and later warned her that she was only to interview people he okayed in advance. She left the conference believing Maag deserved a

closer look because of what she had learned.

SAFY’s detractors had complained bitterly about the agency. One teacher described SAFY as “horrible,” and told of SAFY foster parents who cared more about the money they could make from taking in foster children than about kids themselves.



Photo: Jan Underwood | Dayton Daily News

Diane Adams and her adopted child in her Cleveland home. Adams has taken care of 38 foster children in the past 11 years, including this one.

Some of these stories made it into the first series describing the wretched conditions of foster children in Ohio. But many details about SAFY did not.

And while the series had an almost immediate impact as legislators passed bills and state

investigations began, the Ohio experience raised a larger question: If Ohio’s system was this bad, what about the rest of the country?

Jasper lobbied for and won a commitment from the editors at the *Dayton Daily News* to answer that question. Nationally accredited SAFY loomed large – if for no other reason than it was an agency that was nationally recognized and operated in seven states. It trained social workers from across the nation, and was headed by Maag.

In beginning our investigation, we stuck to the old adage “follow the money.” We inspected foster care agencies’ IRS form 990s to see how they spent their money, checked salaries, land purchases and how much they received in tax dollars per day per child.

During this examination Jaspin noticed an odd entry in Maag’s financial statement: a loan from Maag to SAFY recorded in documents in the Lima courthouse.

After several days spent plowing through land records at the courthouse in Lima, we pieced together several questionable land transactions involving SAFY. Basically, Maag and a fellow official bought property and then either sold or leased it to SAFY at very advantageous terms.

Meanwhile, Jasper had talked to a former SAFY official living near Lima, Ohio, who told her about an independent living program for children that had provided little or no supervision, and degenerated into an endless teenage party of sex and drugs. We talked to neighbors, police and former clients in the program who confirmed that account.

Computers and interviews

We pieced together other stories as well by using a variety of databases. We matched names of foster parents with criminal records and found and interviewed criminals the state had licensed to take care of foster children. Sometimes what a database didn’t show was crucial. Although hundreds of children die each year while in foster care, a federal database of foster children doesn’t require states to report cause of death.

But more important to the story than computers were the interviews with everyone connected to the foster care system. We knocked on as many doors as possible. Many parents were not willing to talk on the phone, but were less reluctant when we arrived at their doors.

Another important note: One of the best ways to find foster parents is to talk with teach-

Photo: Jan Underwood | Dayton Daily News



Foster parent Sue Durant, shown with three of her foster sons, has cared for foster children with a variety of problems and finds that often those children are over-medicated.

ers, particularly in schools for children with behavior disorders. In addition, some states will provide you with a list of every foster parent licensed in the state. Also examine state foster care regulations, which are often lax.

And even when stories seem too outlandish to be true, check them out. For example, we repeatedly heard stories about Maag's involvement with a foster child in his own home but they still seemed far-fetched. Then, as we sorted through a stack of old state documents, we found a state investigator's notes that said "Maag admitted to drinking beer and 'S' rubbed his back, he rubbed her back and they kissed."

The search for "S" was on.

"S" talks

Standing at her front door, our nervousness showed on our faces. We both braced for those first crucial moments when we expected to have to convince a reluctant if not hostile person to talk to us.

The door swung open and the young mother – once she recovered from her initial shock at our presence – invited us in.

She told us she had been called by others and asked about her contact with Maag, but had refused interviews. Talking to her in person convinced her that the story was meaningful

and important to us and we could be trusted.

Our interview with "S" lasted for more than an hour and our initial anxiety gave way to a feeling of relief and later to a sense of outrage as "S" confirmed in detail the state investigator's report.

Eventually we learned through secret court documents that Maag had been charged in 1986 with two misdemeanor counts of contributing to the delinquency of a minor for allegedly giving alcohol to his foster daughter and her friend and one misdemeanor count of abuse relating to his foster daughter. However, because "S" had left town before testifying, Maag had only been convicted in 1987 of one count of contributing to the delinquency of a minor, for giving alcohol to a friend of "S's." A year after his conviction, Maag had the records expunged.

When Jasper called Maag for an interview to discuss what we had learned, he declined.

After the series ran, Ohio legislators introduced bills that call for stronger oversight of foster agencies and foster homes. Nationally, the organization which accredited SAFY announced that it would start randomly inspecting foster

Photo: Jan Underwood | Dayton Daily News



"Basically it was a big teen-age party. You didn't work. You didn't do nothing. There was no supervision. Was it a good setting? No. It didn't do nothing good for anybody." – Michael Sheets, former resident of independent living program by SAFY.

homes before giving foster agencies a seal of approval. In addition, state officials in Ohio announced they are creating a new department focused solely on the welfare of children and the Ohio auditor announced he would audit every foster care agency in the state.

And Maag? He took a leave of absence from the agency he founded. A few months later, nearly half of his board of directors resigned. Then, Maag himself resigned.

Debra Jasper, 35, has worked for the Dayton Daily News for the past eight years, first covering City Hall and then covering the Ohio statehouse. She spent 10 months working on two foster care series and left the newspaper in September to work on a book and pursue her doctorate. Elliot Jaspin, 54, is Systems Editor for Cox Newspapers. He works in Washington, D.C.

PROTECTING CHILDREN

Treatment Centers



CONTINUED FROM PAGE 19

In April 1999, after taking a new job as an investigative reporter, I decided to take an in-depth look at these treatment centers and their young charges. Instinct and years on the beat told me this would be a powerful story. But even I wasn't prepared for what I found.

Seven months later, we published a four-part series that both informed and shocked

readers about a group of forgotten children, the throwaway kids.

The investigation found hundreds of children growing up in locked psychiatric centers, cut off from their family and friends, unable to venture out to a movie or to the mall. They were restrained frequently, held face-down on the floor or strapped to beds. They were given medication cocktails, as many as

eight heavy-duty drugs at a time. Some of these children were severely mentally ill. But state officials admitted that at least one-quarter did not belong there. For these children, mostly victims of abuse and neglect, the problem was that the state simply had no place else to put them.

The care in many of these centers was questionable at best. We documented 55 cases of abuse in the previous three years. Many of the poorly paid employees had no more than a high school diploma and a few days of training. Six had been arrested on sex charges involving children in their care.

State child welfare officials were supposed to be monitoring these centers. But they lacked the time and resources. One center with a long history of abuse complaints remained open, despite documented concerns by Miami's social services chief that it was unsafe.

And finally, we showed that this intensive form of care was both expensive and unproven. The state paid these privately operated centers, some run by for-profit corporations, as much as \$300 a day per child. Yet no research had been done to show that the treatment is effective. Experts said that children who are confined in such settings for long periods actually emerge in worse condition.

Confidentiality made access to the children difficult. All of the treatment centers granted tours but refused to allow me to interview patients. One teen who had been confined to a center for more than a year wanted to tell his story. So did his lawyer, who had taken the boy's case to the Florida Supreme Court, arguing that the state violated his rights by involuntarily committing him without a hearing to first prove that confinement was necessary. The center's administrators and lawyers initially declined to allow the interview and then set unacceptable restrictions, such as having their attorney present.

After more than a month of negotiations involving lawyers for the paper, the state and the center, I finally was allowed to talk privately with the teen. We had to agree not to publish his name or photo.

The state's lax monitoring and poor record-keeping also created problems. The social services agency's headquarters did not track basic information about these centers. Calculating the average length of stay for children required more than 30 phone calls to the regional districts – all for one sentence in the story.

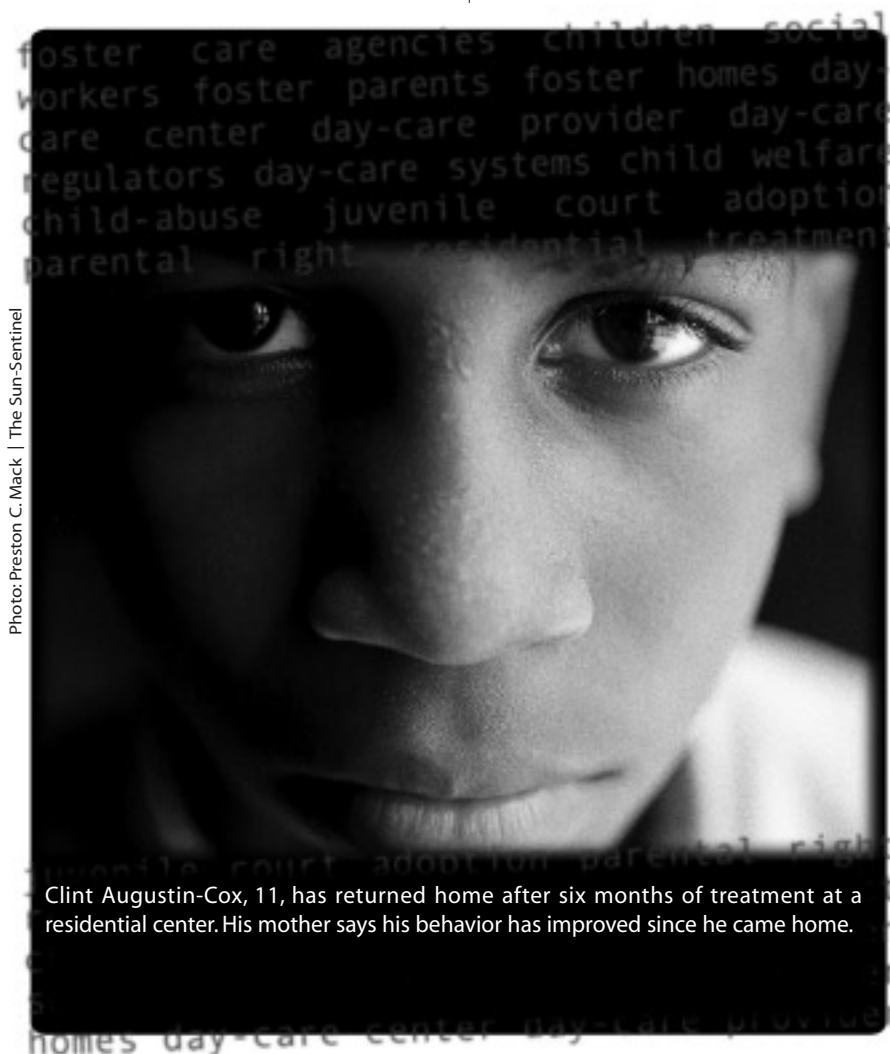


Photo: Preston C. Mack | The Sun-Sentinel

Clint Augustin-Cox, 11, has returned home after six months of treatment at a residential center. His mother says his behavior has improved since he came home.

PLUMBING RICH RESOURCES

Reporters who want to do similar projects on child welfare have a lot of fodder. If you look hard enough, you can find stories with all the elements: An inept and usually overwhelmed bureaucracy, big money and children who make sympathetic victims.

One of the toughest challenges is convincing editors and readers why they should care. People who have had no exposure to child abuse often find it too disturbing and tune out. Others think most of the population just doesn't care, that these kids already were lost. One way around this is to make the story relevant to everyone. Find out how much taxpayers are spending to address the problem and care for the kids. The numbers are usually huge. If people aren't outraged by what's happening to the kids, they'll be angry at how much it's costing them. Also look at who is getting the money. With privatization of social services, more money than ever is going to for-profit companies.

Developing a well-rounded source network is key to getting leads and chasing them down. Tap those sources to help find kids to tell the story. Lawyers and judges who do this work are typically dedicated to the cause and grateful for the opportunity to highlight problems in the system.

And finally, cross-check documents. What you don't find in state social services records, you may find in police reports.

Child welfare reporting isn't easy and can be emotionally draining. But it also can be powerful both in producing solid, human interest stories and in bringing about change.

To get my story:

- I made more than 50 public records requests from state and local agencies throughout Florida. I reviewed contract and licensing files of the treatment centers maintained by the state child welfare agency. I requested social services officials' e-mails about the centers and internal incident reports filed when a child is abused or accidentally harmed.
- I reviewed police and paramedics' logs for mentions of centers to identify those with the most problems. Through police reports, I found a worker at an Orlando center who was caught on videotape pushing a child to the ground. After running a criminal background check, I discovered the employee had a domestic battery conviction and, under Florida law, never should have been working at the center in the first place.
- I spent days in juvenile court, talking to judges and social workers. I interviewed children's lawyers, who put me in contact with former patients of the centers and their parents.
- For months I made phone calls and wrote letters. The most challenging part of the project was dealing with an unwieldy state social services bureaucracy and confidentiality provisions. In Florida, the social services agency is divided into 15 regional districts, each with its own administration. Some districts produced records; others argued the documents were not public record. It took the Miami district two months to turn over its records.

– Sally Kestin

Photo: Preston C. Mack | The Sun-Sentinel



Lazaro Gonzalez's parents ceded custody of their son to the state because they couldn't afford mental health treatment. After several months, they grew concerned over his treatment and the number of drugs he was prescribed. The family battled for years to get him out of a locked psychiatric center.

Though the reporting was tedious and often frustrating, it paid off.

The series, our readers have told us, offered a detailed, comprehensive look at the treatment of some of the state's most vulnerable residents.

The investigation produced swift changes and received national attention. Within two weeks, Florida's social services chief announced a major overhaul of the children's mental health system to include tougher licensing and monitoring requirements and more options so that children don't wind up in treatment centers. A federally funded watchdog agency created a new position and hired someone specifically to monitor children in the centers. And a state senator introduced legislation to give these children more legal protections.

Nationally, the federal Health Care Financing Administration is using the series to help craft regulations for children's treatment centers nationwide. And the National Alliance for the Mentally Ill asked Attorney General Janet Reno to investigate Florida's treatment of troubled children.

Sally Kestin is an investigative reporter at the (Fort Lauderdale) Sun-Sentinel. She joined the paper in March 1998 as a social services reporter. Before that, she covered social services for four years at the Tampa Tribune.

PROTECTING CHILDREN

Daycare Demons

CONTINUED FROM PAGE 19

bottled up inside bureaucracies that don't talk to each other, the state officials responsible for overseeing day care often don't find out about the kids who are spending their formative years among people whose position on the evolutionary ladder probably would disqualify them from the Jerry Springer show. That's not an occasional oversight. That's our state's system working the way it's set up to work.

In December, *Newsday's* investigative team published an eight-day series showing how New York State's weak oversight of day care has repeatedly allowed kids to remain in abusive, dirty, unsafe or otherwise badly run facilities, sometimes for years after state inspectors first discovered the violations.

Some of the systemic problems we found almost certainly exist in other states. The booming demand for day care has put officials across the country under pressure to expand their states' regulated day-care systems. Welfare reform has brought more pressure. The least expensive way to get a bigger day-care system is to avoid looking too closely at who gets licensed and what kind of job they're doing.

Although we'd like to say this project got started through our keen scandal-hunting instincts, the truth is we got lucky. The subject was dropped into our laps by a great source. An idealistic person, whom we'll call Pat, saw that the state's understaffed regulatory agency, the Bureau of Early Childhood Services, was doing a poor job. Pat decided something had to be done and sent a letter to the paper.

At first, I wondered whether day care really fit into what our team does. At the time, we were working on stories about a politician using his position to benefit his associates in a sand-mining deal in Long Island's environmentally sensitive pine forest. That's the sort of muck

the team usually rakes. A social issue like day care didn't seem to fit our traditional dirty-pol model.

Eden Laikin, the team's computer whiz – and youngest parent – kept pushing for the story. As Pat led us to cases in which children had been abused, sometimes killed, by negligent providers, the subject's importance became obvious. The paper launched a project that turned into the first broad examination by any newspaper of how day-care oversight works in our state. As many as eight reporters were working on it at some points. The stories got strong responses from readers and public officials.

Lessons learned

1. Readers care most about things that touch their daily lives. Another politician slurping at the trough doesn't necessarily score high on that test.

2. Government systems that nobody has ever investigated can be rich hunting grounds. As we gathered examples of flagrantly bad providers who went unpunished, we were reminded of those secluded islands, perhaps mythical, where the animals have never seen a person, and lunch just sort of jumps into the hunter's bag.

Between homes and centers, Long Island has more than 1,800 state-approved day-care

Photo: family photo



Alexa Laureano, with mom. Alexa did in 1995 in an illegal home day care.

facilities, plus many illegal ones. As Pat and other sources identified some of the problem cases, we filed FOI requests for those enforcement files. We found more such cases when we got the state's database on complaints and how they were resolved – information that is public – and FOI'd the files on child-abuse or supervision complaints. Jousting

with the state over records on about 100 facilities helps explain why the project took 18 months.

3. Expect foot-dragging, and try to give bureaucrats the uncomfortable feeling that powerful hired guns are on your side. Correspondence from our in-house attorney, Carolyn Schurr Levin, whose stationery says "Vice President and General Counsel," seemed to shake more records

loose than letters from reporters on generic *Newsday* letterheads. Showing up with our own portable copier cut through some delays.

For one day-care home where poor supervision figured in two babies' deaths, police refused to release the infants' names, citing

OFFERING HOPE

With eight days of stories on abuses and problems, we risked scaring readers into concluding that all day care is bad and parents face a hopeless mess. Not so. Many good places exist, and some simple steps by parents can lead them there. We made sure to include stories about how top-quality centers operate.

Managing Editor Charlotte Hall assigned Beth Whitehouse and Sascha Brodsky to write a 12-page special section on how parents can find good day care that fits their needs and budgets.

privacy concerns. We won an FOI appeal on the grounds that the dead have no privacy rights. That may sound a bit macabre and intrusive, but once we got the names, the parents turned out to be happy to give us extensive on-the-record interviews.

After we learned that New York doesn't check providers for criminal records, Laikin figured out how to do our own screening. From the state's Office of Court Administration she got computer tapes with names, birth dates and addresses for everybody convicted of crimes or violations since the mid-1980s. Using Access, she matched those addresses to a licensing-data tape with addresses of day-care homes.

After weeding out false hits and traffic tickets, we had 178 convicted people at day-care addresses – providers and relatives – whose records included sex crimes, injuring victims with weapons, selling drugs, beating women and wrecking cars while drunk. There were many problems with data-cleaning and formatting.

4. Pull the files even on cases that result only in convictions for disorderly conduct. We found many people charged with violent or drug crimes – including rape, assault and buying cocaine – whose cases were bargained down to disorderly conduct.

Working with Associate Managing Editor Rich Galant and Investigations Editor A.J. Carter, Laikin, Amanda Harris, Sandra Peddie and I sketched out the main findings for several days of stories: feeble enforcement, kids exposed to dangerous people, illegal facilities operating without penalties, poor training of providers. Photographer Julia Gaines was assigned to the project early and remained to the end, producing excellent photos, some from surveillance.

5. Using the same photographer throughout – and having the photographer take part in the meeting where stories are planned – results in art that's more imaginative, less repetitive.

Two more reporters came aboard. Curtis Taylor detailed flaws in the training system. Sarah Kershaw produced a New York City version of the series – discovering, among many things, the case of a woman approved for day care after a judge ruled that her attempt to burn down a house with a family inside resulted from her grave mental disorders.

6. Even if your state does criminal-record checks on providers, get the addresses of day-care homes and check police records for arrests and other incidents at those addresses. We

found beatings, stalking and people arrested with guns and drugs. See if state regulators managed to get that information. Chances are they didn't. You may find, too, that nobody gives fire departments the locations of day-care homes – another hole in New York's system.

7. Focusing on some positive cases doesn't weaken your package. Instead, the contrast emphasizes the badness of your bad examples.

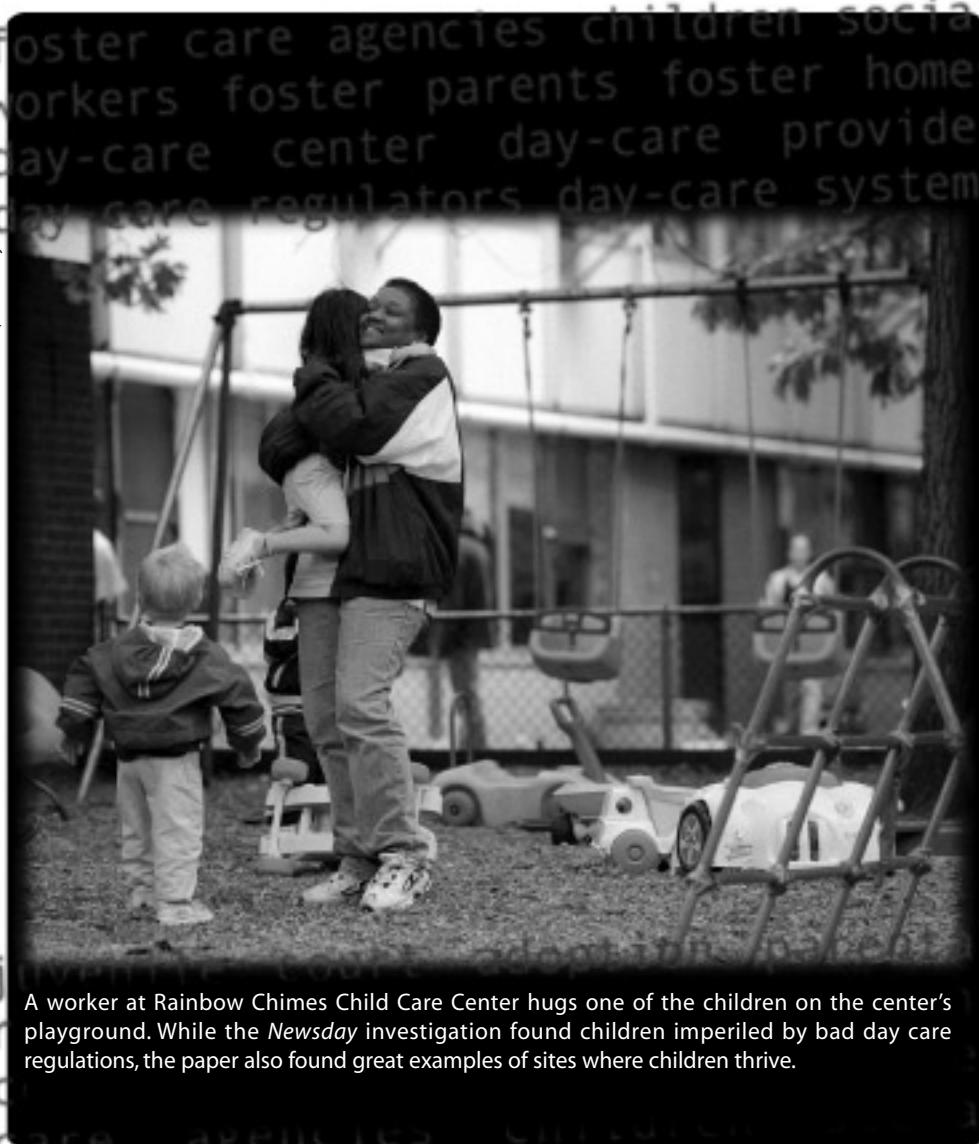
The series had results. Several of the worst places have been closed. Gov. George Pataki has ordered big increases in training and inspections. He's hiring more people to scrutinize providers. He's asked the legislature for many additional reforms, including criminal background checks. And county officials on Long Island are mandating better information-sharing among police and other agencies.

Of course, with day-care projects, you never really know everything that you may have accomplished. Abused children often grow up to be troubled adults who can't do things they'd otherwise have done. Children who spend their day-care years being bored or harshly disciplined might never outgrow those handicaps, either. If a newspaper story prevents those things from happening to some kids – well, who knows? Maybe one of them might grow up to discover a cure for something or write a good book.

Oh, about that sand-mining politician. Those stories were good, too, but nothing happened. He's running for higher office now.

Brian Donovan, lead reporter on Newsday's day-care project, has been with the paper since 1967.

Photo: Julia Gaines | Newsday



A worker at Rainbow Chimes Child Care Center hugs one of the children on the center's playground. While the *Newsday* investigation found children imperiled by bad day care regulations, the paper also found great examples of sites where children thrive.

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about adoptions in Beaver County, an urban county adjacent to Allegheny, where Pittsburgh is located. Checking out adoptions would not be easy because of the secrecy. But a preliminary analysis of child welfare adoption numbers suggested this story was worth pursuing despite the difficulties.

The figures showed that Beaver County was terminating parental rights twice as fast as the national average, and in some cases, faster than required by a new federal law intended to prevent children from languishing in foster care. The termination times were even quicker when the foster children were infants.

One terminated parent, who told me the agency failed in its duty to help reunify her with her daughter, suggested a reason for the speedy terminations. Her child was adopted by a woman with political connections. Ultimately, the *Post-Gazette* uncovered four cases in which people connected to the Beaver County courts or child welfare agency were given babies. That is remarkable given the secrecy used as a shield to block us from getting information.

Losing rights

Proving my suspicions about the unusually quick terminations involved repeated requests for numbers from the child welfare agency and long hours of number crunching. The agency finally gave me three different sets of numbers for hundreds of foster children that I had to match up - using birth dates since they could not give me names - to get complete information on each termination. I am sure if the agency had had any idea what I planned to do with the numbers, they would never have surrendered them. Because I made different kinds of requests for figures over several months' time, I don't think they had a clue about what I was doing.

In a December series called "When the bough breaks," the *Post-Gazette* detailed how the Beaver County child welfare system and courts abuse children and parents, the vast majority of whom are poor and unsophisticated. Besides the unusually speedy terminations, the stories described how the child welfare agency made it difficult for abusive or neglectful parents to meet the goals the agency set for them to get their children back from foster care.

For example, the agency routinely scheduled visits between parents and children during working hours, then criticized parents in court if they missed either the visits or work. In addition, the Beaver County courts failed to provide poor children and parents with lawyers for some hearings, neglected to consistently give parents notice of hearings and refused to transport some imprisoned women to hearings - even though the county jail is only a block from the courthouse. It is possible, as a result of these practices, that some parents who lost rights to their children should not have.

The series also noted that Beaver County routinely ignored federal policy regarding foster children. It resisted placing children in foster care with relatives, where they'd be more comfortable. And when it did place them with relatives, it refused to give them foster care payments. In addition, Beaver County routinely moved infants for adoption away from foster parents to whom they'd bonded.

One of the stories in the series points out that the injustices in Beaver County may be occurring across the country because virtually all child welfare cases are closed to the public, a practice that obstructs normal scrutiny of the judicial and governmental processes. Only a handful of states, such as Michigan and New York, have opened up these hearings and records.

Photo: Annie O'Neill | The Post-Gazette



Leanore weigner says goodbye to Mary.

Pennsylvania's secrecy made gathering information nearly impossible. Hearings are closed, files are confidential and agency officials are prohibited from discussing cases. And the *Post-Gazette* research may have made it worse. While I was seeking appeal documents in the Kollie case, the state Supreme Court suddenly ordered that type of pleading sealed as well.

First steps

One Beaver County lawyer who represented parents refused even to tell me the names of other lawyers who worked in juvenile court, as if the intent of the confidentiality laws was to preserve the privacy of attorneys paid by the county to represent poor parents and children. Because the law is meant to protect parents and children, I got a list of lawyers from the court administrator's office. I then asked the county controller for bills they'd submitted, mainly because I was curious about how much they were charging when they weren't protesting what seemed to be excessively speedy terminations.

The bills gave me more than I expected. The Beaver County judges approved them without redacting the parents' and children's names, which are supposed to be kept secret. So I had a starting place, the names of parents who had been through the system.

Also, the Pittsburgh Chapter of the American Civil Liberties Union gave me some names. It had represented three imprisoned women who had been denied their right to attend their termination hearings. The ACLU had forced Beaver County's chief judge to reverse their terminations. In addition, Betsy Lee introduced me to the mother of two older foster children for whom the Lees had provided care for years.

The parents I contacted told me of others

PROTECTING CHILDREN

Parental
Rights

who they thought had been wronged. I contacted them, and they told friends about my research. Eventually parents began calling me. Later, some Beaver County lawyers, including one who worked for the child welfare agency, gave me documents that verified what parents were saying.

When it was clear the *Post-Gazette* had significant evidence of wrong doing, a Beaver County judge who handles some child welfare cases talked to me. He discovered during that interview that the court was not providing poor parents with lawyers for some hearings, and he ordered it done shortly after that. He did not, however, insist on representation at all hearings even though state regulations say parents are entitled to lawyers at every proceeding. Beaver County's chief judge, who presides over all of the termination hearings and who has seen five of his terminations reversed in the past two years, refused to talk.

Immediately after the series was published, the Beaver County commissioners, who are responsible for the operation of their child welfare agency, promised to investigate.

In March, Pittsburgh's ACLU asked a major law firm to file suit to force Beaver County to pay relatives serving as foster parents. And the ACLU has persuaded a law school to research Beaver County court and child welfare practices to determine if additional suits are warranted. Also in March, a Pennsylvania legislative committee investigating the operation of child welfare agencies statewide announced it would conduct a hearing in Western Pennsylvania because of the problems described in the series.

Betsy Lee and her husband did not get to adopt the triplet babies. Beaver County's child welfare agency did, however, allow the Lees to adopt the two older children for whom the couple had served as foster parents. The Lees moved to Texas last summer. About that same time, Amanda Kolle appealed the decision by Beaver County's chief judge to terminate her rights to her son, who'd been placed for adoption without her permission. Among other problems, the judge had failed to disclose his personal relationship with the lawyer who was trying to adopt Kolle's child. On March 6, Pennsylvania Superior Court reversed the termination and ordered the baby returned to Kolle.

Barbara White Stack has covered juvenile justice and child welfare for the Pittsburgh Post-Gazette for six years.

OPENING DOORS

By Barbara White Stack

Trying to cover the covert world of juvenile court and child welfare can be annoying and frustrating. Although a few states, including Michigan, Oregon, Florida and New York have opened some child welfare records and hearings, most have not.

When I first started trying to cover issues affecting abused and neglected children in Pittsburgh seven years ago, a judicial order barred reporters from even entering the juvenile courthouse. But there are ways to get around, and sometimes even through, those closed doors.

Some ideas:

- Just walk in. If you wear a dark blue, three-piece suit and carry a briefcase, the deputies will think you are a lawyer. That may get you in the door of a public building, but before using the same ruse to get into a courtroom, you probably want to discuss it with an editor. What will the paper be willing to use from a hearing that was supposed to be closed to you?

- Cover some delinquency hearings. In most states, at least some hearings for delinquent youths are now open to the press and public. Sometimes the same judges who hear delinquencies also preside over child welfare cases. By seeing you more often, the judges may begin to trust you and allow you to sit through closed delinquency hearings, and eventually closed child welfare hearings.

- It never hurts to ask. Even if you have no relationship with juvenile court judges - or no time to develop one - you can always just ask the judge to let you in. If a judge is willing but anticipates objections from lawyers, ask if you can sit in chambers and listen to the proceedings.

- Establish an understanding up front. Make sure you and the judge clearly understand one another so that your first hearing won't be your last. You may be able to get a judge to let you in if you agree not to use the names of children, parents or foster parents. If you already have the names and want to use them, you may be able to get judge to let you in if you point out that you are going to write a story no matter what, so access to the hearing simply means the story will be more accurate and fair.

- Know the law. Sometimes court officials will tell you all hearings are closed even though they're not. Or, as in Pennsylvania, the law says the hearings shall be closed except to a "person with a legitimate interest in the proceedings," and some judges believe reporters have a legitimate interest. The Reporters Committee for Freedom of the Press lists individual state regulations and appeals court decisions on juvenile hearings and records for both delinquencies and child welfare cases (www.rcfp.org).

- Records are revealing. Even states that let you in the hearings probably won't give access to records. You might be able to persuade a judge to give them to you anyway, especially if the child welfare agency is suggesting the judge's decisions, such as returning a child to an abusive parent, led to a child's injury or death. What the records may show is that the agency recommended the child's return or that it failed to tell the judge about the parent's violent criminal record. The records may also show that the caseworker hadn't checked on the family in any of the six months before the child was found starved to death. Similarly, the agency or an individual caseworker or lawyer may be willing to let you see the records if a judge ignored their recommendations against returning a child. Even if courts and agencies are prohibited from giving you records, parents are not. If they've lost them, their lawyers have copies, which may be duplicated for the clients, who may, in turn, give them to reporters.

- Establish an off-the-record relationship with the director. State regulations often prohibit agency directors from talking about individual child welfare cases. But if you can talk to the director off the record, he may be able to steer you away from complaints that are false or frivolous. And he may be able to give you background on high-profile cases so that you understand what the agency did or didn't do.

- Meet the staff. I found a court stenographer who was a member of my church. A supervisor happened to have a son the same age as mine, and we lamented puberty and talked court together. A clerk, with access to court computers, was a friend of a friend. Caseworkers chatted with me while they waited long hours for their cases to be called.

Public records

Developing a comprehensive state guide

BY JOE ADAMS
OF THE FLORIDA TIMES-UNION

Never underestimate the staying power of a dream.

I wanted to create the ultimate public records guide for my state, but I never expected it to captivate me for 10 years while I spent thousands on hours on interviews, writing and researching – in addition

to searching for a publisher and funding.

The Florida Public Records Handbook finally debuted in late December, a 457-page guide on how to research people, governments, businesses and issues in Florida.

Here's some of the information that can be found in the handbook:

- Profiles of about 170 of Florida's most useful state and local public records along with the state's open records law. Included: state agency regulations and investigative files on professionals and permit holders; travel expense records; prosecutor case files; land records; Web sites; databases and even useful state publications, such as the Florida Tax Handbook

and Local Government Financial Information Handbook.

- An explanation of the process that creates the records. For instance, the entry on state and local bond issues explains why bonds are attractive to investors, the role of underwriters and bond counsels, and who normally receives copies

of the transcript relating to the bond issue.

The entry on checks and warrants issued by government agencies notes that checks are drawn against an account in a bank, while warrants authorize payments from the state treasury. At the same time, the

entry also explains that the state Comptroller's Office keeps an online state vendor history file with a three-year history of expense payments to vendors.

Or, a profile might show that the applications of people who applied unsuccessfully for state or local government jobs are required to remain on file for at least two years.

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Getting a copy

The handbook is available from The First Amendment Foundation in Tallahassee at \$22.95 a copy pre-paid. Checks should be made payable to the foundation at 336 E. College Ave., Suite 300, Tallahassee, FL 32301-1554. The price includes shipping, handling and taxes.

Excerpt from "The Florida Public Records Handbook"

LOTTERY RETAILER APPLICATIONS

Where to find them: Florida Lottery, 250 Marriott Drive, Tallahassee.

Overview: Businesses that sell lottery tickets apply to the state for the privilege. The application can be filled out by a business owner, partner or corporate officer. The state handles about 2,300 applications a year and has about 11,000 active retailers. The process involves extensive criminal and business background checks on each applicant. Applications are processed in Tallahassee and are required to be kept on file for at least five years.

Why they're helpful: The application has detailed information about the business and the people behind it. There are details on store hours, estimated sales and the starting date of the business. The applications also include the name, home telephone, home address and date of birth for all owners, individual partners, corporate officers and directors. Similar information is required about shareholders of corporate stock of 10 percent or more and limited partners with 10 percent or more interest in the business.

How to get them: Contact the Florida Lottery public information office in Tallahassee at (850) 487-7725. The office may charge you up to 15 cents a page for the six-page document.

PULLING IT OFF

Assembling a comprehensive public records manual for a state is a daunting task. Here are some objectives that guided Joe Adams in compiling The Florida Public Records Handbook:

- Go for the best of the obvious and obscure records sources, from files and individual documents to publications and Web sites. Besides my own experience, I consulted top reporters, librarians, civic activists, public information officers, attorneys and many others. But many of the records turned up in the course of my research.
- Make sure the research is thorough, revealing and bulletproof, no matter what it takes. What started out as a target list of 100 records soon ballooned into nearly 170, and refinements continued practically up to the last minute.
- Keep the material relevant to every part of the state.
- Recognize that records keeping practices vary widely from office to office and place to place. The quality and helpfulness of your sources will vary. One source sent me a loose-leaf notebook of answers from various department heads in her state agency. Others left me hanging for weeks, forcing repeated follow-up calls.
- Include state and local angles on each record, if applicable.
- Explain the records, don't just create lists. Expect any profile on a state agency's regulatory and investigative files, such as your state's departments of finance, transportation and environmental protection, to be especially intensive. In my case, some sources at the same agency couldn't agree on how their own records were filed.
- Write for the public, not bureaucrats. Some public officials tried to talk me out of using material that's clearly public.
- Be paranoid: Check, check and re-check phone numbers, Web sites, addresses, statute numbers, laws – everything.
- Always believe that you really will get this done.

Investment shock

Colorado's pre-paid tuition plan secretive, misleading, bad gamble

BY GENEVIEVE ANTON

OF THE (COLORADO SPRINGS) GAZETTE

Sometimes the best investigative stories come from simple curiosity.

A scathing critique of the Colorado Prepaid Tuition Fund began a few months ago, when I started looking into college savings plans for my four-year-old son, Christopher. On the surface, it looked like a dubious investment. But what really piqued my interest was how little basic information was provided and how hard it was to pry the answers out of the independent authority that ran the program.

Thinking there might be a story, I started gathering what few documents were available – annual reports, newsletters and brochures or advertisements – and talking to financial and state government sources about the two-year-old prepaid tuition program.

But it wasn't until I received a flashy invitation to the fund's 2000 enrollment period that I knew something wasn't quite right. The "press release" featured original color art on a foam-core poster board; the event itself – orchestrated by one of Denver's most expensive private PR firms – was just as lavish. How could a program that survived only on investments by parents and relatives socking away money for a kid's college tuition afford such luxuries?

The resulting investigation revealed that the Colorado Prepaid Tuition Fund is one of the worst investment deals you could manage in today's bull market, one that entails far more risk than most investors realize. The bulk of earnings were retained by the independent authority that ran it, including officers who earned higher salaries than top state officials and a board that met in Aspen each summer.

Poor investments

There are similar college savings plans in 20 other states. Some are better than others, but the one in Colorado had a truly poor track record and prognosis.

For example, the program's motto is "Tomorrow's College Expenses Based on Today's

Prices." In fact, there is no guarantee by the state that future tuition costs will be fully covered. This information is often buried in the small print, as are other key bits of information such as the fund's extremely poor investment earnings, which ranged from 2.5 percent to 6.1 percent in its first two years.

In addition, investors are not told that college tuition in Colorado has been kept artificially low in recent years, pushing the real value of their investment earnings down as low as 1.3 percent a year. Any earnings beyond the cost of tuition are pocketed by the agency that runs the program.

But when *The Gazette* tried to find out how it spent that excess money, we ran across a highly unusual situation: The authority that runs the program may be the most secretive in Colorado.

Its \$60,000-a-year lobbyist convinced the state legislature in 1998 to grant a one-of-a-kind exclusion from state open records laws. We were unable to find one state lawmaker – including the original sponsor of the exemption bill – who was aware of what they had done. Under that law, the authority denied the newspaper's request for critical documents, including a breakdown of administrative, marketing and travel expenses.

On the upside, it made for a better story. On the downside, it was hard to find out even the most basic facts about this state-sponsored program.

Details about the inner workings and performance of the Colorado Student Obligation Bond Authority that ran the program were extremely difficult to extract – much less analyze. We were dealing with a hostile target that repeatedly used its exemption from disclosure laws to deny the release of "inside" information and force us to obtain available documents through other sources.

We combed through lobbying records at the Secretary of State's Office, annual financial

reports filed with the State Auditor's Office and historical information about college tuition increases in the state through the Colorado Commission on Higher Education.

The story required scrutiny of actuarial and accounting reports that were vague, confusing and revealed scant information about what was really happening inside the organization. Much of the information was buried. For example, the fund's tiny first-year returns were revealed in one sentence at the bottom of page 14 of an annual report.

There was little outside help available, since most financial analysts – and even elected officials who voted for or helped promote the fund – knew little about the program. It took the help of sources to find investors. Some were reluctant to talk and had to be coaxed onto the record, including a financial wizard who was embarrassed to admit he'd invested in the fund.

Ending the secrecy

The Gazette story, "A Degree of Risk," which ran in December, startled investors and outraged politicians.

It has prompted the state auditor to launch an investigation into the fund's performance, which confirmed *The Gazette's* revelations with internal documents and hard numbers from the Prepaid Tuition Fund.

Released in mid-March, the report found that highly paid fund managers spent big bucks promoting the college savings program and

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Checking out your state

The pre-tuition investment situation may be different in other states, but it's certainly worth a look. Most of these plans get low marks from financial advisors, especially since tuition increases nationwide have been low in recent years. Some advice to other journalists:

- Look closely at overall fund earnings versus the actual "earnings" by investors, which is tied to tuition increases. Is the plan guaranteed by the state? Does it cost more to pay by installment? And are all these facts prominently displayed in promotional material?
- In general, look for lack of disclosure, try to account for every cent that comes into the fund and pay attention to details that may seem inconsequential. Think like a consumer – and an investor.
- For more ideas on how to investigate your own state's prepaid tuition fund, check out the stories published by *The Gazette* on our legislative Web site at <http://www.gazette.com/capitolwatch/college.html>

Finding the pearl

The best of online techniques

BY STEVE WEINBERG
OF THE IRE JOURNAL

When Nora Paul talks about finding information, I listen. When she writes about finding information, I read. Before online searching was a big deal, she knew as much as anybody I know about paper trails. Now that online searching is a big deal, she knows as much as anybody I know about the full range of possibilities.

The first edition (1992) did not mention the Internet. Now, as Paul says, "The Internet has changed almost everything about the way information and contacts necessary for reporting are found, processed and managed." Paul could have defended changing the subtitle to "A Guide to Tapping the Internet." But she did not call it that, partly because non-Internet resources are still preferable some of the time, partly because even when the Internet would be preferable, it is not always efficient.

Paul rejects the Internet as information superhighway metaphor, because at times it is more like a bumpy side road than a smoothly paved thoroughfare. She rejects the surfing metaphor because, like surfing, using the Internet can be "an exhausting exercise in paddling out to where you think you need to be only to be thrown back to shore again."

Instead, Paul champions the pearl-diving metaphor, in which a journalist is so focused

on her goal that she is able to dive down to just the right spot.

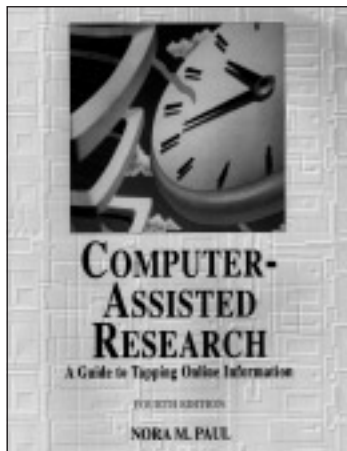
Taking the plunge

What will a journalist find in Paul's guide? Take a look:

- Mass communications. The longest chapter covers the World Wide Web, with its massive amounts of information from government agencies (.gov), military sources (.mil), organizations established by international treaties (.int), private-sector businesses (.com), educational establishments from kindergarten through PhDs (.edu), networks (.net), and the wide world of organizations that do not easily fit into the other categories, including charities (.org).

Paul separates out the Web sites of libraries, news organizations and individuals for special attention. The remainder of the chapter discusses the most effective way to search each type of site, so that the pearl diving actually yields pearls instead of seaweed.

Her general searching techniques are an important part of the book, but will be largely ignored here because Paul's book is mostly about content, and its treatment of search techniques is not meant to be comprehensive. (One book meant to be more comprehensive that has helped me a lot is "The Complete Idiot's Guide to Online Search



Computer-Assisted Research: A Guide to Tapping Online Information (fourth edition, 1999), by Nora M. Paul, Poynter Institute for Media Studies (www.poynter.org) and Bonus Books (www.bonus-books.com), 207 pages

Secrets" by Michael Miller, Que Books, 1999. Included are useful sections about content, such as finding addresses, telephone numbers, individual's Web pages, business and health information.)

- Public records. Paul devotes a chapter to commercial online databases such as Dialog, Nexis/Lexis, Dow Jones News Retrieval, plus numerous smaller commercial databases offering mostly public records organized in ways more convenient than governments provide them. Lots of online commercial databases have Web interfaces, but their full collections transcend what is available on the Web.

Searching commercial databases rather than Web sites involves a tradeoff – the databases are almost always relatively expensive. But they are also almost always broader, deeper and easier to search with specificity.

- Human contacts. In her chapter on the Internet toolbox, Paul covers every significant online resource for journalists other than the Web and commercial databases. The chapter contains lucid accounts of e-mail, discussion lists, newsgroups/forums and chat.

E-mail, discussion lists, newsgroups/forums and chats are people tools, connecting journalists to human sources. FTP (file transfer protocol), Telnet (logging into a remote computer), Gopher (an early index of documents found in Internet networked computers) and alert services are document tools.

The Depths

Paul offers some specific resources and techniques, such as:

- World Wide Web sites. The section on the Web is aimed at helping journalists find

Practical CAR

There is one area of computer-assisted research pretty much ignored by Paul – what is normally called computer-assisted reporting (CAR), which involves analyzing large sets of data frequently obtained in raw form from government agencies. One reason Paul gives little attention to CAR is the existence of easily available helpful books. One of those books is "Computer-Assisted Reporting: A Practical Guide (second edition)," by Brant Houston, IRE's executive director. It is available directly from IRE or from St. Martin's Press.

the best, most credible information. Most government agencies have Web sites, though information from earlier than 1995 often must be located elsewhere. The information on government sites (and other types of sites) is not always up to date, so journalists should ask whether the most current information is available in some other way.

There are books concentrating solely on government Web resources, including annual editions by IRE member Bruce Maxwell. The military is a part of government, but military site addresses usually end in .mil, rather than .gov. There are books devoted solely to finding military information online, including one by William M. Arkin. As for non-government organizations, the number of sites is far more numerous than for government agencies; frequently there are multiple organizations covering the same turf.

Paul says one way to find their Web addresses is by starting at www.ipl.org/ref/AON/. For charities specifically, she suggests checking www.give.org/. Because most schools have .edu in their addresses rather than .org, they can be located separately. Paul offers www.allaboutcollege.com to locate higher education Web sites; for kindergarten through high school, she offers web66.coled.umn.edu/schools.html.

- For-profit business sites. She says lots of addresses can be found at www.bizweb.com. Although most of the information found on such sites is promotional, Paul provides examples that are bound to pleasantly surprise some investigative journalists. Consider this one: "The mid-section emergency exit door of a USAir MD 80 blows out. What rows of the airplane were nearest the door? Look for the seating charts on the USAir site, www.usair.com."

- Individual sites. As Paul points out, one of the students involved in the Columbine High School massacre had put up a personal page on America Online. She suggests looking for an individual's home page by checking the address homepages.whothere.lycos.com/, by looking on directories that provide personal page services (for example, www.geocities.com) and by keyboarding the individual's name into a search engine such as AltaVista.

- Commercial services online. When affordable to journalists, commercial services usually provide preferable one-stop shopping; Web sites and search engines simply do not reach as much relevant information in one swoop on

a topic such as disposal of high-level nuclear waste. On the other hand, searching a name in the national Social Security Death Index might cost as much as \$41 on Lexis-Nexis, yet cost nothing at the Web site www.ancestry.com/ssdi/advanced.htm.

- E-mail. Although it should be obvious, some journalists forget Paul's advice that finding an e-mail address for a subject or source might mean getting around the difficulty of an unlisted telephone number. (Paul lists multiple resources for locating e-mail addresses for individuals, including www.whothere.com and www.iaf.net, as well as e-mail directories found on Web sites for institutions.)

E-mail can house lots of data, too. Paul quotes Stuart Watson from WCNC-TV, Char-

lotte: "The Department of Corrections and even local jails now send us mug shots as attached files. I was working on a story about school violence and the state department of public instruction sent me school-by-school violence stats as an attached file – it was a small database. I could tell instantly which schools found the most guns, had the most assaults on teachers, or the most students suspended for drugs ... No diskettes. No waiting for the mail. No traveling miles to haul around 70 pounds of gear to shoot a ... mug shot."

- Discussion lists (also called mailing lists and listservs). There is an online discussion list for just about any topic. As Paul says, "Anyone with a specific beat ... should subscribe to at

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WEB SITE SCOUTS

Paul's book, "Great Scouts!" with Margot Williams, research editor in The Washington Post newsroom, is aimed at a far more general audience than investigative journalists. It lists and explains a few good subject-specific Web sites covering education, health/medicine, law enforcement/crime, business, government, the environment and other knowledge areas, some of them entertainment-oriented rather than work-oriented.

While deciding which subject-specific directories to include, Paul and Williams evaluated each candidate according to these criteria: selection of resources, stability, currency, usability, searchability of the listings, information about the site itself, free access to the links listed, and clear descriptions of the links listed.

Once Paul and Williams decided a

site deserved to be mentioned in their book, they went far beyond typing the address. Let's take one of their highly recommended education scout sites, Education World (www.education-world.com/).

Paul and Williams explain when it was created (1996), how many sites can be found there (110,000 organized into 6500 categories), how the Education World proprietors select those 110,000 sites, the target audience, who pays for it, searching techniques, how the results are displayed and precisely why Paul and Williams found themselves so impressed. "We see ourselves as the TV Guide

of the Internet for educators," an Education World developer tells Paul and Williams. "Not only do we show you where to go, but we have some articles thrown in."



Great Scouts! CyberGuides for Subject Searching on the Web, by Nora Paul and Margot Williams, edited by Paula Hane, CyberAge Books/Information Today (www.infotoday.com), 343 pages

Internet search books

CONTINUED FROM PAGE 31

least one discussion list on that topic. This is a great way to keep up with what experts are talking about, solicit information, advice or contacts from them and to generally tap into a broad expert base.”

Paul quotes Mark Schleifstein, a *New Orleans Times-Picayune* reporter: “For our series ‘Home Wreckers – How the Formosan Termite Devastated New Orleans,’ we used discussion lists extensively to find and query entomologists around the world. I found ENT-CHN, a discussion list for entomologists of Chinese descent that allowed me to contact scientists in mainland China who had done research on the termite and were able to give me up-to-date information on the damage they caused in southern China.”

Paul provides sites for locating discussion lists (www.lizst.com, tile.net/lists, www.topica.com). When she checked www.lizst.com for discussion lists about managed care, she turned up six. Some discussion lists now have archives. Paul says, for example, that www.topica.com “has a search box where you can enter words to find either discussion lists on that topic or messages which contain that word from discussion lists hosted on Topica.”

- Newsgroups and forums. There is a slight difference between the two. Newsgroups are collections of messages distributed through Usenet, a system invented to move information from network to network, rather than individual to individual. Forums are generally part of a Web site. That Web site will host various forums for its users to raise issues and seek support. Jim Krane, a reporter at APOnline, learned of an unsolved murder by visiting a newsgroup about finding brides in Russia and East Europe. Paul says the best newsgroup directory is www.deja.com.

- Chat. Because chat is done in real time, journalists involved can be awash in unfiltered opinions. Many Web sites and search services (such as www.yahoo.com) offer chat areas. One large directory is www.yack.com.

- File Transfer Protocol. FTP is an important method for downloading large files and programs. An example is county-by-county Uniform Crime Reports. It has been FTPed from the National Archive of Criminal Justice Data so that it resides in easily accessible form at fisher.lib.virginia.edu/crime/. Thousands of government files can be FTPed from

www.fedworld.gov/ftp.htm.

- Telnet. Before the widespread use of the Web, a journalist could connect from a newsroom or home computer to a remote computer through telnet. Paul says despite its generally obsolete nature, “some telnet sites will have documents that never migrated to the Web. A journalist wanting to locate telnet-accessible sites on the Internet can check galaxy.einet.net/hytnet/HYTELNET.html.

- Gopher. In the early years of the Internet, Gopher software provided the most efficient way to search for information in computers all over the world without having an exact address. Today, Gopher sites contain some information unavailable on any Web site. Paul suggests checking for Gopher documents at galaxy.einet.net/GJ/.

- Alert services and filters. Alert services on Web sites maintain lists of e-mail addresses that receive updates on specified topics. Every e-mail address receives the same information. Filters are all about individual customization; they are especially useful for beat reporters trying to track breaking developments. They can also funnel up-to-date information to a journalist working on a long-term project.

Paul talked to a daily newspaper reporter who uses the alert service from the General Accounting Office, the watchdog arm of the U.S. Congress. If the GAO publishes a report on, say, problems with the availability of low-income housing, the reporter will know quickly. Signing up for the GAO service can be done at www.gao.gov/faq/faq.htm#2.2.

Another example from Paul – journalists trying to track the activities of particular corporations can be notified by e-mail when any of those corporations files a document with the federal Securities and Exchange Commission. That address is www.freedgar.com/Search/WatchList.asp. Or a journalist can set up a more sweeping alert by sending keywords to newsindex.com/delivered.html, which checks hundreds of information sources daily.

[Author’s note: In upcoming issues, I will extract practical advice from other online research books aimed at journalists.]

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

Tuition investments

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paying private consultants, and there was little evidence of responsible spending goals, state oversight or evaluation of its expensive marketing strategy. The auditor called for an end to free-wheeling spending, exorbitant fees and poor investment practices, and financial relief for investors who were kept in the dark.

Gov. Bill Owens put a hold on Senate confirmation hearings for prepaid tuition board members, and called for the program to be transferred to the Colorado Department of Higher Education to provide new management and better oversight.

The governor recently signed into law a bill to lift the authority’s veil of secrecy by opening its records and forcing it to disclose specific information to investors. A separate piece of legislation that would overhaul the entire program, strip unilateral power away from fund managers and refund surplus earnings to investors has passed the Senate and is now being debated in the House.

In addition, two members of Colorado’s congressional delegation have introduced federal legislation that would allow investors in any prepaid tuition fund to transfer that money into another state-sponsored college savings program without an IRS tax penalty on earnings if they’re not satisfied.

Under fire from politicians and investors, the prepaid tuition fund sent out letters of explanation to all investors, which included – for the first time – the actual dollar amount of their investment to date.

Unfortunately for the fund managers, it backfired. Some investors were shocked to discover that their accounts were actually worth less than the amount they already put into the plan. Turns out that anyone who opted to pay over time by installments was charged a 7.25 percent finance charge. Some were actually paying tomorrow’s tuition at tomorrow’s prices. Once again, this hidden fee was never disclosed, which we determined was a potential violation of the federal Truth in Lending Act.

Prepaid Tuition has become a mother lode for follow-up stories, since every new revelation seems to point to more hidden problems.

Genevieve Anton is the Denver bureau chief of Colorado Springs’ The Gazette. Her coverage can be found at www.gazette.com/capitolwatch/college.html on the Web.

Public records

CONTINUED FROM PAGE 28

Another example: The registration and title record maintained by the state's Department of Highway Safety and Motor Vehicles – also keeper of driver history records – doesn't keep records on boating infractions. That's the job of the Florida Department of Environmental Protection. So the handbook explains the department's procedure and how to obtain information on infractions.

- An explanation of applicable public records laws. Any partial or other exemptions that relate to the records profiled are outlined. The handbook also offers answers to frequently asked questions about access. A sample public records request is provided at the end of the handbook along with a list of major state agency contacts for records.

Each profile points to other entries with similar or related information. I did research at city hall, the courthouse, state agencies, Web libraries, interviewed more than 400 people, logged 500-plus long-distance calls and sent more than 700 e-mails. I figure I spent about 3,000 hours on this book.

So, why submit yourself to an ordeal like this in your state? You'll promote open-records access and open government in a refreshing new way. You will empower today's journalists and those to follow with a valuable new resource. [Journalism professors at five state universities are using the handbook as a teaching tool, with more expected in the fall.] You will take public awareness of FOI to a new level.

And you will learn more than you could ever imagine.

So far, the handbook has generated interest from civic activists, government searchers, attorneys, business people, elected leaders, private investigators and just everyday people. Various folks have sent the First Amendment Foundation notes attached to their handbook orders to say how much they appreciate that such work is being published for the public's benefit.

As one wrote, "What good are public records if the public doesn't know how to find them?"

My thoughts exactly.

Joe Adams is an editorial writer and editor at The Florida Times-Union in Jacksonville. He is the former director of the National Diversity Newspaper Job Bank on the Internet and teaches information gathering at the University of North Florida as an adjunct professor.

Houston column

CONTINUED FROM PAGE 4

Others said:

- "I do think it's important for editors who lack CAR experience to dip into it and this program was a good way to do it."
- "I didn't have a clue how to approach CAR reporters with intelligent queries. I bet there are many line editors in the same boat right now. ... I'm a little less apprehensive about that now."
- "Most useful for me personally was the discussion of how to find and choose starter projects and how to manage 'parallel universes,' when the number-crunching and the real-anecdote reporting are going in different directions or moving at different speeds."

We expect to keep these boot camps going and intend to have another this fall and others on the road. We also plan to continue to improve them with the advice of the participants and offer an online version next year.

In addition, the experience we've had with our workshops for small- to medium-sized news organizations has told us that we should plan specific training for editors overseeing daily to long-term investigations. We are seeking funding for that.

Lastly, we are testing out a weekly syndicated e-mail service for editors and news directors from our resource center. The service contains investigative story ideas, tips on how to do those stories and lists of relevant

information available from IRE.

If you are interested in testing out this service, please contact IRE Deputy Director Len Bruzzese at len@ire.org or at 573-882-2042.

Census workshops off to a great start

We've embarked on yet another new training program, this one on Census 2000, and the response to the first workshop was inspiring.

Fifty-five journalists gathered in Tempe, Ariz., for the two-day seminar, led by Steve Doig, the former *Miami Herald* research editor who now teaches computer-assisted reporting at Arizona State University, and Paul Overberg, a database editor at *USA Today*.

They covered topics such as census story ideas, the data rollout schedule, census definitions and geography, mapping, reapportionment, getting the data, making comparisons to 1990, the new race categories, and the controversy over using adjusted census counts.

The census data will touch almost every beat in the coming years and we thought IRE and NICAR should be out front with the training. We plan another workshop Aug. 5-6 here in Columbia, Mo., and another Dec. 9-10 in the Washington, D.C. area at the University of Maryland.

Next year, we will greatly increase our number of census workshops. If you are interested in a workshop in your area, please contact Tom McGinty, the IRE and NICAR training director, at tmcginty@nicar.org, or 573-882-3320.

Check out the
May issue of **Uplink**
Learn how to use
computer-assisted reporting
to improve daily reporting,
including breaking news.
Articles look at using the Internet and databases on deadline, as well as how to set up your own internal data system to help all reporters benefit from CAR, no matter what their skills.

Legal Corner

CONTINUED FROM PAGE 11

regarding the conditions of jails and their inmates and presumably all other public facilities such as hospitals and mental institutions.”

And if that wasn't grim enough, the plurality opinion added a bit of obiter dictum – the polite Latin phrase we lawyers have for words in an opinion entirely unnecessary for the decision of the case – as follows:

There is no constitutional right to have access to particular government information, or to require openness from the bureaucracy. The public's interest in knowing about its government is protected by the guarantee of a Free Press, but the protection is indirect. The Constitution itself is neither a Freedom of Information Act nor an Official Secrets Act.

All well and good. But even if the government could exclude the press and the public from snooping around prisons, did that also mean the Constitution afforded no protection whatsoever to public rights of access to other government institutions (say courtrooms) or types of information (say judicial records)? Apparently not. Instead, courts have relied upon tradition and the specific structural value of access to carve out a relatively limited subset of protected proceedings and data that even legislatures cannot readily restrict.

Fundamental exceptions to the purported “general rule”

In a series of decisions between 1980 and 1986 – and reiterated in 1993 – the High Court recognized a qualified First Amendment right of access to: (1) preliminary hearings, (2) jury selection, (3) criminal trial during testimony of a minor victim, and (4) as a general matter, to criminal trials (*Press-Enterprise Co. v. Superior Court of Cal.*, plurality opinion). From these cases emerged a two-part inquiry for establishing the existence of a First Amendment-based right of public access.

The first prong requires a historical inquiry – whether the particular information has “historically been open to the press and general public. Under this test, access to criminal proceedings has been upheld “[a]s a matter of law and virtually immemorial custom” because “[s]uch abiding adherence to the principle of open trials ‘reflect[s] a profound judgment about the way in which law should be enforced and justice administered.’” Put another way,

the question could also be posed: “what were the founding fathers doing and when were they doing it.”

The second prong involves a functional inquiry – whether public access plays a “significant positive role in the functioning of the particular process in question.” Open trials have been justified, for example, to demonstrate that justice is thereby meted out fairly, promoting public confidence in such proceedings.

If the information sought passes these tests of “experience and logic,” a qualified First Amendment right of public access attaches. This presumptive right of public access may then be overcome only by “an overriding interest based on findings that restrictions or closure are essential to preserve higher values and are narrowly tailored to serve that interest.”

“ There is no constitutional right to have access to particular government information, or to require openness from the bureaucracy. The public's interest in knowing about its government is protected by the guarantee of a Free Press, but the protection is indirect. The Constitution itself is neither a Freedom of Information Act nor an Official Secrets Act.”

Thus (and not to be confused with absolute prohibitions against prior restraint of publication), the public's right of access in the first instance may be forced to yield to a government interest in inhibiting disclosure of sensitive information (*Waller v. Georgia*) or the confidentiality of the medical peer review process (*Knight Publishing Co. v. Presbyterian Health Services Corp.*). By the same token, absent any such overriding interest, numerous courts have found a First Amendment right of access to civil litigation documents filed in court as a basis for adjudication (*Brown & Williamson Tobacco Corp. v. F.T.C.*; *Rushford v. New*

Yorker Magazine; *Grove Fresh Distributors, Inc. v. Everfresh Juice Co.*).

Future of presumptive First Amendment access rights

Seven years ago, the U.S. Supreme Court unanimously reaffirmed its First Amendment access cases in the criminal law context (*El Vocero De Puerto Rico v. Puerto Rico*), but it has not directly addressed the issue since then. Last year, however, two state supreme courts applied the *Press-Enterprise Co.* test to reach opposite results.

In June 1999, the North Carolina Supreme Court relied upon the *Press-Enterprise Co.* test to foreclose public access under the First Amendment to a summary judgment hearing and to sealed confidential materials regarding a doctor's suit against a hospital:

Assuming arguendo that the United States Supreme Court would hold that the qualified First Amendment right of public access applies to civil cases, we conclude that the compelling public interest in protecting the confidentiality of the medical peer review process outweighs the right of access in this case and that no alternative to closure will adequately protect that interest. (*Knight Publishing Co. v. Presbyterian Health Services Corp.*, cert. denied, March 20, 2000)

But a month later, in *NBC Subsidiary v. Superior Court of Los Angeles*, the California Supreme Court ruled that the First Amendment precluded a trial judge from excluding the media and the public from a civil jury trial between two well-known movie stars. The court held that “[a]lthough the [U.S. Supreme Court's] opinions ... all arose in the criminal context, the reasoning of th[o]se decisions suggest[ed] that the First Amendment right of access extends beyond the context of criminal proceedings and encompasses civil proceedings as well.”

Read together, both of these cases provide a good template for analyzing how the qualified First Amendment right to access can be utilized by the press to carry out its constitutional mission for the public it serves. What remains to be seen is whether appellate courts will contract or expand those rights in the future. But perhaps this is fitting. As Justice Stewart once observed (now forever quoted by lawyers and judges alike for any variety of purposes): “The Constitution ... establishes the contest, not its resolution.”

MEMBER NEWS

CONTINUED FROM PAGE 5

for Deadline Reporting by an Individual given by the American Society of Newspaper Editors.

■ **Ken Kalthoff** has moved from KDAF-TV to KXAS-TV. Both stations are in Dallas.

■ **Cathy Kessinger** has moved from the *Corvallis Gazette Times* in Corvallis, Ore., to *The Tribune* in San Luis Obispo where she is a staff reporter.

■ **Andrew LaMar** is the new Sacramento bureau chief for the *Contra Costa Times*. He was previously with the *Press Democrat* in Santa Rosa, Calif.

■ **Luciano Martins-Costa** has moved from NetEstado to Amana-Key in Brazil where he is doing research about sustainable community projects in South America.

■ **Jim Medina** is the new deputy managing editor of *Hispanic Business*, a monthly magazine with more than 200,000 circulation nationwide. He will be involved in various aspects of the Santa Barbara company, including developing content for the Web site and overseeing editorial on a sister publication, SuperOnda. Medina was the deputy county editor for the *Ventura County Star*.

■ **Ellen E. Schultz** of *The Wall Street Journal* won a George Polk Award for financial reporting. (Schultz has a story on page 10.)

■ **Sam Skolnik** has moved from *Legal Times* in Washington, D.C., to *The Seattle Post-Intelligencer*, where he is the new federal courts reporter. Skolnik had been at *Legal Times* for five years, where he covered the D.C. courts, and more recently, the Justice Department.

■ **Jeff Solocheck** has moved from the *Sarasota Herald-Tribune* to the *St. Petersburg Times* where he will cover county government in Hernando County.

■ **Terry Spencer** has moved from *The News Journal* in Wilmington, Del., to the Associated Press in Miami.

■ **Jill Spielvogel** has moved from *The Press-Enterprise* to *The San Diego Union-Tribune* where she will cover education.

■ **Mike Taugher** has moved from the *Albuquerque Journal* to the *Contra Costa Times* in the Bay area. He will cover the environment.

■ **John Wicklein**, a former *New York Times* reporter and now an independent writing coach, is currently coaching reporting at *The Washington Post*.

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 Eberling, 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 such as, 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. 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

CONFERENCES – Pat Coleman, pat@ire.org, 573-882-8969

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

LIST SERVES – Ted Peterson, ted@nicar.org, 573-884-7321

Mailing Address:

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IRE Membership Status (required)

To attend this conference, you must be a current IRE member through 7/1/00.

- I am a current IRE member through 7/1/00.
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- I need a new or to renew an international IRE membership, \$55.
- I need a new or to renew a student IRE membership, \$25.

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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