

# THE IRE JOURNAL

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### ABOUT THE COVER

A pedestrian crosses a street in downtown Fresno on a smoggy morning. The poor air quality obscures the skyline in the background.

**Cover photo by**  
Mark Crosse, *The Fresno Bee*

## THE IRE JOURNAL

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## FROM THE IRE OFFICES

### Including news managers



BRANT HOUSTON

Last fall, IRE's board of directors made one of its top priorities doing more for — and with — editors, producers and managers.

It's not the easiest mission to carry out. These journalists are among the busiest people in the newsroom and with staff cuts, budget pressures and personnel issues they have very little time to get training, to take advantage of offerings, or to lead discussions or seminars.

But many long-time IRE members have gone from reporters to managers and they still want relevant training. In fact, a third of the IRE board is composed of editors now; its president, Shawn McIntosh, is a deputy managing editor at *The Atlanta Journal-Constitution*.

So we have taken several steps to expand our services to editors with many more to come. We created a listserv last year, called [editors-l@ire.org](mailto:editors-l@ire.org), for editors working on investigative projects. Although the e-mail traffic on there is sporadic, we have seen some helpful exchanges. We hope to bolster those exchanges by posting resources and a summary of good stories there once a month. There is also a directory of project and investigative editors at [www.ire.org/editors](http://www.ire.org/editors) to allow editors to contact each other.

At the recent annual conference in Washington, D.C. we held two editors' roundtables — urged on by investigative editors Mary Hargrove, a former IRE board president at the *Arkansas Democrat-Gazette*, and Mark Katches, who oversees investigations at the *The Orange County Register*. Board vice president David Boardman, managing editor of *The Seattle Times*, organized and moderated the roundtables, which were well-attended and appreciated.

We also had a showcase panel, led by *Washington Post* editor Len Downie (a founding board member of IRE) in which top editors talked about what they wanted and hoped for in investigative reporting. (You can order audio tapes of all three sessions from the IRE Resource Center at [www.ire.org/resourcecenter](http://www.ire.org/resourcecenter))

"There's a reason IRE isn't called simply, Investigative Reporters. That third letter is there for a reason," says Boardman. "Editors are an essential element of successful investigative journalism, from helping to frame investigations, to leading the charge in legal battles, to shaping copy, to making sure reporters have the resources they need to do their jobs well."

"We at IRE are committed to finding more ways to engage more editors, producers and news directors in what we do, and to providing more services to them," Boardman adds.

Over the past three years, IRE has provided presentations at the American Press Institute's seminars for city and metro editors and we are in discussions about creating a seminar for editors on doing investigative stories.

We also are working more closely with Associated Press Managing Editors on training collaborations. In addition, we soon will announce an IRE and NICAR seminar for editors overseeing stories involving computer-assisted reporting.

But there is much more to do and board member Duane Pohlman, who is the chief investigative reporter at WEWS-Cleveland, has volunteered to take the lead. He also wants to make sure we meet the special needs of managers and producers in broadcast. He is collecting suggestions and asks that you e-mail your thoughts and suggestions.

"Broadcast managers have not been nearly as active as our print colleagues," says Pohlman. "Some believe this has led to the fickle support of investigative journalism in many television stations across the country. Hopefully, that is about to change."

Pohlman says he has contacted some of the most respected broadcast managers in the country to help with one mission: To bring more managers into IRE. Pohlman is forming an ad hoc task force to do that.

"If this succeeds, the managers will see the obvious benefits of investigative reporting and the support will likely run much deeper. IRE will benefit by better dealing with the realities of television and radio and we will have tapped an invaluable resource."

Pohlman said the ad hoc group is still forming and that he is open to suggestions. He can be reached at [pohlman@wews.com](mailto:pohlman@wews.com).

*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](mailto:brant@ire.org) or by calling 573-882-2042.*

## MEMBER NEWS

## Ron Nixon to join Star Tribune staff

IRE and NICAR training director Ron Nixon, who has trained hundreds of journalists around the world in computer-assisted reporting and traditional investigative techniques, is headed back to the newsroom.

After two and a half years on the road, Nixon is joining the (Minneapolis) *Star Tribune* projects team as computer-assisted reporting editor. Before joining IRE, Nixon was an investigative reporter for *The Roanoke (Va.) Times*. Nixon will continue to assist IRE on training.

"Ron has done a great job for IRE. He not only conducted dozens of seminars, but he did data analysis for news organizations and constantly updated and improved our training materials every month," says Brant Houston, IRE's executive director. "We will miss him, but like other former training directors, we know we will work with him in the future."

Until a new training director is named, training requests should be directed to [training@ire.org](mailto:training@ire.org) or by calling Ev Ruch-Graham at 573-882-8969.

## Several training events are scheduled for fall

Several fall training events are scheduled across the country and are still open for registration.

They include more Better Watchdog Workshops, which help journalists – especially from small- to mid-sized newsrooms – learn how to produce investigative stories while covering a beat. The sessions, presented in conjunction with SPJ and with funding from the SDX Foundation, are slated for:

- Sept. 11 in Tampa, Fla.
- Oct. 4 on Long Island
- Oct. 4-5 in Eugene, Ore.
- Oct. 25 in State College, Pa.
- Nov. 8 in Honolulu

Visit [www.ire.org/training/betterwatchdog](http://www.ire.org/training/betterwatchdog) for complete details.

Other events include the second border conference supported by IRE and the Canadian Association of Journalists and a joint program with the Chicago Headline Club.

"Crossing the 49<sup>th</sup>: Investigative techniques from both sides of the border" is set for Oct. 4 in Montreal. Journalists will share tips and techniques on documents, data, sourcing and access on topics that cross the border – from terrorism and immigration to health and native issues. Complete details can be found at [www.ire.org/training/border03.html](http://www.ire.org/training/border03.html).

IRE is working with the Chicago Headline Club to present a day of professional workshops as part of the club's Les Brownlee Journalism Series. The Oct. 18 sessions are aimed at sharpening coverage of business, health and politics and cover the basics of computer-assisted reporting. Find more details at [www.headlineclub.org/brownlee/event20031018.html](http://www.headlineclub.org/brownlee/event20031018.html).

## IRE members honored by National Press Club

IRE members made a spectacular showing at the 30th annual National Press Club journalism awards competition. Among the winners were the following IRE members:

**Craig Cheatham**, Mark Halder and Andrea Torrence of KMOV-St. Louis won the Robert L. Kozik Award for Environmental Reporting in TV/radio.

Co-hosts **Bob Garfield** and Brooke Gladstone and executive producer Dean Cappello of WNYC Radio in New York won the Arthur Rowse Award for Press Criticism for a body of work in television and radio.

**Brant Houston**, **Karl Idsvoog** and **J. Robert Port** contributed to "Into the Buzzsaw: Leading Journalists Expose the Myth of a Free Press," which won the National Press Club's Arthur Rowse Award for Press Criticism. The book, an anthology of works by investigative reporters and authors, was edited by contributor Kristina Borjesson.

**Charles Layton**, writing for the *American Journalism Review*, won the Arthur Rowse Award for Press Criticism for a single entry in print media. The winning story, "The Information Squeeze," dealt with the growing restrictions on access to public information that is occurring at all levels of government.

**Mark Obmascik** of *The Denver Post* won the Kozik Award for Environmental Reporting in print.

**David Ottaway** and Robert Kaiser of *The Washington Post* won the Edwin M. Hood Award for Diplomatic Correspondence. The award was for a series on Saudi-U.S. relations, an unlikely alliance based on the exchange of Saudi oil for U.S. security.

**Jeff Plungis** and Lisa Zagaroli of *The Detroit News* won the Washington Correspondence Award.

**Stephen Power** of *The Wall Street Journal* won the Sandy Hume Memorial Award for Excellence in Political Journalism. The award-winning work dealt with aviation security and the obstacles that hindered federal takeover of airport security.

**Sherry Ricchiardi**, senior writer for *American Journalism Review*, received the Arthur Rowse Award for Press Criticism for a body of work in print media. The award-winning body of work included stories about international journalism issues such as the perils of covering terrorism, endangered journalists in Colombia, journalists under fire in the West Bank, struggles for press freedom abroad and more.

**Liz Szabo**, medical writer for *The Virginian-Pilot*, won both the Consumer Award in print media and the Freedom of the Press Award. Both awards were for her series "Operating Behind Closed Doors," which illustrated the failure of Virginia's system to protect patients from dangerous doctors.

**Chris Taylor** of *SmartMoney* won the Consumer Award in periodicals. The story, "Mother's Little Helpers," investigated private child support collection agencies, an industry that tracks down deadbeat dads – in return for a large chunk of the proceeds.

**Steve Berry**, metro reporter at the *Los Angeles Times*, is moving to the University of Iowa School of Journalism and Mass Communication where he will be an associate professor teaching in-depth reporting. Berry will continue writing for newspapers, magazines and journals.

■ **Tony Carnes**, senior news writer for *Christianity Today*, received a top award in reporting at the 2002 Higher Goals and Awards of Excellence, presented by the Evangelical Press Association, for his story "New' China, Same Old Tricks." The story reported on Chinese government religious policy and its implementation. ■ **Craig Cheatham**, Mark Hadler and Andrea Torrence of KMOV-St. Louis won the Gerald Loeb Award in Television (Long Form) for their work on "La Oroya, City of Lead."

■ **Caroline Cooper** of ABC News has been named a winner of the 2003-04 Paul Miller Washington Reporting Fellowship. The fellowship is designed to help Washington-based reporters and editors learn more about Congress and other federal agencies. ■ **Gerilyn Curtin**, Brian Ross, Rhonda Schwartz, Chris Vlasto, Jill Rackmill, David Scott and Simon Surowicz of ABC News won the Gerald Loeb Award in Television (Short Form) for their work on "Enron Investigation." ■ **Van Denton** of *The (Raleigh, N.C.) News & Observer* has moved from capitol/state editor to deputy metro editor.

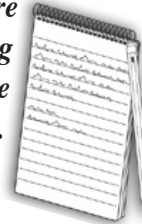
■ **Steve Doig**, Knight Chair of Journalism at Arizona State University and a member of the IRE board of directors, has been named interim director of ASU's Walter Cronkite School of Journalism for the 2003-04 academic year. He will serve until a new director is picked to replace Joe Foote, who is stepping down to start an international program for the school. ■ **Linda Dono** of Gannett News Service has been elected to the board of the Regional Reporters Association. She also has been named a winner of the 2003-04 Paul Miller Washington Reporting Fellowship. ■ **Eric Eyre** and **Scott Finn** of the *Charleston Gazette* won the Gerald Loeb Award in Small Newspapers for "A License to Steal." The series was about illegal deal-making between a state school's assistant

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Send Member News items to Len Bruzzese at [len@ire.org](mailto:len@ire.org) and include a phone number for verification.

# Interviews with the Interviewers

*Some journalists have a natural gift for interviewing. Others spend entire careers mastering the skills. During 2003, The IRE Journal is presenting the series "Interviews with the Interviewers." We have talked with some of the most renowned interviewers in the field of investigative reporting. Focusing on a different style of interview each issue, we share their experiences, techniques and advice with you. This is the fifth installment.*



## PART 5

### Nailing the technical interview

BY LORI LUECHTEFELD  
THE IRE JOURNAL

Duff Wilson didn't know much about hazardous waste. Sure, he had heard of arsenic and lead ... but cadmium? What was that? And how was he supposed to explain it to *The Seattle Times*' readers when he didn't even understand it himself?

The way Wilson sees it, there are two ways for journalists to think of themselves in instances like this: they can view themselves as completely ignorant about their topic — or completely open to new information. Only journalists with the latter perception of themselves can hope to get to the heart of an issue.

An investigative reporter's education is never over. Learning and research are at the heart of journalism; journalists must enter new territories of information daily. In many cases, be it campaign finance or environmental pollution, journalists have to learn the basics of a whole new, intricate field before they can begin to understand the issue before them. Although much of the information comes from reading, the true understanding must often come through interviewing.

#### Doing your homework

Although interviews are a method of broadening and deepening a journalist's understanding of a topic, a reporter who goes into any interview cold — especially one in a new and technical area — will not get very far.

Mike McGraw of *The Kansas City Star* says it is critical to be able to speak the language of the person being interviewed. Interviewing an internal auditor without having the basic vocabulary of an accountant is like interviewing a person who speaks Spanish without knowing the language.

"They won't think you know enough to talk

to them," he says. McGraw will occasionally ask questions laden in technical details to show his source that he has done his homework. Too simple a question might insult a subject.

“The more complicated these issues are, the more chances your interviewee will have to try to pull the wool over your eyes,” says Jim Steele of Time, Inc. “People will assume that you haven't done your homework and they can tell you anything.”

Going into a technical interview well-researched not only establishes respect with the subject but also protects the journalist against an

untrustworthy source.

“The more complicated these issues are, the more chances your interviewee will have to try to pull the wool over your eyes,” says Jim Steele of Time, Inc. “People will assume that you haven't done your homework and they can tell you anything.”

In preparing for a technical interview, a journalist should devour as much background reading as time permits. When dealing in scientific areas, Wilson recommends reading a journal article on the topic — and then reading every article that it references.

If time is not on the side of the journalist, Wilson says that using online databases of journal articles is a quick way for a journalist to get the fuller picture. His example: Medline, a database concerning life sciences ([www.ncbi.nlm.nih.gov/entrez/query.fcgi](http://www.ncbi.nlm.nih.gov/entrez/query.fcgi)).

Eric Nalder of the *San Jose Mercury News* says it is never too late for a journalist to do background reading, especially before a phone interview. If journalists find themselves on a phone interview with an incessant rambler, Nalder recommends hopping onto LexisNexis and doing a little background research on the subject during the interview.

According to James Neff of *The Seattle Times*, journalists must have basic knowledge of the areas they cover. While working on his book “The Wrong Man,” a project that took five years to excavate, Neff had to educate himself in the complex area of DNA analysis.

“I found it helpful to understand how it's supposed to work and then apply the real-life situation,” he says. When the way it works doesn't match the way it should work, a journalist has news.

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Thomas James Hurst | The Seattle Times



*Seattle Times* reporter Duff Wilson, center, interviews doctors who are describing difficulties in treating hypertension following the latest clinical practice guidelines.



## The Pulliam Journalism Fellowship



Jump-start your journalism career with a solid program that boasts four Pulitzer Prize winners among its alumni — the Pulliam Journalism Fellowship. The Fellowship offers myriad career opportunities; in fact, a Pulliam Fellow from our first class of 1974, Barbara Henry, now serves as president and publisher of *The Indianapolis Star*.

Now entering its 31st year, the 2004 Pulliam Journalism Fellowship helps build a bridge from the classroom to the newsroom. Fellows are assigned to *The Indianapolis Star* or *The Arizona Republic* in Phoenix for 10 weeks each summer as staff reporters. We award 20 Fellowships annually.

We'd like to encourage applications from students with a wide variety of backgrounds. Previous internships and part-time experience at a newspaper are desired or other demonstration of writing and reporting ability. Those who go through the Fellowship often find new professional opportunities opening up at other newspapers during and after the program. Past Fellows now serve as newspaper publishers, editors and reporters all over the world.

Our Fellowships are open to college sophomores, juniors and seniors pursuing a career in newspaper journalism.

Contact us anytime after Sept. 1, 2003, for an application packet for our Summer 2004 program. Our early admissions deadline is Nov. 15, 2003, with up to five winners notified by Dec. 15, 2003. Non-winning early admissions applicants will be reconsidered with all later entries, which must be postmarked by March 1, 2004. Winners from this group will be notified by April 1, 2004. The stipend for the 10 weeks will be \$6,500.

Visit our Web site at <http://www.indystar.com/pjf> or e-mail Fellowship Director Russell B. Pulliam at [russell.pulliam@indystar.com](mailto:russell.pulliam@indystar.com) for an application packet. You also may request a packet by writing:

Russell B. Pulliam, Director  
The Pulliam Journalism Fellowship  
P.O. Box 145  
Indianapolis, IN 46206-0145

Scott Stewart | Chicago Sun-Times



The U.S. Attorney and Drug Enforcement Administration officials show off millions of dollars confiscated after busting a large cocaine operation.

# CHICAGO CRIME

## New look at organized gangs shows financial, political reach

BY FRANK MAIN, CARLOS SADOVI AND STEVE WARMBIR  
CHICAGO SUN-TIMES

In Hollywood movies, gang lords hold court in penthouse apartments or swank offices overlooking their nightclub dance floors.

The real-life reputed leader of the Conservative Vice Lords in Chicago, convicted cop killer Willie Lloyd, chose a more unexpected venue for an interview with reporters from the *Chicago Sun-Times*, who were in search of details for a series aimed at explaining the inner finances of gangs and

organized crime.

Lloyd selected his favorite restaurant, Grandma Sally's Waffle and Pancake House, in an affluent Chicago suburb far from the West Side streets where his gang ruled.

Lloyd told us he was through with the gangster life, although he was accompanied at the table by a stocky man with a gun in his waistband, who broke silence only once to say grace over his meal.

Lloyd was much more talkative, detailing how the profit machine he once oversaw operated, how the money was made, washed and distributed.

To protect that cash flow, the Vice Lords hired lawyers, accountants, police and judges, Lloyd said. The details from the Lloyd interview provided an important piece of the puzzle to our series, "Crime Inc.," and it reflected the kind of reporting we would rely on throughout the five-month project.

Robert A. Davis | Chicago Sun-Times



Jamal, 30, who was an active gang member now lives in peace in his neighborhood. Jamal also has a tattoo in memory of his brother killed in gang violence.

On other projects, we had done computer-assisted reporting, but this one would take us back to the basics and involve a lot of old-fashioned shoe-leather reporting.

### Tour guide to gang life

The series had started with a series of questions by the two top editors of the *Sun-Times*, who were new to town: How did gangs and mobsters make their money? What did they spend it on? And how did they hide their tracks?

The questions were simple. At first we thought we wouldn't learn anything new. But the more we dug, the more fascinating the answers we found.

We found local gang members investing money to produce movies and hit rap singles. We discovered one mobster who used an abortion clinic as a front, and an allegedly mobbed-up jewel thief who pleaded poverty when he had to pay back his victim but drove around in a Lexus. We talked to politicians who amazingly admitted using gang members as soldiers in their political army.

How did we get the story? We interviewed the usual suspects: state and federal prosecutors, defense attorneys, local police and federal agents, academics who had researched gang crime and historians of the Outfit, as the mob is called in Chicago. We poured through thousands of pages of court records, as well as court exhibits and property records, and even the outcomes of worker's compensation claims — all to follow the money.

And we hit the streets, visiting bars where video poker machines rang up cash for mob and drug corners where millions of dollars pored in for gangs.

Our most productive work often was watching criminals in action or interviewing them or both.

A college professor, who was using Lloyd as a tour guide to gang life for his students, helped provide us access to him.

To move down the organizational ladder and see drug sales firsthand, we persuaded a Chicago police gang investigator to drive us around the city, showing us an open-air drug market in a two-story public housing complex. Later, at that complex, we obtained a yellow business card from a drug dealer advertising his street corner and his gang's brand name for its cocaine: "Lucky 7." The *Sun-Times* used the business card in the layout for one of our gang stories.

We took to the streets without a police escort as well. A photographer and two reporters drove to the busiest drug market on the West Side of Chicago and parked, watching cars drive up and gang members gallop to the window, making quick exchanges of what looked like drugs for cash.

When we tried to photograph the exchanges, it turned out the gang members were too clever for us. They hid the drugs in their gloves, which they would take off and place inside the window. The customer would take the drugs out of the glove, put cash in

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# PARAMEDIC BACKGROUNDING

Small station uses CAR  
to sift entire state's data

BY MARK GREENBLATT  
WBBH-FORT MYERS/NAPLES

Our interest was piqued when we noticed a number of small stories in newspapers across the state about emergency workers who had been arrested for various crimes. We decided to learn more about the background check process for emergency medical technicians and paramedics in our state.

Not long after we began asking questions, we learned the Florida Department of Health did not perform any type of criminal background check on applicants for EMT or paramedic certifications. A spokesperson told us the Department of Health simply trusted the applicants to tell the truth on their own about their criminal pasts.

Not long after learning this, we began our own three-month computer-assisted investigation. Our goal: find out how many people may have slipped through the system and lied to the state.

## Striking gold

The first step was to find an affordable way to do our own background checks. We knew we had to check the backgrounds of all 14,000 certified Florida EMTs and paramedics.

We began by requesting a database from the Florida Department of Health that contained the names, dates of birth, certification levels, and the counties where each EMT or paramedic gained his or her certifications. The Department of Health responded, but sent us the wrong information on two separate occasions. Eventually, we received the correct data, and negotiated to pay a very reasonable \$75 fee for the entire data set.

We obtained a separate database from the Department of Corrections that contained detailed information about more than 1.3 million people who had been arrested on felony charges over the past 20 years in Florida. We had to wait a month and a half before this database arrived.

With no affordable way to obtain criminal records from the other 49 states, we decided to focus our investigation on emergency workers who had criminal backgrounds in Florida.

We imported both data sets into a Microsoft Access database. The only problem: They did not arrive in the same format.

The criminal database had separate fields for the first names, middle names, and last names of offenders. The EMT database listed them all in the

same field. I went to IRE's Web site, and searched the archives of the NICAR listserv to find a solution. Eventually, we successfully separated the names of every EMT so we could crosscheck them against the criminal database.

We began by cross-referencing the first name, last name, and date of birth from each database to see if any EMTs also might have criminal pasts.

The immediate results were so alarming, I initially thought I had made a mistake. We found hundreds of matches. They were all certified EMTs or paramedics in Florida who had criminal arrests and convictions for violent crimes like child abuse, sexual battery on a minor, rape, robbery and even murder.

After double- and triple-checking both databases for errors, and verifying the integrity of the query, we knew the story could eventually reveal a significant public safety threat in Florida.

After running additional queries, we discovered the Florida Department of Health had certified violent criminals to "come to the rescue" in every

## From the RESOURCE CENTER

If you are interested in investigating paramedics in your community, check the IRE Resource Center ([www.ire.org/resourcecenter](http://www.ire.org/resourcecenter)) for ideas pursued before. Resources include:

- **Tipsheet No. 453.** "When Caregivers Go Bad: Investigating nursing homes and ambulances." In this guide, Joel Grover, Carolyn Tuft and Joe Holleman offer 10 steps to finding bad ambulance workers.
- **Story No. 14540.** This four-month, computer-assisted investigation of EMTs and paramedics discovered dozens of paramedics who had lied about their criminal history on their applications, despite laws requiring disclosure. The story showed that the state wasn't bothering to check backgrounds. Story by Chris Heinbaugh, Jon Taylor and Matt Goldberg of KNXV-Phoenix.

county across the state.

## Investigative challenges

As in many small and medium markets, WBBH does not have a large investigative unit. In fact, I'm the only member. No one else in our television market has experience with computer-assisted reporting. No one else in my newsroom could confirm what we discovered. I contacted an investigative producer in another state. He verified our methodology, and gave me the peace of mind to inform WBBH news director Darrel Adams, and assistant news director Lauren Stillwell of our findings. From this point on, both veteran managers served as critical advisers and took time to act as the investigative producers we didn't have.

While we knew we had a good story, we also knew we had to verify the accuracy of the data. I began checking with court clerks across Florida to make sure the information contained in the criminal database we received from the state was correct. We searched through hundreds of court files to verify arrest reports and to find the best examples to include in our story. We filed Sunshine Law requests with court clerks outside our viewing area to acquire court documents about people who lived or worked across the state. We also used Florida's Sunshine Law to verify employment histories on multiple paramedics and EMTs in Florida.

After discovering such a large number of emergency workers with criminal backgrounds, we wanted to find a few cases that would represent the wide scope of the problem. We also knew we wanted these examples to help show the statewide breakdown of the system. We carefully chose three criminal EMTs. The first: a local paramedic who had been arrested and convicted for sexually molesting

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## LISTSERVS

IRE and NICAR offer several opportunities for members to exchange ideas, information and techniques through mailing lists. Joining is easy and, if you don't want the e-mails coming directly to you, you can review listserv archives at your leisure. Check out [www.ire.org/membership/listserv.html](http://www.ire.org/membership/listserv.html) for the lists available.



## Paramedics

CONTINUED FROM PAGE 9

a young girl. The second: a firefighter from across the state who kept his job for years by deceiving his own fire department, and lying to the Florida Department of Health about a felony conviction for child abuse. The third: a certified paramedic who had been convicted and served time in Florida on murder charges.

### System reform

When we initially informed local emergency agencies of our findings, we encountered a strong backlash. Time and again, they were concerned our story might give a bad name to emergency workers across the state. It was important to us to gain their confidence before broadcasting the story. Through multiple phone conversations and meetings, we were able to win them over. Eventually, the director of emergency services in Lee County (where WBBH is based) would become one of the strongest advocates of reforming the certification system.

We traveled across the state to interview sources, and to track down the EMTs with criminal backgrounds we wanted to include in our story. Eventually, we also traveled to the state capital, Tallahassee, to present our findings to the Department of Health and the Florida Department of Law Enforcement. The seven-hour drive turned out to be worth the effort. The Department of Health decided to use the results of our investigation to lobby the state legislature to reform the system.

Also, the Republican chair of the Florida Senate Committee on Health Care pledged to introduce a law in Florida's legislature that would require criminal background checks for all EMTs and paramedics across the state.

The push to reform the system and call for background checks gained bipartisan support when a local Democratic state senator made a similar pledge. Senior members of Florida's House of Representatives announced they would cosponsor the legislation. In addition, state and local emergency officials have pledged their support.

The director of emergency services for the

Florida Department of Health told us he has never seen a more convincing argument to begin checking the backgrounds of every EMT or paramedic applicant in the state.

The Florida Department of Health also launched its own massive investigation that is examining the criminal backgrounds of the hundreds of certified EMTs and paramedics we brought to their attention. Investigators there are currently checking to see if any of these state-certified people lied about their criminal histories.

Also, we achieved our goal of keeping the support of our local emergency community. The director of public safety for Lee County sent an e-mail thanking us for revealing such a major systemic problem, without painting every emergency worker in the state as a criminal.

*Mark Greenblatt is an investigative reporter for WBBH-Fort Myers/Naples in Florida. His reports have won multiple state and national awards, including a 1999 IRE certificate for an investigation of troubled bridges in Missouri.*

## Crime

CONTINUED FROM PAGE 8

the glove and return it to the drug dealer. We ran pictures of those transactions on the front page on the first day of our series. But we were frustrated that none of the photos clearly showed drugs and cash changing hands.

### Knocking on doors

The work was not without some risk. Several times, lookouts spotted us. They would sneak off, suddenly reappearing in a car next to us, with several young men, glaring and implying they were carrying guns.

To profile a low-level gang soldier of Chicago, we befriended a social worker who encourages Latin Kings members to abandon the gang for school and honest work. She led us to a 19-year-old to whom

we gave the pseudonym "K-Swiss" for the brand of tennis shoes he preferred. K-Swiss did not want his photo taken, but our photographer persuaded him to let us photograph him from behind while he made a gang hand signal. The picture became a key part of the series.

On the organized crime front, a retired federal agent introduced us to an important source, Robert Cooley, a former key federal witness who helped dismantle the mob's power base in the First Ward in Chicago. Retired investigators on the local and federal level who investigated the Outfit became a key resource for the organized crime portion of the series. They not only had the institutional knowledge of what the Outfit had been like a few decades ago, they often still had keen insights on what was happening with the Chicago mob currently.

Cooley himself, a former lawyer and fixer of court cases for the mob, provided invaluable historical perspective on how powerful the Outfit was a few decades ago in politics, compared with its weakened state today.

We also wanted to find a compelling victim of organized crime, not a gambling addict who had made one too many sucker bets, but someone who was truly an innocent civilian. Enter Steve Katz, a Chicago jewelry salesman who was the target of jewel thief Charles Miller, who our reporting showed was closely tied to organized crime. In 1990, Miller stole diamonds worth nearly \$200,000 from Katz. Miller was later arrested, imprisoned and ordered to pay Katz

back. But Miller pleaded poverty and said he could only pay \$100 a month.

We got on to Miller after an investigator who had been keeping tabs on him for years suggested he might be worth a look for our series and provided invaluable financial records showing that Miller's family had set up a bank account for him in their names. Our own document research revealed that Miller was far from living a life in poverty. His cars included a Lexus. He lived in a condo on tony Lake Shore Drive. But what appeared to be his assets were in other people's names, a common trait we found whether looking at mobsters or gang leaders. We heard Miller had a habit of being injured at work, so we tracked down the public agency jobs where he had worked and got copies of the outcomes of his worker compensation claims. They showed not only the healthy settlements he received, but also his weekly salary. As a result of the story, Miller came under pressure from the court system to repay his debt to Katz, and pay up fast.

In the end, the reporting we did on the series was a good reminder for us that nothing replaces the hard work of knocking on doors, seeing what you're writing about firsthand and paging through court record after court record to find that nugget of information that makes a story come alive.

*Crime reporter Frank Main and criminal court reporter Carlos Sadovi reported and wrote the gang portion of the series. Federal court reporter Steve Warmbir reported the organized crime section. Sun-Times staff reporters Chris Fusco and Abdon Pallasch also contributed to the series. The complete series can be read at [www.suntimes.com/special\\_sections/crime/index.html](http://www.suntimes.com/special_sections/crime/index.html).*

Robert A. Davis | Chicago Sun-Times



A 19-year-old Latin Kings gang member flashes his gang hand signal.



# Reviewing the investigative reporting craft

BY STEVE WEINBERG  
THE IRE JOURNAL

For journalists smart enough to learn from other journalists, all four of the books reviewed in this issue of *The IRE Journal* are godsend. The investigative projects and feature stories republished in the first three books reviewed are masterpieces — some of which have stood the test of decades or centuries, others of which are new but are bound to become classics.

The fourth book, about putting together memorable broadcast pieces, is how-to journalism at its best.

## SHAKING THE FOUNDATIONS

Bruce Shapiro, longtime IRE member, thinks a lot about investigative journalism — while practicing it, primarily for *The Nation*, and while teaching it at Yale University, something he has done for a decade. Shapiro has pieced together a thick anthology of investigative pieces so that the rest of us can think about the craft profitably along with him.

He offers plenty of food for thought in his 13-page introduction, as does veteran New York City investigative reporter Pete Hamill in a six-page foreword. Shapiro opens each section with a brief essay about the journalist whose work is being reprinted.

Shapiro understands that the anthology is not comprehensive. (Knowing that for reasons of space he has excluded the favorites of various colleagues, he preemptively mentions some of the omissions by name.) The anthology might not even be representative, especially given the exclusion of television and

radio journalists. Rather, Shapiro says modestly, what graces the 500-plus pages “represents one reporter’s encounter with a few dozen master practitioners, their stories chosen sometimes for historical importance, sometimes for thematic resonance, sometimes simply [because] it’s a gripping read.” The common denominators: Each conveys “the thrill of the chase after facts” and “smoldering outrage.”

Shapiro favors selections that “speak documented truth to lying power,” demonstrate “methodological ferreting of undisclosed fact over ideological bombast” and are grounded in a “fierce belief” that readers can promote reform based on the journalism they consume.

The selections are divided by era — nine selections from what Shapiro calls “The Invention of Exposure, 1798-1900”; three selections from “Muckrakers and the Era of Reform, 1900-1920”; nine selections from “Factories, Fields and Fascists: Investigative Journalism’s Forgotten Decades, 1920-1960”; a dozen selections from “A Force to Be Reckoned With, 1960-1990”; and three selections from “Themes for a New Century, 1990-2000.” Those final three are “Death Camp Horrors,” Roy Gutman’s reporting for *Newsday* from Bosnia; “Death Row Justice Derailed,” the reporting of Steve Mills and Ken Armstrong in the *Chicago Tribune* that led to a moratorium on state-sponsored executions of prisoners; “One World, Ready or Not,” an examination of multinational corporate governance by William Greider.

Shapiro opens the anthology with Benjamin Franklin Bache, proprietor of the *Philadelphia Aurora* in the waning years of the eighteenth century and intense monitor of both Congress and the White House. Next is John Barber, whose “History of the Amistad Captives” appearing in 1840 demonstrated as graphically as anything published the barbaric nature of the black slave trade. The two contributors who follow, Herman Melville and Henry Adams, are best-known today as literary lions, not journalists. A wonder of Shapiro’s anthology is its reminder that lots of 18th and 19th century journalists crossed publishing genres with regularity.

*The New York Times* staff shows up next, as Shapiro showcases 1871 stories exposing city hall corruption coalescing around William March (Boss) Tweed. Independent journalist John Swinton is next on stage, as he exposés contract-labor serfdom circa 1882 in his eponymous Swinton’s Paper. Shapiro closes out the 19th century section with three journalists whose names tend to be familiar even today: Nellie Bly because of her undercover reporting; Jacob Riis because of the way he combines words

and photography in the slums; and Ida B. Wells for her courageous exposés of lynching.

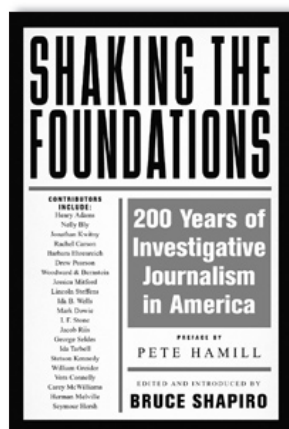
The three selections in the muckraker section are as necessary as they are obvious — Lincoln Steffens, Ida Tarbell and Upton Sinclair. The selections in the next section are anything but obvious — Shapiro is correct in terming that 40-year stretch the forgotten decades. The names of Drew Pearson, Carey McWilliams, George Seldes and Ralph Nader are quite likely to sound familiar, if only vaguely. The names of Vera Connolly, Lowell P. Leake, John Bartlow Martin, Marvell Cook and Stetson Kennedy are quite likely less familiar to most investigative journalists. Starting with the 1960s, the familiarity increases — Rachel Carson, I.F. Stone, Jessica Mitford, Penny Lernoux and Jonathan Kwitny seem alive, their legacies are so awesome, even though they are physically dead. On the other hand, Seymour Hersh, Bob Woodward, Carl Bernstein, Barbara Ehrenreich, Mark Dowie, Allan Nairn and Robert Scheer, among others reprinted in the section, continue to produce investigative reports that make headlines in the 21st century.

## PULITZER PRIZE FEATURE STORIES

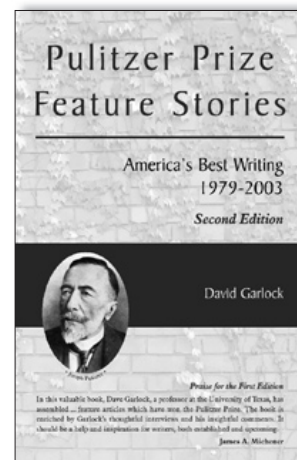
Great writing is almost always built on great reporting. The 25 newspaper features collected in this volume by University of Texas journalism professor David Garlock certainly prove that truism.

No rule suggests to the Pulitzer Prize judges that winners in the feature story category should be doing something investigative (which has its own Pulitzer category) or even explanatory (which also has its own category). Still, each of these 25 stories is in-depth by any standard. By my standard, many of them would qualify as investigative.

What a gift to find all of these stories collected in one thick volume. Garlock follows each story with a few pages of his analysis, which, by the way, he admirably sent to the authors for their comments before

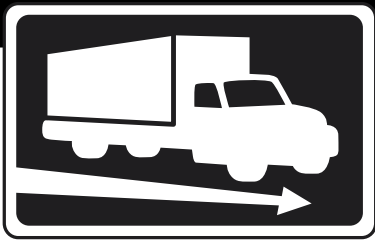


**SHAKING THE FOUNDATIONS:**  
200 Years of Investigative  
Journalism in America  
Edited by Bruce Shapiro  
Thunder’s Mouth Press/Nation Books  
544 pages, \$15.95



**PULITZER PRIZE FEATURE STORIES:**  
America’s Best Writing, 1979-2003,  
second edition  
Edited by David Garlock  
Iowa State Press  
809 pages, \$39.99

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going to press. It's unfortunate that a publishing error resulted in an image of Joseph Conrad, not Joseph Pulitzer, to appear on the cover of the book.

Chronologically, the collection starts with "Mrs. Kelly's Monster" by Jon Franklin, from the Baltimore *Evening Sun*, and ends with "Enrique's Journey" by Sonia Nazario, from the *Los Angeles Times*. In between are narratives about airplanes and family farms and AIDS and racism and immigration and murder — and more.

Some of the authors have changed newspapers, moved from reporting to editing, become primarily professors or book authors. Others have stayed put. Wherever they are, whatever they are doing, their stories deserve to be studied for both the information-gathering techniques and for the memorable writing style.

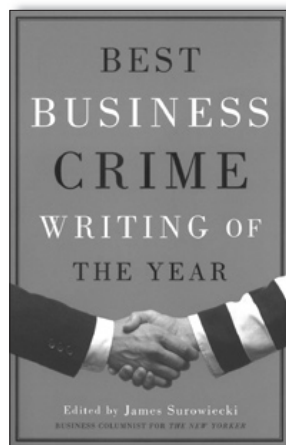
## BEST BUSINESS CRIME WRITING

Lordy! The third anthology in a row.

Book publishers have started releasing numerous "Best of ..." annual writing books over the past decade. Best science writing, best travel writing, best humor writing, best music writing, best sports writing, best nature writing, and so on.

But "Best Business Crime Writing"? Talk about a niche publication. Talk about great investigative pieces about the private sector. Surowiecki, who writes a column about business for *The New Yorker* magazine, had plenty to choose from during 2002, and he has made wise choices. Pieces from newspapers, magazines and Web sites are represented. Some of the magazines are highly specialized (*U.S. Banker*, *Business 2.0*) and some of the newspapers are intensely local (*Rocky Mountain News*, *Edmonton Journal*), which means the stories failed to achieve wide circulation originally. Hooray to Surowiecki for including them.

Some of the pieces probably will not wear well after 2003 — stories done about Enron, accounting



**BEST BUSINESS CRIME WRITING OF THE YEAR**  
 Edited by James Surowiecki  
 Anchor Books/Knopf  
 253 pages, \$12

firm Arthur Andersen and the like. But they still have something to teach this year. Other stories appear to be relatively timeless.

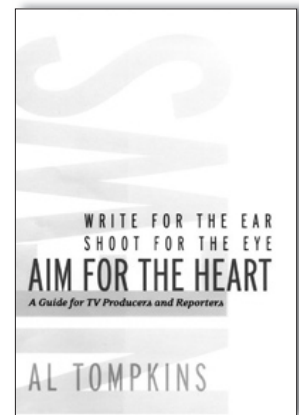
Surowiecki places each story into one of three sections: "Visionaries, Hucksters, and Con Men: CEOs and the Games They Played"; "Who Watches the Watchmen?"; and "What Went Wrong, and How Do We Fix It?" Whether largely prescriptive or largely descriptive, the selections have a great deal to teach investigative journalists.

## AIM FOR THE HEART

This is not an anthology. And it is meant primarily for broadcast journalists. But it disseminates lots of wisdom for all journalists straight from the brain of Al Tompkins, of the Poynter Institute, previously a television producer, reporter and news director.

Tompkins preaches the importance of appealing to audience members' minds and emotions. It is fine to evoke pity or anger or shame, Tompkins says, as long as there is a core of intellectual content that reaches the mind through the ears and the eyes.

The checklist Tompkins uses when evaluating a



**AIM FOR THE HEART:**  
**A Guide for TV Producers and Reporters**  
 By Al Tompkins  
 Bonus Books  
 229 pages, \$29.95

television story is bound up in the acronym FAITH — is the piece Fair, Accurate, Interesting, Thorough and Human.

That word "thorough" hints at investigative journalism. Indeed, Tompkins devotes a chapter to investigative journalism, alternately called enterprise reporting.

The chapter is especially strong when Tompkins discusses the conception stage. Always be looking for fresh topics, he says. An example of how to do that: "Your community is constantly changing. It changes with the season, with the ups and downs of the economy. It even changes from what it is in the daylight to what it becomes at night. Discover your community by taking a new route home once in awhile." How simple. How wise.

*Steve Weinberg is senior contributing editor for The IRE Journal and a former executive director of IRE.*



"It was a nightmare," says Ray Decy whose credit report was found to be non-existent while attempting to get a mortgage last summer. A credit report agency determined he was dead.

# CONSUMERS

## Stories on credit errors focus on how they occur

BY KENNETH R. GOSSELIN AND MATTHEW KAUFFMAN  
THE HARTFORD COURANT

**M**elinda Hightower was cut off from student loans and had to abandon graduate school after a credit bureau mistakenly reported she was delinquent on her car payments.

John Cook could have refinanced and saved more than \$5,000 in mortgage interest if a bureau hadn't confused him with another John Cook who defaulted on a loan.

Ray Decy was set to buy a summer cottage for his family — until one of the credit bureaus insisted he was dead.

Hightower, Cook and Decy were among dozens of frustrated consumers who shared their stories when we started examining the nation's powerful credit-reporting industry.

From the outset, we knew many of the tales would make for compelling reading, because credit errors hurt consumers during their biggest financial transactions. But we also knew the general story of credit screw-ups had been covered before. So we resolved to write a series that went beyond the horror stories and asked key questions we hadn't seen answered: How error-prone is the industry? What breakdowns in the system allow so many

errors to occur? And why hasn't someone done something about it?

### Finding the gems

The idea was to blend investigative and explanatory journalism, illustrating the problem and its impact, while also exposing the systemic flaws in a multi-billion-dollar industry that churns out 2 million credit reports a day.

We recognized the need to ground the story in real people, and one of our first steps was to place a call-in box in the newspaper inviting readers to contact us with their credit report stories.

The response was phenomenal. In just a few days, we logged more than 60 telephone calls and e-mails. We ranked the stories, looking for examples that were easy to explain and that could be independently verified.

We also started with basic reportorial spadework, trying to talk to the "Big 3" credit agencies — TransUnion, Equifax and Experian — and contacting key customers, regulators, lawmakers, lobbyists, lawyers and consumer advocates.

We wanted as clear a picture as possible of how

financial information is collected and processed by the credit bureaus, how a credit report is assembled, how errors seep in and how the bureaus respond when a consumer complains about a mistake.

That led to our first obstacle. Corporate officials at two of the three main credit bureaus wouldn't talk to us at all, despite a barrage of e-mails and phone calls, and the third was soft on specifics.

Former employees had signed confidentiality agreements, and the industry had an extraordinarily successful track record of persuading judges to seal key documents in consumer lawsuits.

But there were an awful lot of those lawsuits, and it wasn't hard to identify the top credit-reporting lawyers around the country, some of whom were more than happy to make depositions, affidavits and transcripts available.

And there were gems to be found. We gleaned a pretty good sense of the surprisingly loose matching system the bureaus use to link consumers with financial transactions.

The credit bureaus argue that consumers are inconsistent in the names they use when applying for credit — using married and maiden names or adding and dropping the "Sr." and "Jr." generation titles.

Make the matches too exact, the bureaus say, and computer programs might miss accounts with damaging information about a borrower's finances.

But under the bureaus' matching systems, the names don't have to be close at all.

Myra S. Coleman lives in Mississippi. Maria Gaitan resides in California. To TransUnion, they were one and the same.

We discovered the matching system confused two women in Massachusetts with similar names and a similar street addresses — but in different towns, and with different birth dates, different middle names and different Social Security numbers.

### Challenging status quo

Another big break came when we unearthed a major reason why consumers had so much trouble getting the bureaus to fix credit errors.

Low-paid customer-service agents were expected to process a daunting 10 phone complaints an hour, and complex explanations were reduced to one- or two-word codes, such as "not mine." Those inadequate codes were forwarded to the original creditors, who themselves often performed minimal investigation before erroneously "verifying" the information.

We were able to obtain a deposition that outlined the grueling quota system in compelling detail.

Early on, we decided to split the series into two days, using the first, and more substantial day, to illustrate the problem and tell stories. For the

CONTINUED ON PAGE 33 >

Steve Perez | The Detroit News



Taz Cook, left, and Drew McEllrath compete in Washington, where officials have tried to ban Toughman events.

# AMATEUR BOXING

## Unprepared fighters killed in poorly regulated sport

BY FRED GIRARD  
THE DETROIT NEWS

In a May front-page package, *The Detroit News* went behind the scenes of Toughman amateur boxing, the wildly popular barroom brawl in a ring invented 24 years ago by Bay City, Mich., native Art Dore.

A dozen men had died, the paper reported, eight in Dore's own productions and four in copycats mostly using Dore's format. Three had just died between September and January. Another five Dore Toughman fighters were living with devastating brain injuries. The event is poorly regulated or not regulated at all in most states, the investigation found, with critical safety procedures ignored.

*USA Today* ran a version of the article, because Toughman has appeared in at least 44 states — but the word never reached Chuck and Stacy Young in Bradenton, Fla. The couple attended their first Toughman bout at Sarasota's Roberts Arena, on Friday, June 13, qualifying night for the next night's finals. When it appeared the Saturday card would be short both one man and one woman, promoters talked the Youngs into signing up — the worst they

faced was a broken nose, they were told. Neither had ever trained as boxers.

Chuck Young, a welder, was knocked out in 29 seconds. In front of her two daughters, Stacy,

“A dozen men had died, the paper reported, eight in Dore's own productions and four in copycats mostly using Dore's format. Three had just died between September and January. Another five Dore Toughman fighters were living with devastating brain injuries.”

30, out of shape and overweight at more than 200 pounds, in the ring with an experienced fighter, was severely beaten. Her final words were, “I've

had enough,” and she became comatose. She was hospitalized and finally declared clinically brain dead Monday evening. She was kept on life support, however, while her organs were harvested for transplant.

Dore announced he was suspending all Toughman events — 86 of them and national pay-per-view finals scheduled over the next year — while he investigated the spate of deaths.

### Only punching allowed

Our Toughman investigation began in January, after a former Marine from Texas, who had driven all night to reach Michigan, died in a Toughman contest near Dore's hometown.

LexisNexis searches using combinations of “death,” “fatally injured,” “ring,” “boxing” and, of course, “Toughman,” revealed 10 deaths in Toughman-style fights. A former Michigan boxing commissioner and bitter foe of Toughman, Detroit podiatrist Dr. Stuart Kirschenbaum, provided two more names. Another series of searches and Kirschenbaum's records found five men living with debilitating brain damage from Toughman injuries. Confirmations were obtained from court records, local medical examiners, police and families of the victims.

Julie Goldsticker, acting director of media and public relations for U.S.A. Boxing in Colorado Springs, provided a database of deaths and serious injuries in amateur boxing back to the 1970s. A comparison showed Toughman is more than four times as lethal as organized, sanctioned amateur boxing.

News Photographer Steve Perez and I traveled to Flint, Mich., to interview John Wayne Gibbs, a 45-year-old former Marine living with severe brain damage from a 1995 Toughman knockout.

That evening, at the nearby Flint IMA Arena, we covered our first Toughman event.

Contestants, who frequently sign up at local bars, pay to enter — \$25 in some venues, \$50 in others. They fight for no money, just a cheap jacket or a trophy, and the chance to move on to Dore's televised national finals. If they have won five amateur boxing matches in five years, they are ineligible for Toughman, meaning most contestants are unskilled, out of condition or both.

Dore says Toughman is safer than amateur boxing because bouts are limited to three one-minute rounds, and fighters wear helmets, oversized gloves and groin protectors. Only punching is allowed. The elimination bouts are held over two nights: typically a Friday, when 30 to 40 contestants are paired up for a single bout; and a Saturday, when the winners return. The eventual champion will have to fight at least three bouts, and frequently four on that second night.

At this event, the referee, judges and cornermen said they worked not for Toughman, but for the American Boxing & Athletic Association, which they said was a nonprofit foundation and the

Steve Perez | The Detroit News



Toughman founder and promoter Art Dore whips fans into a frenzy.

“national sanctioning body.” None was licensed by the State of Michigan. The ring physician, a gerontologist in his 70s, sat at ringside as an obviously stunned fighter wobbled back to the dressing room. Perez got a shot of the man being loaded onto an ambulance gurney and taken to the hospital, all without the ring doc’s knowledge.

Gloves and the one-size-fits-all head and groin protectors are quickly passed from fighter to fighter, picking up weight from sweat and blood. None of the fighters undergoes blood tests — physical exams consist of a blood-pressure test and a Breathalyzer; and fighters are taken at their word about medical histories.

### Highlighting safety flaws

During a break, I introduced myself to Dore, and told him my newspaper wanted to get to the bottom of the deaths that had occurred in his sport. He was cordial and obliging, and even gave me his cell phone number to program into mine.

We spent the next week reporting and interviewing. Trainer Emanuel Steward, whose Kronk Gym in Detroit developed more champions than any club in the sport’s history, helped with an interview and the names of national experts among referees, ring physicians and amateur boxing officials.

Records from the Michigan Legislature showed that a friend of Dore’s, a local state senator, ramrodded legislation exempting Toughman from oversight by state boxing officials. Calls to other state boxing officials found that Dore evades regulation in all but five states either by claiming that his sport is purely amateur — thus not subject to oversight — or simply by moving the event into an Indian casino, where, Dore says, “There aren’t

any rules.”

The tax returns (IRS Form 990) of the American Boxing & Athletic Association revealed that it was set up by Dore to market his Toughman operations. In the past two years, the tax-sheltered association brought in nearly \$1 million, and paid out more than \$820,000 of it in expenses to Adorable Promotions — the Dore family-owned company that

runs Toughman.

Perez and I flew to Washington for a weekend match on an Indian reservation south of Seattle; then to Boise, Idaho, where one of Toughman’s saddest deaths occurred. Art Liggins, a 44-year-old father of five, was killed in a Toughman fight last September after an 18-year absence from boxing. We visited his family, his gym and his grave.

The referee that night was working only his fifth fight, and the ring doctor, it turned out, was a chiropractor. The doctor’s name was never made public, but when Perez and I learned his identity and walked into his Boise office, he agreed to be interviewed and photographed.

Next we flew to the northern part of the state for a Toughman event on the Worley, Idaho, reservation of the Couer d’Alene tribe; and then back to Detroit for a week of writing, last-minute reporting and fact-checking.

Our final package included dozens of stories, sidebars, photos — and a chart of the dead and injured.

There will be much more writing to do on Toughman, which is under assault by officials in Michigan and elsewhere. The service the newspaper performed was to bring the event’s safety flaws and lack of regulation to light, so future participants will better know what they’re getting into.

*Fred Girard has been with The Detroit News for 26 years, the last 16 as an investigative reporter assigned to the sports department. Before that he worked for the Detroit Free Press, St. Petersburg Times and The Associated Press.*

Steve Perez | The Detroit News



Ringside physician James Mullen treats Cole Hallett after his Toughman match in Worley, Idaho. Bouts continued as the doctor treated Hallett backstage.

# BAD APPLES

## Charter schools hire felons, mismanage taxpayer money

BY STEVE BIVENS  
KTRK-HOUSTON

**B**ras and panties. Dirty movies. Diamond earrings and leather pants. Shoes costing \$300 a pair. Dog food. All bought with tax money meant for educating Houston school kids.

“It’s none of your business,” shouted the school superintendent when we caught up with her after another shoe shopping trip. “I don’t have to explain it.”

But now she will have to explain it, and not just to a TV station. Now she faces investigations by the Texas Education Agency and the FBI. Both agencies are now investigating the funny money business we first exposed.

### Charter school system

Charter schools started in Texas with just a handful of schools back in 1995. Now the TEA reports there are about 200 open-enrollment charter schools operating in the state. Most of these are run by 501c(3) nonprofit organizations. Tens of millions of dollars every year are given to these schools by the state and the only

oversight comes from the TEA in Austin.

This financial oversight comes in the form of a yearly financial audit. But that audit is done by a firm of the school’s choosing, and is only required to detail expenses above the \$1,000 level. That leaves a lot of room for financial mismanagement and outright abuse.

In addition, the state had no measure to prevent charter schools from hiring criminals. Criminals of any kind — including violent felons. That changed when the Legislature passed House Bill 6, which went into effect during our investigation. Now charter schools are required to run criminal background checks on all new hires. But amazingly, there is still no prohibition on hiring employees with violent histories. We decided to do our own background checks.

Charter schools get tax money, so their records are public, right? Some schools had a different view. They considered their schools to be private even though they received public money and the Texas Education Code says they are to be considered “governmental bodies.”

That meant we were entitled to see all records available under the Texas Public Information Act. If we had to ask for records under the Texas Non-profit Corporations Act, we would only be entitled to review financial records. Employment records would have been off-limits, meaning we couldn’t do criminal history checks.

We wanted to do a comprehensive investigation of all Houston-area charter schools. That meant sending out FOIA requests to more than 50 schools. And since we had two separate lines of inquiry, we decided to send out two separate requests to each school. We came up with form-letter FOI requests.

Our first request dealt with financial records. We asked for a detailed general ledger; documents detailing the purchase of playground equipment, books and computer equipment; salaries of all employees; documents detailing travel, lodging and entertainment; and all credit card statements.

Our second request was simply for the names, positions and dates of birth for each employee, which would enable us to do criminal history checks.

Why the separate requests? We didn’t want a fight about one bogging down the release of the other. We anticipated many schools would have more of a problem with giving out personnel information than the financial records. We were right. By Texas law, dates of birth — unlike addresses and phone numbers — are not considered exempt from release to request-

ors. They had to give them to us. But some schools didn’t know that and asked for an attorney general’s ruling. Other schools simply refused to give us the dates of birth.

### Color-coded problems

Keeping track of all these FOI requests would prove to be a big challenge. To help us keep up, we set up a spreadsheet.

The spreadsheet was simple but useful. First we went online to the TEA’s Web site and got contact information for each school. We then called each school to confirm what the Web site listed. We also included that information in text boxes so we would always have it at our fingertips.

Next, we used a date column to track when we contacted the schools to inquire about the status of our requests. And we used one column to type in the details of our contact with each school on the listed date. We used traffic style color-codes to note the status of our requests. Red meant we had yet to get any records, yellow meant we had some but not all, and green meant all systems go.

Requesting records from that many schools meant problems right away.

Some schools just didn’t know their obligations under the Public Information Act. It was important to have the state on our side because the TEA intervened in some of these cases. The TEA’s deputy commissioner even sent out letters informing schools of their obligations to comply. That cleared up some misconceptions about the law and helped get us records from many schools.

Other schools thumbed their noses at the TEA. Even after dozens of phone calls, sending certified letters and directions from the TEA, some schools just refused to give up their records. One school administrator hung up on us every time we called. Another refused service of our certified letters. A handful of others started stalling tactics. We knew to look closest at these schools. And we knew we had to turn up the pressure.

We turned to the Texas Attorney General’s Office. The office responded by sending out even more letters. That got the attention of some school officials, but there were still those who refused to comply.

We ended up filing several criminal complaints with the Harris County district attorney. Failure to honor a lawful request for records is a Class B misdemeanor under the Texas Public Information Act. Six months jail time and a \$1,000 fine were now possible. That brought most schools in line. Still, some schools kept dragging their feet.

At some point we had to pay visits to these foot-draggers — with the camera rolling. We figured if we weren’t going to get the records we wanted, we would at least have the school administrators tell the public why they wouldn’t open their books.

Things got nasty in a big hurry. Some schools tried to throw us out. Some tried to block our camera. And we had the cops called on us eight times. But if we didn’t turn up the pressure, the records might never

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## FOI REPORT

have been opened to us. Eventually we reviewed records from every school.

After seeing the records we had questions. Some schools had massive rents. Others had huge credit card expenses. Others had whole families on the payroll. That led us to ask for more detailed records from some schools.

At one school, the general ledger left us with numerous questions, so we asked to see the records detailing all purchases and payments made in the last two years. The school refused access to its vendor file. But after another standoff in which the cops were called, the files were brought out to us.

### Fraud and fakes

All the fighting over records was worth it. We found one school buying everything from dog food to dirty movies. Another was buying underwear and designer jeans. One administrator had been paying himself a salary of more than \$150,000 to run just one school. He's now in federal jail on unrelated fraud charges.

We checked the criminal histories of hundreds of employees and found dozens of criminals. Many were violent felons, like rapists and sex offenders — even a murderer. At one school, both assistant principals had criminal records — one for possession of crack and the other for theft.

Nepotism was rampant. One school had seven related employees. Most of those didn't have to fill out time cards. Another school had a so-called technology coordinator who had no professional computer-related experience. He had worked as a cart boy at a golf course, and he just happened to be the superintendent's son.

We found enrollment fraud. When they got wind of our investigation, two former teachers came forward. They both admitted to faking attendance records at the request of the school superintendent. Another school was under investigation by the federal government for allegedly creating "ghost students" to boost enrollment figures — higher enrollment means more money.

We also checked the TEA's files. We were shocked to find out the state had complaints on some schools going back for years and had not acted. There were complaints about abuse of kids, complaints about mismanagement. We even found a memo detailing a call from the FBI, stating a school administrator was "under investigation." The state kept sending the school money.

The TEA is still investigating a number of schools. It is moving against the charter of two schools in Houston, and there are plans to move against others. The FBI is investigating the more serious charges, and is promising action in the coming months.

Meanwhile, the tips keep coming in. We continue to get calls and letters detailing more funny business at the schools we profiled in our stories. Just goes to show, there's always another "bad apple" out there.

*Steve Bivens is the producer for KTRK-TV's 13 Undercover unit.*

## Federal security provisions could shield corporate info with new 'classified' label



CHARLES DAVIS

Buried in the bylines from Iraq is the Byzantine world of information policy, where the stakes for investigative journalists are being raised daily by a government intent on shielding its processes from public scrutiny. The assumption at the heart of recent information policy — namely, that secrecy will make us safer — flies in the face of all existing evidence, but that is not slowing the Department of Homeland Security even a bit.

Beryl A. Howell is executive vice president of Stroz Friedberg, a computer forensics and cybersecurity firm, and previously long-time general counsel for the Senate Judiciary Committee under then-Chairman Patrick Leahy. In an insightful piece in the June 2 edition of *The Legal Times*, he takes the reader on a relentlessly dispiriting tour of the Department of Homeland Security's notice of proposed rulemaking concerning information shared with, produced by or disseminated by the sprawling new bureaucracy.

Howell is no Chicken Little, her eye trained by years of battle in Washington to examine all sides of every issue. Her conclusion: "This proposed rule contains the recipe for screening from public view all kinds of vital information about federal government actions. If it takes force, it may frustrate the missions of federal regulatory agencies and shield bad actors in the private sector, without fulfilling its intended purpose of improving the security of America's critical infrastructure."

In other words, precisely what freedom of information advocates feared, and corporate actors fervently hoped for, during the legislative sausage-making that yielded the department.

### Classification scheme

All the ingredients for a governmental black hole were assembled by a piece of the massive Homeland Security Act titled the Critical Infrastructure Information Act of 2002. This provision grants special

protections to information marked as "critical infrastructure information," to encourage the sharing of private-sector CII with the government.

As Howell so expertly details, the new law "essentially invites companies to dump irrelevant information on the government without any guarantee the government will be given access to key information needed to harden the defenses of critical infrastructures." The proposed rule gives no guidance to businesses on identifying what is — and is not — CII, basically inviting corporations to stamp everything classified.

The proposed rule outlines what will become a Cold War-era classification scheme. Under the rule, all information submitted, either orally or in writing, by businesses to any government agency will enjoy automatic secrecy. It even comes with its own rubber stamp. All businesses need to do is mark the information with the following preamble: "This information is voluntarily submitted to the Federal Government in expect-

ation of protection from disclosure as provided by the provisions of the Critical Infrastructure Information Act of 2002."

Corporate information thus stamped will enjoy special protections from disclosure to the public under the Freedom of Information Act, state "sunshine" laws, the Federal Advisory Committee Act, and even Congress. Once stamped CII, the information essentially disappears from public view, now and forever.

Surely the information must have some link to CII, right? The proposed rule states that for information to be eligible for protection, the information must not customarily lie in the public domain, that it is voluntarily submitted to "a covered federal agency," which is limited by definition to the Department of Homeland Security, and that it contain the soon-to-be-ubiquitous CII stamp.

CONTINUED ON PAGE 35 >

*Charles Davis is executive director of the Freedom of Information Center, an associate professor at the Missouri School of Journalism and a member of IRE's First Amendment task force.*



Nasty. Filthy. Toxic. It's bad air being breathed by millions. Despite the careful documentation of health risks, it curses communities everywhere.

# BAD AIR

## Investigating Pollution

So why do residents continue to hide indoors and children suffer from lung ailments if it's clear that air pollution must be eradicated? Investigations show that toxic air thrives because of everything from community apathy to industrial shenanigans to deceitful local officials.

### **DIRTY DEALS** In reshaping economy, county eases way for diesel truck pollution

BY DAVID DANELSKI  
THE (RIVERSIDE, CALIF.) PRESS-ENTERPRISE

**M**ira Loma is one of those places seemingly lost in Southern California's far-reaching sprawl. Some 50 miles east of Los Angeles, the community of 17,600 has some of the worst air in America.

People there are paying a health price. Medical researchers found that the town's unusually high levels of particulate air pollution — a noxious stew of dust, soot and chemical compounds — had stunted the lung development of eighth-graders by as much as 10 percent, leaving them susceptible to respiratory ailments.

Mira Loma also is a place that Riverside County designated for industrial development, and it started to boom in the late 1990s. Dozens of mega-warehouses and several factories replaced dairy farms and vineyards in what seemed to residents like the blink of an eye.

By 2000, the unincorporated community — already in Southern California's dirtiest pocket of particulate pollution — was overrun by thousands of diesel trucks. Diesel soot is the most toxic part of particulate air pollution.

Many residents felt had.

Cathy Armstrong, the projects editor and my boss, wanted to know how such development could happen so fast and why county officials seemed to downplay the cargo-warehouse industry's obvious contribution to air pollution. Our investigation followed breaking news about the results of the children's lung-function study by the University of Southern California's medical school.

We found that the county had scant regard for air pollution when it plotted the community's future. Our research showed that local government repeatedly put economics ahead of health concerns.

#### Special deals

We first did a thorough clip search and then went to the public record. In dusty boxes kept by the county planning department, we found documents that revealed a county environmental review process that seemed like a rubber stamp for industry.

An arcane general plan amendment approved

**Continued on page 20**



# SMOG CAPITAL

**Multiple sources  
jeopardize region,  
health of residents**

BY MARK GROSSI, BARBARA ANDERSON  
AND RUSSELL CLEMINGS  
THE FRESNO BEE

One of the greatest frustrations of investigative reporting is the project that falls flat — the one you spent months reporting and writing, only to watch with

dismay as your readers or viewers greet it with a big yawn.

That was a fate we were determined to avoid at all costs with “Last Gasp,” *The Fresno Bee’s* examination of air pollution in California’s San Joaquin Valley.

Air pollution in the valley was a problem that everybody knew about and almost everybody seemed to have ignored, thinking perhaps that nothing could be done about it, at least not at an affordable cost. But we recognized from the start that we could try to change that pattern, and we resolved to do so.

Our central point was a very simple one: Somewhere around 1996, California’s smog capital moved north, from Los Angeles to Fresno.

At the beginning of the 1990s, air pollution levels in parts of Southern California were the highest in the nation by far. In a way, that fact may have distracted decision-makers from air pollution control efforts in the San Joaquin Valley. We may have a problem, the refrain always went, but at least we’re not as bad as L.A.

But in L.A.’s adversity lay the seeds of a solution. So bad was its smog that government at all levels — local, state and federal — was forced to find a cure. The smallest sources of pollution came under control. Gasoline was reformulated to reduce its smog-producing effects. Industries were placed under the tightest restrictions in the nation.

Meanwhile, in the San Joaquin Valley, nothing much changed. As a result, by the end of the 1990s,

**Continued on page 22**



Alyssa Carion, 7, an asthma patient at Children’s Hospital Central California, inhales medication after an asthma attack.

# HEALTH ANALYSIS

**Highly technical  
air quality data  
interpreted locally**

BY JAMES BRUGGERS  
THE (LOUISVILLE) COURIER-JOURNAL

You don’t have to rely on government officials and consultants to interpret environmental data. You can do it yourself. But it takes time, patient editors willing to

engage in a highly technical subject matter and good independent expert sources.

This was my take-home lesson after I completed what was one of my most challenging stories in 22 years of professional journalism. The result: a front-page centerpiece telling readers in the Louisville metro area the air they were breathing contained 18 toxic chemicals or compounds at concentrations that were up to 2,400 times higher than what the government considers safe. Some of the higher readings were at an elementary school.

The newspaper’s analysis suggested toxic air could cause two to 24 additional cancer cases among every 10,000 people in Louisville.

I had been planning an air pollution project for several months, starting last fall. Then at the start of this year, I focused more directly on the project, cultivating additional sources within industry and collecting as much information from government Web sites as I could about Louisville area industrial plants and the pollutants they emit.

As it turned out, getting to the finish line with a project named “Toxic Air: Lingering Health Menace” and a headline of “Chemicals exceed levels seen as safe” required, first and foremost, expert data crunching by Mark Schaver, the *CJ’s* computer-assisted reporting director. It also took hours of conversations on the phone and in person with environmental experts, including one former Kentucky state regulator, a University of Louisville toxicologist, and several out-of-state experts with credentials that matched my needs: environmental statistics, risk assessment and toxicology.

This included special assistance from Mitchell Small, an environmental engineering professor

**Continued on page 23**

## DIRTY DEALS

from page 18

in 1987 had paved the way for the industrial buildup of Mira Loma. The environmental impact report prepared in conjunction with the amendment warned of big air pollution increases from local sources. And comment letters from regional planning and air pol-

“For about 13 years, as best we could tell, every industrial project in Mira Loma was officially proclaimed to have no significant effect on the environment — a negative declaration — and thus did not require detailed environmental study.”

lution agencies pointed out that the area already was failing to meet federal health standards.

Under the California Environment Quality Act, each warehouse or industrial proposal was evaluated in a separate environmental assessment report. We found that county planners repeatedly checked “no” when asked whether a project would add significantly to air pollution. They didn’t consider the effects of dozens of such projects.

For about 13 years, as best we could tell, every

industrial project in Mira Loma was officially proclaimed to have no significant effect on the environment — a negative declaration — and thus did not require detailed environmental study.

The projects deemed to have no significant effect including a 141-acre truck-intensive distribution yard across the street from a high school, a can factory that became the county’s top emitter of toxic pollution, and an automobile spray-painting operation that was later blocked by the U.S. Environmental Protection Agency because it would have violated the federal Clean Air Act.

The county further encouraged the development by offering tax breaks and special deals to buy public lands. These deals were detailed in owner-participation agreements that had been worked out by the county’s Economic Development Agency.

We reviewed business and property records to determine who was behind the industries and who benefited. We also took names of the real estate brokers and others from signs offering farm fields for sale.

We loaded the names of key players and companies into an Excel spreadsheet and compared them with a self-built database of campaign contributions for past county Board of Supervisors races. We found many hits. (County reporter Laurie Koch Thrower and I had compiled the database for an earlier project on campaign finance.)

We also examined corporate donations to a University of California, Riverside, laboratory that the county had hired to assess Mira Loma’s air pollution

in the aftermath of the USC study. Companies with business ties in Mira Loma had made multimillion-dollar donations to the laboratory.

We also researched the community’s air pollution history and scale by reviewing 20 years of pollution readings from the South Coast Air Quality Management District, the regional air-pollution regulatory agency. The USC scientists also shared the data they collected for the lung-function study. We used data from the EPA’s Toxics Release Inventory and SCAQMD’s emissions-credits program to learn about pollution from individual factories.

The Federal Register and records kept by the California Air Resources Board allowed us to track the regulatory history and determine what was known about the health effects of pollution when the county made key decisions about Mira Loma’s industrial future.

People sources included past and current county officials who signed the documents and made the decisions. Their candor at times amazed me. One former planner said that no one in the planning department had expertise in air pollution. The retired county supervisor who represented the area said she never saw the environmental impact report that forecast more pollution.

We also interviewed various developers, farmers, scientists, legal scholars and, of course, residents.

### The big payoff

The challenges were many. At first it was dif-



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Jurupa Valley High School is across the street from a distribution center where new cars and trucks are transferred from trains to trucks. Air-quality regulators say diesel soot from trucks poses an increased cancer risk in the area.



A heavily traveled intersection in Mira Loma is often full of trucks serving nearby warehouses.

difficult to find the focus. But soon a picture emerged of county policies that put economics ahead of residents' health.

Many of the records took as long as two weeks to retrieve from an archive-storage building. As documents led to more documents, the months passed. We had some hand-wringing about when the project would get done. We decided to keep the investigation going while keeping up with other assignments.

We also faced gaps in the record. For example, I found no data on truck traffic. (The county counted all vehicles, but did not separate out trucks.) At my editor's suggestion, I went out to a busy street corner and counted trucks myself. It wasn't scientific, but 404 diesel trucks passed through one intersection in one hour — a pretty dramatic illustration for the story.

It was a complex story to present. My first draft, at 100 inches plus, was full of investigative findings but too difficult to read. Managing editor Lawrence Young helped focus the rewrite. He said he liked the emphasis on county policy but wanted to hear the story more from the residents' viewpoints.

So I spent more time in the community, visiting half-acre horse lots and small stucco homes surrounded by chain-link fences. To these people, both middle class and poor, the pollution meant giving up jogging, or packing inhalers with school lunches, or avoiding walks around the neighborhood. It meant wanting to move or resolving to stay and fight to make the community better. Many mourned the loss of their quiet, rural community, although a few bid good riddance to the dairies. The big payoff, though, was when I found a teenager who had participated in the USC lung study — and she became the narrative thread in my story.

As I wove these tales into the narrative, news artist Becky Hageman, herself a Mira Loma resident, did a wonderful job of incorporating statistics, health information, pollution maps and planning documents into meaningful graphics.

And Armstrong, my editor, pushed me to do a

final piece that focused on prospects for the future. I was running on empty at that point, but this segment proved essential in helping focus the debate.

We also struggled with many of the gray areas and resisted the temptation to draw black-and-white conclusions.

Air quality, for example, had improved slightly during the industrial buildup as it did throughout Southern California. We didn't duck such issues. But we pointed out that the pollution levels were still three times higher than the state health standard and that the regional air agency linked the diesel soot to an increased cancer risk.

We also detailed the economic benefits from jobs and increased tax revenues.

Editor Maria De Varenne gave us the time we needed to produce the project and the space we needed to publish it: the better part of two front pages and five full inside pages.

No one disputed the series. It ran just days before the planning commission was to consider the largest warehouse project ever sought for Mira Loma, one that would have brought 660 more diesel truck trips a day.

Commissioners remarked that they appreciated the series' fairness and depth. Later, they called an unprecedented meeting, summoning air-pollution experts from the two universities and the air agency to share their knowledge and opinions of the Mira Loma situation.

Following hours of debate about health, science and economics, the Planning Commission unanimously voted down the 2 million-square-foot warehouse complex — even though it would have brought 1,100 jobs during an economic downturn.

So when looking at a serious environmental problem in your region, remember to find out who wins and who loses. And then determine government's role in creating it.

*David Danelski covers air and water pollution and regional transportation for The Press-Enterprise in Riverside, Calif.*

## Stories from the RESOURCE CENTER

Hard to breathe where you live? Consider these stories (available from the IRE Resource Center, [www.ire.org/resourcecenter](http://www.ire.org/resourcecenter)) about investigations that turned up more than foul air:

- **Story No. 19022.** "Home Deadly Home: Toxins in Air," by Mark Obmascik, *The Denver Post*. Industrial chemicals streaming under neighborhoods are supposed to be safe as long as people don't drink the water. Now thousands of Americans are discovering that the contaminants can become a gas and could be in their living room. Regulators have done little to nothing despite two decades of warnings from the scientific community. The problem is so pervasive that the EPA doesn't have a count on how many neighborhoods were checked for the problem.
- **Story No. 18650.** "Hidden Hazard" by Scott Streater, Anton Caputo and Jenny LaCoste, *Pensacola News Journal*. This series exposes the staggering volume of toxic chemicals released each year into the air, water, land and underground, and the possible contribution of this pollution to high rates of cancer and other health problems. The investigation finds that industries in Escambia County emitted the highest total volume of toxic pollution in Florida in 1998. The county's industries are found to be emitting more toxic pollution than the entire state of New Jersey.
- **Story No. 17340.** "Toxic Traps" by Craig Flournoy, Randy Lee Loftis and Ed Timms of *The Dallas Morning News*. This series examines the location of federally subsidized housing in environmentally hazardous neighborhoods, revealing that over 800,000 families in projects live within one mile or less of at least one factory than emits toxic air pollution.
- **Story No. 18701.** "The Poisoning of Whitaker," by Nigel Jaquiss at *Willamette Week* (Portland, Ore.). An investigation reveals that Oregon's worst-performing middle school contains levels of radon, a radioactive gas, far in excess of the safe maximum determined by the Environmental Protection Agency. The school is also notorious for unhealthy levels of carbon dioxide caused by the lack of open windows and the circulation of air through contaminated underground tunnels. District officials have been aware of the problems for more than a decade, the story reports.

## SMOG CAPITAL

from page 19

a reversal of fortunes had occurred. Smog levels in Southern California had improved dramatically, while those in the San Joaquin Valley had remained largely unchanged, or even deteriorated in some locations.

Our goals in reporting and writing “Last Gasp” were to drive home this point, to tell the stories of the people who were suffering as a result, and to explain exactly who was responsible for letting things get to such a ignoble state.

### Halfhearted and ineffectual

At the outset, in meetings with project editor Don Johnson, an assistant managing editor for *The Bee*, we outlined a series of key messages we wanted to deliver. The most important, of course, was the shocker that our air pollution was now worse than L.A.’s. But there were others:

- The valley’s industrial-scale agriculture — dairies with thousands of cows, row crops irrigated by diesel-fueled pumps and cultivated by diesel equipment — is a major air pollution source but is legally exempt from the permitting requirements that underlie most enforcement efforts.
- On foggy winter nights, valley residents huddle around fireplaces and wood-burning stoves, sending tons of tiny toxic soot particles into the still air. Partly as a result, the valley’s asthma rates are among the nation’s highest.
- While millions of motorists line up for biannual smog checks, a tiny minority evades the system — legally and otherwise — and spews pollutants at a rate hundreds of times the average.
- Pollution control efforts in the valley are frequently halfhearted and ineffectual. A smoking vehicle hotline relies on voluntary compliance that is seldom received. A trade-in program for

high-polluting lawnmowers moves at a glacial pace.

We spent a lot of time in the project’s initial stages to formulate these points and decide how to drive them home. We collected data, analyzed it, and produced charts to illustrate the contrasting smog trends in L.A. and Fresno.

We pored over legislative files at the state archives in Sacramento in hopes of gleaning clues about the origins of agriculture’s permit exemption. We canvassed area physicians to find asthma patients who could put a human face on the problem.

“Hundreds of letters poured into our editorial pages, more than anyone working here could remember seeing in response to any past project.”

Photographer Mark Crosse and staff artists John Alvin and Theresa Doffing spent weeks turning our findings into visuals, rising to the challenge of illustrating a phenomenon that is hard to see and even harder to describe.

The staff of our Web site fired up its software to produce Web-only enhancements using Flash graphics and the like. A Web site was set up for the project at [www.valleyairquality.com](http://www.valleyairquality.com).

We read hundreds of studies, legal documents and archive stories about the history of air quality in California.

Sifting through medical research to understand the health implications of breathing ozone was fairly easy compared to deciphering the latest studies on particulate matter. After more than 30 years of studying the corrosiveness of ozone on

lung tissue, researchers have a good handle on how it damages the body.

Particulate research, on the other hand, spans less than a decade. Only in the past five years has significant time, money and brainpower been expended on medical research into the impacts of inhaling microscopic pieces of soot, dust and metals. The result: The information isn’t as uniform nor as easy to find or corroborate.

Fortunately, the air pollution research community is close-knit. Once you gain the confidence of one source, the door opens to another.

We held our breath — almost literally — when the project appeared as a special section at the beginning of last winter’s particulate season. We were worried that, like so many other investigative reporting efforts, this one might yield nothing. But we worried needlessly.

### Seismic attitude shift

In the weeks following publication, we could see a seismic shift in the way air pollution in the valley was viewed. Hundreds of letters poured into our editorial pages, more than anyone working here could remember seeing in response to any past project. A local legislator introduced a package of 10 bills addressing many of the points that we made. At this writing, six have passed the Senate and are being considered in the Assembly.

Fresno’s City Council banned fireplaces in new construction. Homebuilders vied to outdo each other with pedestrian-friendly features such as bike paths. Rapid transit moved onto the public agenda in a serious way. Public officials, business leaders and farm lobbyists banded together to form a new nonprofit organization focusing on finding consensus solutions.

Fate intervened as well. One month after our project appeared, a five-acre pile of debris from demolished buildings burst into flames on the outskirts of town. It filled the air with smoke for several weeks at the worst time of year, when atmospheric inversions typically hold pollutants close to the ground. Fresno recorded some of the highest particulate readings in its history. Schools kept children indoors. Clinics noticed a spike in lung-related ailments.

By late winter, a public opinion poll showed that one issue topped the agenda for the citizens of the San Joaquin Valley — air pollution.

*Mark Grossi is a staff writer covering natural resource issues. He is a former Knight Science Journalism Fellow at the Massachusetts Institute of Technology. Barbara Anderson reports on health issues and social services. Russell Clemings covers the environment, science and metropolitan growth/planning. He is The Bee’s chief computer-assisted reporter. Their project won first place in environmental/agricultural resources reporting in the 2002 Better Newspaper Contest sponsored by the California Newspaper Publishers Association.*

Mark Crosse | The Fresno Bee



Children play jump rope in the shade on a hot day when the air quality was considered too bad for the kids to play usual schoolyard games.

# HEALTH ANALYSIS

from page 19

and expert in the mathematical modeling of environmental quality, at Carnegie Mellon University in Pittsburgh. He's also an adviser to the U.S. Environmental Protection Agency.

## Air monitoring

Before I go on, let me take a step back.

Since I arrived in Louisville in December 1999, from California, the editors at the *CJ* have wanted

“As journalists who cover the environment know, it's one thing to tap into the U.S. Environmental Protection Agency's Toxics Release Inventory to identify the sources and quantities of pollution in a community. But it's another thing — much harder, in fact — to determine what people are breathing in their neighborhoods, and whether what's in the air poses a health risk.”

me to do a story about Rubbertown, a complex of about a dozen chemical plants that came into its own during World War II as a source of synthetic rubber for the war effort.

While emissions are considerably less than they were during the 1940s, 1950s and 1960s, the plants

continue to pump out several million pounds of pollutants every year. Other operations in the area, including three coal-fired power stations, a rail yard, freeway and sewage treatment plant, also contribute to the pollution.

In other words, this is an industrial area, and over the years nearby residential areas have become largely populated by African-Americans who have raised environmental justice concerns. Some residents have long complained that industrial pollution was making them sick.

As journalists who cover the environment know, it's one thing to tap into the U.S. Environmental Protection Agency's Toxics Release Inventory to identify the sources and quantities of pollution in a community. But it's another thing — much harder, in fact — to determine what people are breathing in their neighborhoods, and whether what's in the air poses a health risk.

After two government studies in the 1990s exploring health links to Rubbertown area pollution turned out inconclusive, local officials working through a coalition of government, citizen and industry representatives decided to conduct air sampling of toxic chemicals and compounds.

The coalition, called the West Jefferson County Community Task Force — working with local air regulators, the EPA and the University of Louisville's Institute for the Environment and Sustainable Development — began air monitoring at 13 sites in late 1999. From the beginning, the EPA told local

officials to keep the sampling results secret until a final report could be issued, years later. (In fact, the final report still hasn't been released as of presstime.) But university officials opted to post data they had collected on their Web site — about half the total. The EPA held tight to the sampling results it was analyzing.

## Tapping into SEJ

Journalists covering the environment full time should make use of resources from the Society of Environmental Journalists. The organization, founded in 1990, offers conferences, periodicals, listservs and a Web-based archive of environmental projects. The group can be found at [www.sej.org](http://www.sej.org) or through [www.reporter.org](http://www.reporter.org), an IRE-hosted journalism group site.

I mention this because I wrote a story on these very preliminary results back in 2000. It was sketchy, but hinted at air quality problems. That first story also kept the issue alive, and whetted my editors' appetite for more. Which brings me to January 2003, the start of the year in which I was finally going to get around to a Rubbertown project.

By then, the official air monitoring period (May 2000 to May 2001) for a formal assessment of risk in Louisville had been over for nearly two years.

All the data was in the hands of an environmental consulting firm that specializes in assessing human risk from pollution. And the community was waiting for a “draft” report from these consultants that would answer the question: How risky is it to breathe Louisville air?

At first it looked like I was going to get the draft report as an exclusive. So we planned a project around its release.

But subsequently I was told industry didn't want the draft released, and I later found out that the EPA wanted to keep the draft out of the public eye while various scientists, industry representatives, government officials and even a few citizens reviewed it.

Then I heard that the Louisville Metro Air Pollution Control District, a public agency involved in the study, had copies of the complete set of monitoring data, and that all the reviewing parties had signed off on it. In other words, the reviewers had agreed that the consultants had assembled and correctly summarized the results for each of 13 monitoring sites.

So I filed an open records request, asking for the data. Amazingly, about a week later, it arrived in my e-mail, already in Microsoft Excel format. Now the real journey to the headline began.

With the data in hand I realized that despite my experience covering the environment, I had stepped into a foreign country that used a different language than I, my editors and most of our readers did. For instance, the term “95 percent upper confidence limit” showed up and I had to figure out how to explain it.

In technospeak, the statisticians would describe it as the upper bound of the “true average” of all sampling results at a given monitor. It's a way to take the sampling results at each monitor — up to 31 of them — and project a maximum exposure

Michael Clevenger | The Courier-Journal



Louisville residents mark the locations of their homes on a map before a briefing on the results of a hazardous air pollutants study.

### Tipsheets from the RESOURCE CENTER

If you're interested in more tips about investigating air quality and the environment, try these sources available through the IRE Resource Center ([www.ire.org/resourcecenter](http://www.ire.org/resourcecenter)):

- **Tipsheet No. 1369.** "Environmental CAR: 10 Great Sources of Data." Ken Ward Jr. offers a tipsheet providing a handful of great Web sites that can aid in your environmental CAR investigation. It covers everything from toxic releases to the U.S. Geological Survey and includes links to information regarding criteria and hazardous air pollutants.
- **Tipsheet No. 1424.** "Tips on databases and stories." Michael Mansur's tipsheet gives some suggestions to environmental reporters who are looking for a story idea or looking for a way to get the information they need. It includes information on TRI data, EPA's Envirofacts database and manufactured gas plants.
- **Tipsheet No. 1697.** "Investigating the Environment." Jane Kay, Robert McClure and James Bruggers provide nine pages full of excellent tips on environmental reporting, from pollution in drinking water to key Web sites for researchers. It includes advice on investigating your local agency.
- **Tipsheet No. 1423.** James Bruggers provides detailed information about the Environmental Protection Agency and how to use its Web site. There are also Web sites for endangered species, environmental laws, pesticide information and energy information and includes an air-quality investigation about uranium plants and their harming the ozone layer.

over many decades. We just called it maximum projected exposure.

Why do risk assessors focus on the 95 percent upper confidence limit? Because the EPA uses it as a benchmark to make especially protective assumptions about the risk from exposure to environmental contaminants.

In addition, I found that I was entering a public policy and scientific nether world where there are no federal standards for the pollutants that were measured and uncertainty about how the chemicals might affect humans.

But with the help of Schaver, assistant managing editor John Mura and assistant metro editor Mike Upsall, I set out to discover what secrets this set of data held. Copy editor Rich Schiefer helped make sure the answers made sense.

Because there are no national air standards for

these chemicals — no concentrations that would be illegal — I had to look elsewhere to find some sort of official set of thresholds.

### Crunching the numbers

I recalled the first story I did on the preliminary data three years ago, and how a University of Louisville expert had compared each chemical's level to corresponding "risk-based concentrations," or sometimes called "reference concentrations."

Found in tables on EPA Web sites, officials use these to screen contaminated sites for potential cleanup. I also found that the same data tables had been used as reference points for a risk assessment of air pollution in other communities, including one in far eastern Kentucky that began before I arrived, and another one in Chattanooga in the 1990s.

For cancer, these tables show the values at which

Pam Spaulding | The Courier-Journal



Louisville's Rubbertown plants grew during WWII's demand for synthetic rubber.

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different scientists believe daily exposure to specific chemicals over several decades will produce one extra cancer case in 1 million people — a threshold that many officials consider unacceptable, or unsafe. For non-cancer illnesses — everything from rashes to liver damage — the thresholds represent the concentrations at which medical effects are likely to occur.

But it's not that simple.

## Web sites of Interest

- **EPA Region 3 Risk Assessment tables**  
[www.epa.gov/reg3hwmd/risk/index.htm](http://www.epa.gov/reg3hwmd/risk/index.htm)
- **EPA Region 9 risk thresholds**  
[www.epa.gov/region09/waste/sfund/prg/index.htm](http://www.epa.gov/region09/waste/sfund/prg/index.htm)
- **EPA IRIS database (Integrated Risk Information System)**  
[www.epa.gov/iris](http://www.epa.gov/iris)
- **EPA Hazardous Air Pollutants fact sheets**  
[www.epa.gov/ttn/atw/hapindex.html](http://www.epa.gov/ttn/atw/hapindex.html)
- **Agency for Toxic Substances and Disease Registry fact sheets**  
[www.atsdr.cdc.gov/toxpro2.html](http://www.atsdr.cdc.gov/toxpro2.html)
- **The Courier-Journal coverage of Toxic Air stories:**  
[www.courier-journal.com/cjextra/2003/projects/toxicair/index.html](http://www.courier-journal.com/cjextra/2003/projects/toxicair/index.html)

There's no national set of these risk threshold values for the hundreds of chemicals that could be in the air. Instead, a large group of chemicals known as hazardous air pollution are regulated through technology — companies that emit above certain levels must install EPA-defined “maximum available” controls.

First, we compared our air sampling to the screening thresholds table used in the EPA's Region 3, based in Philadelphia. We were told that this was the table used by the state of Kentucky, even though Kentucky is in Region 4, and that this table was being used in the official Louisville study.

Later, we found out that while Kentucky still uses the Region 3 table in some cases, the state and Kentucky's region of the EPA, based in Atlanta, was switching over to a newer table with different screening values developed in Region 9, based in San Francisco. We also later found that the consultants doing the official Louisville

report were developing their own reference concentrations in an entirely different way — one that we would be unable to replicate.

I thought the story was dead.

But after some more discussion with the experts, in and out of government, and getting further assurances that our approach was sound, we decided to compare the sampling results to both the EPA regional thresholds.

After crunching the numbers, we found that the monitors had detected more than 100 compounds.

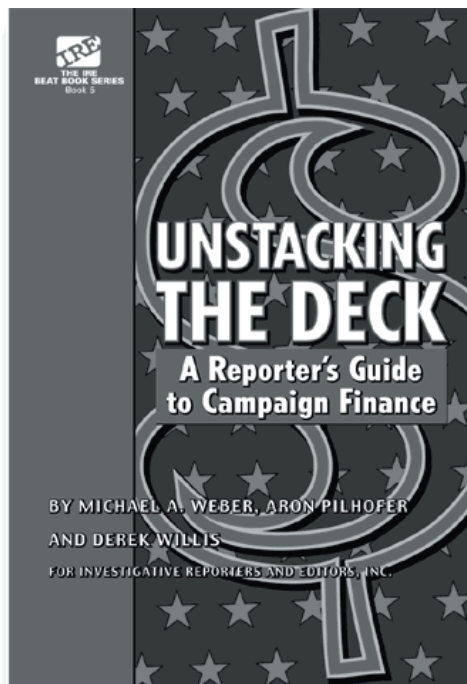
But there were dozens that presumably the community need not worry about, because their concentrations were below the risk thresholds. We found 18 chemicals, however, exceeded risk thresholds in both sets of screening tables.

One stood out: 1,3 butadiene, which is used in synthetic rubber production and also comes from motor vehicle exhaust. The monitors showed the highest readings of butadiene closest to chemical plants that emit thousands of pounds of the chemical annually.

At the same time, Small at Carnegie Mellon had agreed to compare some of the concentrations of those 18 chemicals to EPA estimates of what the government would expect to find in a typical urban area. These were found in the National Air Toxics Assessment last updated in 1996. He found that,

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for at least five of the chemicals, concentrations in Louisville were between 1,000 and 10,000 times higher than what the EPA would expect.

I also found that the levels of butadiene in Louisville would be illegal in Louisiana, one of the few states with its own air standards for a full range of hazardous air pollutants.

### Right on the mark

At this point, we began to share our results with the EPA and others involved in the study, including industries. The EPA did not want us to publish our analysis, essentially telling me that I should leave brain surgery to brain surgeons. But during that interview, I was able to obtain the health threshold for butadiene that was going to be used in official risk assessment of the data — a higher threshold that showed less of a risk, but nonetheless, an unacceptable risk.

As for the industries, some declined to comment, saying they would wait for the official report, but at least two said it appeared they would need to reduce their emissions.

Then a week before publication, inexplicably Region 3 of the EPA posted a new set of risk thresholds on its Web site. So Schaver had to do part of the analysis over. There were only minor changes, though.

If you are with me this far, then you can appreciate that my editors, including managing editor Ben Post and executive editor Bennie Ivory, displayed tremendous patience with this story due to its complexity. I needed to make sure that the gray areas of science — the limits of our analysis — were clearly identified in the story.

But I didn't sleep well the night before publication, with an unusual case of "what if I am wrong" worries. While I have covered the environment for two decades, I had not had taken on chemical risk assessment before on such a large scale.

Those worries turned out to be unnecessary, as the story was right on the mark. We know this because a week later, I obtained a copy of a just-completed draft risk assessment from the consultants. If anything, it presented an even more comprehensive picture of air pollution concerns for Louisville.

The consultants went beyond our analysis by projecting cumulative risk from multiple chemical exposures at each of the monitoring locations. Those risk levels turned out to be higher than the EPA had previously estimated for anywhere in the United States — a fact that Small at Carnegie Mellon was able to point out to me and the readers — after reviewing the draft report. And he was able to show me his documentation in very quick order. Interestingly, this piece of national context was not mentioned in the draft report.

That same day, the governor dispatched his top environmental official to Louisville for a previously scheduled community meeting at which a summary of the draft report was to be presented, and the mayor announced that he was calling a meeting with the

three companies in Louisville that emit butadiene. After that meeting the following Tuesday, the three companies went before TV cameras and promised voluntary reductions.

Many communities are doing at least some monitoring for hazardous air pollutants, if not a full-blown risk study. If so, that could be your opportunity.

For me, the follow-up coverage now begins.

It appears to be the year of air pollution in Louisville.

*James Bruggers covers the environment for The Courier-Journal in Louisville and has been a board member of the Society of Environmental Journalists for six years, serving two as president. He was a Michigan Journalism Fellow in 1998-99 and previously worked in California, Washington, Alaska and Montana.*

## Online air databases

IRE's Lori Luechtefeld, who is working on an environmental beat book, offers a primer on investigating air pollution through online databases.

### • Aerometric Information Retrieval System and AIRS Facility Subsystem

[www.epa.gov/enviro/html/airs/airs\\_query\\_java.html](http://www.epa.gov/enviro/html/airs/airs_query_java.html)

The AIRS/AFS database contains information about air pollution and polluters in the United States that is drawn out of reports from various sources of air pollution, including factories, companies and universities. As with any database, some of the information is incomplete; however, the AIRS/AFS can help point you toward issues of industrial air pollution in your community.

### • AirData

[www.epa.gov/air/data/geosel.html](http://www.epa.gov/air/data/geosel.html)

The EPA's AirData search provides you with information and reports from three different air quality databases. By selecting the geographic area in which you are interested, you can view data, tables and maps from the following sources:

#### The Air Quality System Database

The AQS database contains measurements for criteria air pollutants, which are the six major air pollutants for which the EPA has set permissible health-based levels. The information in AQS comes from real measurements of the air quality surrounding monitoring stations and provides monthly reports of this data.

#### National Emission Trends (NET) Database

The NET database contains information on the emissions of stationary and mobile sources of four of the criteria pollutants and ozone precursors emitted by motor vehicles and chemical manufacturing. The reports generated from NET data tend to focus on point source facilities. When used in conjunction with AIRS/AFS data, this information can provide a lot of insight into the major air polluters in your community.

#### National Toxics Inventory Database

NTI contains information on hazardous air pollutants (HAPs) released by stationary and mobile sources. HAPs are pollutants that EPA knows or suspects to cause serious health problems. As of 2003, 188 HAPs have been identified. To view the list of HAPs, visit [www.epa.gov/ttn/atw/188polls.html](http://www.epa.gov/ttn/atw/188polls.html).

### • Toxics Release Inventory

[www.epa.gov/triexplorer/chemical.htm](http://www.epa.gov/triexplorer/chemical.htm)

The TRI database contains detailed information and reports on all emitters of toxic waste in the United States, including waste releases into the air. The annual TRI reports can be a useful reference for an investigative journalist on the day-to-day environmental beat as well as a strong resource for finding local environmental investigations. The data is easily broken down into very specific geographic locations but also can be used to make broader comparisons between communities or to map the trend of chemical releases at a certain plant.

### • AIRNow

[www.epa.gov/airnow/](http://www.epa.gov/airnow/)

AIRNow, located on the EPA's Web site, gives you easy access to national air quality information. You can look up current ozone levels or air conditions across the nation. You can also view an air quality forecast for your area.





## New Florida land deals zero in immigrants

BY PATRICK WRIGHT  
DAYTONA BEACH NEWS-JOURNAL

The story began with a routine high school graduation assignment. Instead of the usual spot reporting, I wanted to give the 2001 graduation at Flagler Palm Coast High School a human face, so I found a Russian-American senior who had won a small academic scholarship. Her mother explained that her daughter's education was the reason the family moved from Russia seven years ago. While we talked, she asked me if I knew why there were so many Russian-speaking families in Palm Coast.

Finding the answer to that simple query would take me eight months, and cost one of America's biggest homebuilders some \$1.3 million. It also would reveal that the days of the Florida shady real estate deals were hardly over, just focusing on a new target: the immigrant.

In the past, companies would market Florida real estate to English-speakers in other states with prices that seemed reasonable when compared to the customer's home market. Brokers would tell buyers from New York to Los Angeles that their rent money for a little apartment could be used to buy a brand new home in Florida.

Companies made millions from these practices because Florida real estate costs far less than real estate in larger, metropolitan cities. Sellers claimed "caveat emptor" when customers later complained they were still being charged too much money.

The "Immigrant Express" package uncovered a similar real estate operation that took the practice one step further.

Real estate brokers sold real estate in Palm Coast, Fla., a city north of Daytona Beach, by advertising jobs to non-English speaking, recent immigrants in and around New York City.

Continued on page 28

## Felons avoid deportation, slip back into community

BY ELLIOT JASPIN AND JULIA MALONE  
COX NEWSPAPERS

It doesn't happen often. In fact, in our experience it almost never happens. But every once in a while there is an easy story.

This is a story where sources abound, facts line up, government officials return your calls, everyone is on the record and you get just the right lead on the first or second try.

The Immigration and Naturalization Service is an unlikely candidate for such

an "easy" story. It is an agency that has a history of being secretive and uncooperative, if not downright hostile, to the press. And immigration issues are a partisan battleground even within the newsroom. But as we started to look at how the INS mismanages the deportation of criminal aliens, the story just seemed to unfold before our eyes.

The impetus for the story was a series of General Accounting Office reports dating back to 1997 that said the INS was failing to deport aliens convicted of felonies. According to law the INS is supposed to track convicts in state prisons who are not U.S. citizens, hold deportation hearings while they are locked up,

and on the days of their release put them on planes to their native lands. But as the GAO made painfully clear, about a third of the criminal aliens were never deported because the INS failed to show up at the prisons.

Even before we began reporting, the story had a number of advantages. Because we were dealing with aliens who had committed some very serious crimes, we were able to skirt the rancorous debates swirling around most immigration issues. There is no question that bank robbers and drug dealers who are aliens should be deported. And the GAO had done a lot of the heavy lifting by providing very detailed national reports on the shortcomings of the INS. Our task was to see what was happening today in states where our readers live.

The logical starting place was state prisons. Anyone who has tried to pry a database out of government knows what a complicated and often frustrating experience it can be. And state prisons do not spring to mind as places that encourage public access.

We were wrong.

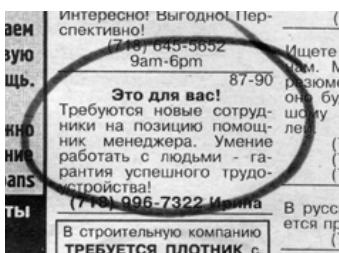
A call to the Georgia Bureau of Prisons and within days we had a database of all prisoners who were not born in the United States. You have to understand

Continued on page 29



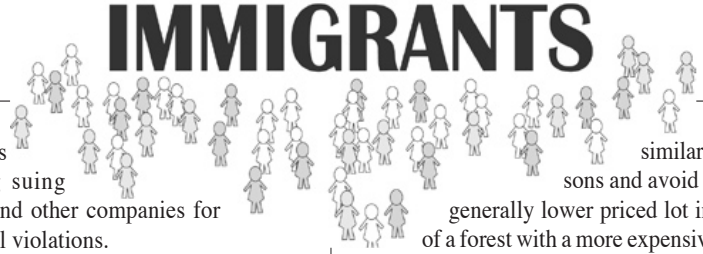
Joanna Kaney | Daytona Beach News-Journal

Dining in their Palm Coast home, the Semjonovas – Zlata, right, Eugenia, center, and Stanislav – believe they have lost \$65,000 in the purchase of their house. What bothers Zlata deeply, she says, is the realization that she drew friends into the same situation.



Recent immigrants respond to ads in Russian-language papers, like one in Brooklyn, saying a firm needs workers. Respondents attend a class and learn the job is selling real estate in Palm Coast. They are told they'll be more successful if they buy real estate themselves.

# IMMIGRANTS



Continued from page 27

When the immigrants answered the advertisements, salesmen told them the job was to sell real estate lots and houses to other customers, such as their friends and family. But when some families moved to Florida, they discovered their property cost six times the appraised value and as much as four times the amount charged to English-speaking customers by other companies.

The practice affected many immigrant families from across the world, from Venezuelans to Chinese-Americans. The main operation in New York brought as many as 500 Russian-speaking families from former Soviet provinces to Palm Coast, Fla., over the past five years.

The companies coordinating the “Immigrant Express” knew the practice could make millions because non-English speakers understood little about real estate prices and real estate law. If the Russian-speaking customers found out, brokers knew that growing up under communism taught many of them to keep quiet about their personal affairs. Many buyers didn’t talk to me at first because they were embarrassed or thought talking would “create trouble.”

As a result of the story, Centex Homes, the second largest homebuilder in the United States, paid \$1.3 million in restitution to 186 customers and fired three New York real estate brokers. The Florida and New York attorneys general, U.S. Department of Housing and Urban Development and local sheriff’s office are conducting their own investigations.

“As a result of the story, Centex Homes, the second largest homebuilder in the United States, paid \$1.3 million in restitution to 186 customers and fired three New York real estate brokers.”

Several customers are considering suing Centex Homes and other companies for civil and criminal violations.

## Proving the story

The most difficult part of the story was getting people to talk. The Russian-speaking community is tight-knit and generally distrusts outsiders. I learned some basic Russian phrases to show respect for them and their culture regardless of whether they spoke English. I would start by greeting them in Russian and then used interpreters, from neighbors to family members, for clarity. With other nationalities, I phrased English questions in ways more easily understood by foreign speakers. For example, questions to Chinese speakers with little English would get rid of conjunctions and words such as “at” and “the” because they really aren’t used in Chinese.

The stories included interviews with more than 25 recent immigrants who spoke Russian in Palm Coast and New York City; a review of 16 months of real estate transactions in Flagler County; a review of 24 specific warranty and property deeds in Flagler County; personal property receipts from various Russian-speaking people; reviews of Florida and federal statutes and laws concerning discrimination and real estate fraud; and reviews of Florida and New York state real estate laws. I also spoke with officials in the Department of Business and Professional Regulation; the Florida and the New York state attorney general offices; the Florida Real Estate Commission; the U.S. Attorney General’s Office; the U.S. Immigration and Naturalization Services; the U.S. State Department; the U.S. Department of Housing and Urban Development; the Better Business Bureau; and state and local politicians. Plus, I interviewed English-speaking and American-born real estate customers; Chinese-American customers; Spanish-speaking Venezuelan officials; and state and local real estate professionals.

Besides the communications aspect, the only hurdle was proving the story. At one point, I reviewed more than 8,300 individual real estate transactions to understand the scope of the real estate practice. The information had to be divided into various databases that showed how much money and how many companies were involved among other things.

The result of that work allowed me to look at where buyers with Eastern European, South American or Asian first and last names bought their real estate. It allowed me to separate the sales of certain companies from the other real estate sales. I also had to separate the data according to where people bought their lots so I could make

similar lot comparisons and avoid comparing a generally lower priced lot in the middle of a forest with a more expensive lot located on water or a golf course.

When the story got larger, researchers Tom Rabano, Megan Gallup and Karen Duffy helped track companies and individuals to see if they had histories of such real estate practices. Cal Massey, deputy managing editor, edited the story and gave the “Immigrant Express” the final layout.

## Scoring a bull’s-eye

Although I am proud of the “Immigrant Express” package, I learned a few things that would improve my future investigative stories. The most important thing dealt with the difference between background and on-the-record interviews. Naturally, people speak about issues more readily when they believe they won’t be identified. However, sometimes it is in the person’s best interest to be on the record.

For example, after the story broke, I had a second interview with a man identified by Russian-speakers as the head of the New York operation. He demanded the interview not be recorded and his name not be used. I respected his wish and didn’t push it further. Considering it now, it might have benefited him to go public instead of staying in the background. I reminded him, and his lawyer, of this later, but my opportunity for making my case was during the second interview.

I learned two other valuable lessons:

1. Time management is the key to large projects. Some papers have investigative reporters who can dedicate days and months to a single piece. However, most investigative pieces come from reporters following their beats. Beat reporting can make it difficult to keep the reporting momentum and flow necessary in a great investigative piece, but not impossible. A few minutes for a conversation or records check before going home for the day could reveal the fact that connects two or three others. Careful planning can be the difference between producing a great story or having a story lost in the shuffle of daily demands.
2. Prove every minor point before proving major ones. Before the “Immigrant Express” turned into a large story about potentially illegal real estate practices, it started as a small story about “unethical” practices. I didn’t start researching whether the advertisements and practices were illegal until I had proved brokers and local companies were charging immigrants more than American customers. My bureau chief, Carl Landrie, and I used an archery bull’s-eye as the story’s analogy. Don’t move out to a surrounding circle until the inner circle is completed.

*Patrick Wright is a reporter for the Daytona Beach News-Journal in Florida. He reports on education, environment and general assignments in the paper’s Flagler County bureau.*



Brian Myrick | Daytona Beach News-Journal

Those who follow through and move to Palm Coast find they paid far more than neighbors for their lots and houses, especially in neighborhoods like Pine Grove, where lots are normally among the least expensive in Palm Coast.

## Related RESOURCES

### Georgia's Prison Database:

[www.dcor.state.ga.us/OffenderQuery/asp/OffenderQueryForm.asp](http://www.dcor.state.ga.us/OffenderQuery/asp/OffenderQueryForm.asp)

### The Justice Department IG report on aliens:

[www.usdoj.gov/oig/audit/0241/intro.htm](http://www.usdoj.gov/oig/audit/0241/intro.htm)

### GAO report on aliens:

INS' Efforts to Remove Imprisoned Aliens Continue to Need Improvement - GAO/GGD-99-3  
[www.gao.gov/archive/1999/gg99003.pdf](http://www.gao.gov/archive/1999/gg99003.pdf)

*Continued from page 27*

that most people in prison are pretty unpleasant. Prison officials don't spend a lot of time agonizing over privacy issues or worrying about the public's right to know. If you want to warn the public about some very nasty people, prison officials are only too happy to oblige.

Along with the usual data such as race, sex, date of birth and offense, there was a field describing disposition at time of release.

Some prisoners, wanted in other jurisdictions, were handed over to another state. In some cases it showed that the INS picked them up. But for many, the field indicated that they walked out the prison gate.

The computer analysis, such that it was, consisted of filtering the database to find only those prisoners who walked out the door and then sorting the list by type of crime. That was it. No data cleaning. No regression analysis. There weren't even two tables to join. All we did was scroll down the list until we came to child molesters.

You might say that was our "ah-ha" moment.

The INS did not bestir itself to deport child molesters.

At a moment like that you figure, as reporters, it could not get any simpler. But again we were wrong. As a service to the public, the Georgia Bureau of Prisons maintains a Web site that allows anyone to type in a current or former prisoner's name and get both his record and his picture.

When we entered Miguel Gordoba, one of our child molesters, there he was staring back at us in living color. He was every parent's nightmare. He was the poster boy for child molesters.

But what if the INS had deported him some time after he left prison? The answer was, again, at hand. Under Georgia's "Megan's Law" requirement, released sex offenders must register their whereabouts, and that information is posted on a Web site. A few keystrokes and we had that same menacing face (this time with scraggly hair) pop up, along with an address in rural Georgia, not more than 60 miles from the scene of the crime.

The fact that Gordoba was alive and well and supposedly still living in Georgia came as shock to

the man who had prosecuted him. He said "everyone" involved with the case assumed Gordoba would be taken from his prison cell back to Mexico. Another call, this time to the local sheriff's office, and we learned Gordoba (just one of his aliases) had registered a fake address for the sex offenders list and was on the lam. The county had taken out a warrant for his arrest.

Which brought us to the "imminent threat" lead. You can start with an anecdotal lead about Joe Jones, who should have been deported but who instead is caught driving drunk into a crowd of pedestrians and is now in prison. What is of much more concern to readers is if Jones, having been sent to prison, is released and back on the streets.

Gordoba was an imminent threat lead that pretty much wrote itself: "Miguel Angelo Gordoba is a pedophile. He is also an illegal immigrant. So last year, after he finished serving a four-year sentence for molesting a 3-year-old girl in rural Alma, Ga., everyone assumed that he would be deported to his native Mexico, as required by federal law.

Everyone was wrong.

Gordoba left prison and disappeared into the community because the Immigration and Naturalization Service never deported him."

We, of course, cannot guarantee that the story will go as well in your state.

While tracking sex offenders is fairly easy thanks to Megan's law, finding out what happened to criminal aliens convicted of other kinds of crimes is not always that simple. Moreover, not all states are as helpful as Georgia in providing information. Some make it difficult to see sex offender lists.

Another thing to consider is that the INS track record varies from state to state. Texas and Florida, for example, have a good record partly because the INS and those states have cooperated in monitoring deportable prison inmates.

So, although the Atlanta INS office gave us confirmations about the three cases we focused on, they have refused to tell us whether they ever picked up the other nearly 250 alien felons the Georgia database indicated had been freed into the community, instead of turned over to the INS during an 11-year period.

A final complication is that as of March 1, the INS has ceased to exist. It has been folded into the Department of Homeland Security and divided into three bureaus. That might seem a pretty good argument for not doing this kind of story. In fact, just the opposite is true. Since 9/11 people both in and outside the old INS have said there have been fewer resources to deport criminal aliens. It will be interesting to see what happens under the latest bureaucratic re-organization.

If the past is any guide, people like Miguel Gordoba may be appearing in a schoolyard near you.

*Elliot Jaspin is the systems editor for Cox Newspapers where he directs the computer-assisted reporting program. Julia Malone has been a member of the Cox Newspapers Washington, D.C., staff for 15 years. She focuses on homeland security and immigration.*

## From the RESOURCE CENTER

Additional stories on immigrant issues are available from the IRE Resource Center ([www.ire.org/resourcecenter](http://www.ire.org/resourcecenter)). Check out:

- **Story No. 18993.** "Migration Swings," by William H. Frey, *American Demographics*. The Census 2000 Supplementary Survey shows trends in migration by immigrants and domestic migrants (newcomers from other parts of the United States). Regions not attracting either group have often experienced a prolonged economic decline or lack natural or cultural amenities that many migrants seek. California has the largest number of foreign-born residents, while Western and Southeastern states tend to attract many domestic migrants. States in the Midwest, Northeast and parts of the South have few migrants and tend to have older, less diverse populations.

- **Story No. 18485.** "Special Report: Forced Labor in America," by Stephanie Armour, *USA Today*. This investigative series reports on domestic worker abuse. The investigation compiles information on more than 140 cases of hidden exploitation. The main finding is that the private home is becoming the modern-day version of a sweatshop. The first part of the series reveals that "many immigrants hired to work as nannies and maids in the United States are instead being forced into virtual bondage, where some are beaten, barred from leaving and denied basic medical care." The victims' status is often illegal, and they are afraid to disclose the abuse for fear of being deported. The second part of the series looks at the uncertain justice that victims receive and depicts their difficulties to achieve emotional recovery and financial independence.

**Putting a Face on Immigration** was the cover theme of the March-April 2002 *IRE Journal*. Stories included:

- "INS Abuses: Series exposes corruption, ineptitude and racism," by Brent Walth and Rich Read, *The Oregonian*.
- "Invisible Labor: Immigrants exploited, endangered in the workplace," by Thomas Maier, *Newsday*.
- "U.S. Customs: More than people cross the borders," by Bill Conroy, *San Antonio Business Journal*.

Past *IRE Journal* stories can be searched by members at [www.ire.org/resourcecenter/](http://www.ire.org/resourcecenter/). Non-members can order past stories or issues from the Resource Center at 573-882-3364.

# HOUSING

## Officials target minorities in occupancy code raids

BY GEORGE PAWLACZYK  
BELLEVILLE (ILL.) NEWS-DEMOCRAT

“Look at this. She had to tell them about her Cesarean scar,” reporter Beth Hundsdorfer told me as we pored over a pile of photocopied city housing department records.

Hundsdorfer was angry. I could see why. A 25-year-old mother who was getting her children ready for school was forced to undergo the indignity of describing her body scars to a male police officer.

It would have been different if the woman had been suspected of a crime, but she wasn't.

Based only on an anonymous telephone call to a housing department hot line, the police officer and a housing inspector showed up demanding that she let them in to search her apartment. The woman reluctantly agreed.

Sure enough, they found her boyfriend who was not listed on the apartment's occupancy permit. Both were given non-criminal citations requiring them to go to court and pay a \$75 fine.

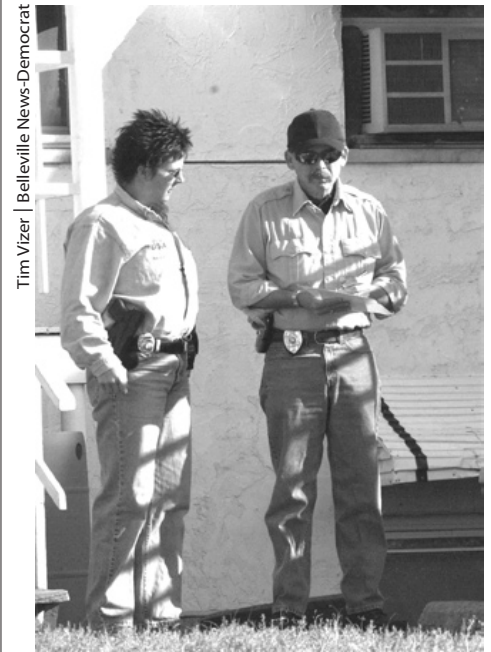
This unannounced search took place without first asking a judge for a warrant.

Issues such as this led to our investigation at the *Belleville News-Democrat*, which found that officials in Belleville, Ill., enforce the occupancy code regulation with little regard for the constitutional rights or dignity of citizens.

In fact, the findings showed that these tactics were almost exclusively used against the city's poor and minority residents. While suspected felons can expect to see an arrest or search warrant, residents under investigation for occupancy permit violations never see a search warrant.

Those who refuse to allow the officers to come in and search are charged with obstruction, even though the U.S. Supreme Court has ruled this practice unconstitutional. People received citations for allowing their grandchildren to spend the night. In one case, an estranged couple was cited when the husband, who had spent the night, was found sleeping on the floor.

Several residents said police walked inside without knocking.



Tim Vizer | Belleville News-Democrat

Belleville police officer Kim Moorleghe, left, with Belleville housing inspector Bob Craig inspect an apartment building.

Disproportionate numbers of black residents, who make up 15 percent of the city's population, were ticketed. Our research showed that 42 percent of those arrested were black.

Police often ticketed everyone in an apartment, refusing to listen to explanations that some were just visitors. A 22-year-old man with no criminal record said he was amazed to find at his door a deputy U.S. marshal accompanied by a Belleville police officer and the city's lead housing inspector. From their report, it was clear the officers were using the occupancy code as a cover for an illegal drug search. No drugs were found.

In another case, a 15-year-old high school sophomore who was getting ready for school said she was ordered out of the shower by a police officer.

Law professors said that Belleville's housing code could not pre-empt the Fourth Amendment of the U.S. Constitution against illegal search and seizure. The city's housing director insisted that it could.

Critics, such as Will Jordan of the St. Louis Equal Housing Opportunity Council, said the tactics were a direct attempt to drive minorities out of the city.

After our stories ran in December 2002, the council, which is affiliated with the U.S. Department of Housing and Urban Development, started its own investigation and began collecting formal complaints from Belleville residents. Those complaints resulted in an ongoing HUD probe.

Belleville is located just across the Mississippi River from St. Louis. Its police have been accused before of unconstitutional tactics.

In 1992, Belleville was the subject of a “60 Minutes” episode prompted by Carolyn Tuft's

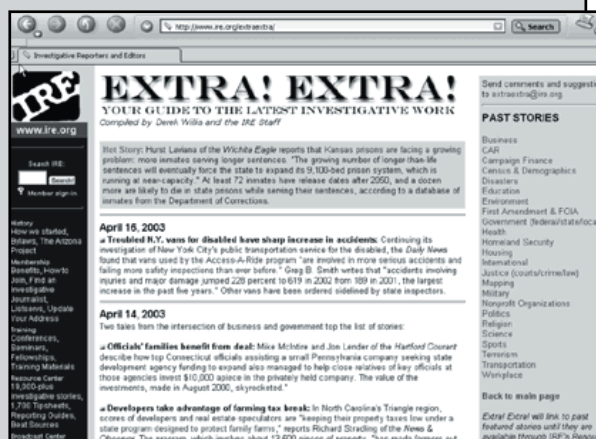
# EXTRA! EXTRA!

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1991 reporting for the *News-Democrat*. Her series told about a city police squad that targeted black motorists, ticketing and harassing them in an effort to discourage them from coming into the city from neighboring East St. Louis, which is nearly all black.

Tuft's stories, which won an IRE certificate and medal, also reported that Belleville had never hired a single black employee in its then 175-year history.

A subsequent U.S. Justice Department investigation led to a federal consent decree requiring the hiring of black workers. When we initially talked with city editor Gary Dotson about doing a project about the occupancy code, Hundsorfer and I had little idea of what we were getting into.

But it was clear to the three of us that a city clause that defied the Fourth Amendment must have led to abuses. To find out, we knew we would need a solid base of proof that would be found in city documents — the inspectors' own reports.

Editorial writer Lori Browning had written an award-winning series on housing in 1998. She assured us that the records were there. The housing department would not surrender any public document without a Freedom of Information request.

We soon learned to be very specific in requesting documents. We had requested all housing enforcement records from 1999 to the present. But the "present" was moved forward a month while we waited for the city attorney to give us the go ahead to look at the records. When we asked for the files for that month, the housing clerk just shook her head "no."

"But these are the same exact type of records. How could there be any question of looking at them?" I told her. It was no use. The clerk needed another request for that month.

When Hundsorfer, who covers county and federal courts, and I asked the mayor why it was necessary to be so specific with what were obviously public records, he said, "We want to be sure the newspaper gets what it requests."

However, when it came time to comment, he and other city officials refused.

What proved far more difficult than obtaining records was finding residents who had actually been cited. We worked nights and weekends when it was more likely to find people at home. Yet, entire days would go by without a single interview.

Relatives were suspicious, even when we assured them we had nothing to do with the city. Still, we managed to get the stories of residents involved with more than 30 occupancy searches.

One lesson we learned was that you cannot have too many interviews. Every time we thought we had enough, we were determined to get more. Each time, we'd hear a story more outlandish than the one before. We also plotted all 263 occupancy searches since 1999 on a map, which convinced us that low-income and minority residents were indeed being targeted.

The map showed that affluent neighborhoods had never seen a single occupancy code search during that time period. Surely, somewhere, a friend or relative must have been staying with families on the rich side of town who weren't on their occupancy permits.

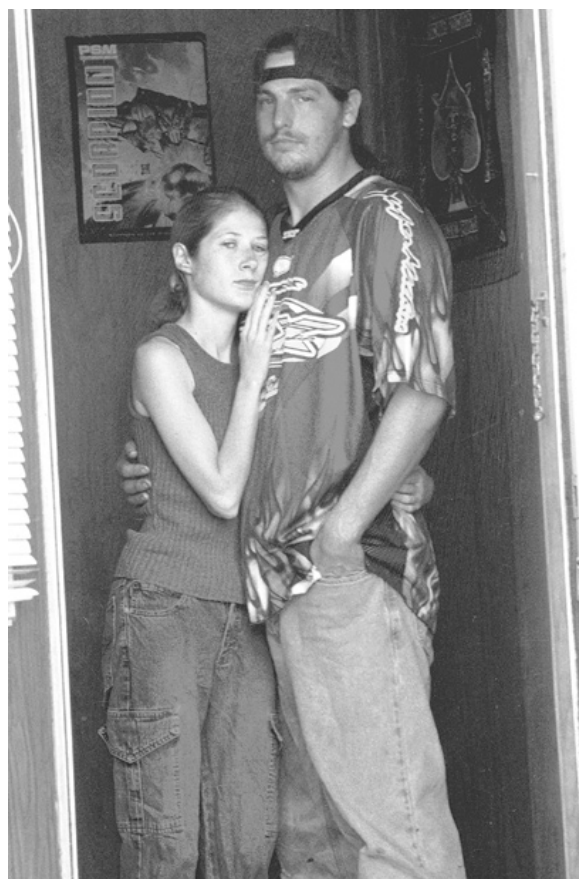
Follow-up stories led to further allegations of racism against the city. One story we did about a white family with a single black child from an earlier marriage backed up the racial discrimination angle. Three police officers showed up in the morning in the nearly all-white neighborhood and ordered the family to vacate their home by that afternoon. The reason? Black mold.

A week later, the housing director admitted that his men were not trained to detect dangerous black mold from the more common, harmless varieties of black mold, and said white neighbors had complained. But by that time, it was too late.

The family had been forced to move to a motel. When their money ran out, they moved out of town.

*George Pawlaczyk has been a reporter at the News-Democrat for nearly nine years. An Upstate New York native, he covers general assignment and East St. Louis.*

Belleville News-Democrat



Jonathan Gotsch and his girlfriend Annie Mooney say police used the excuse of checking for a housing code violation to cover an illegal drug search of their mobile home. No drugs were found.

## Better Watchdog Workshops

### Investigative Reporting on the Beat

Investigative Reporters and Editors Inc. and the Society of Professional Journalists, with funding from the Sigma Delta Chi Foundation, have joined forces to offer a series of workshops focused on doing investigative reporting while covering a beat.

The workshops, specifically for journalists at small- to medium-sized news organizations and those in bureaus of larger organizations, will emphasize the use of freedom-of-information laws and address juggling a beat while producing investigative and enterprise pieces.

**"You'll learn enough in the first 15 minutes to keep you busy for a month."**

*Kevin McGrath, The Wichita Eagle*

Workshops are scheduled for:

- Sept. 11 – Tampa, Fla.
- Oct. 4 – Long Island, N.Y.
- Oct. 4-5 – Eugene, Ore.
- Oct. 25 – State College, Pa.
- Nov. 8 – Honolulu, Hawaii

For more information, visit [www.ire.org/training/betterwatchdog](http://www.ire.org/training/betterwatchdog)

To request a workshop for your area, contact Executive Director Brant Houston at [watchdog@ire.org](mailto:watchdog@ire.org).



# Guidestar a valuable link to nonprofits

BY CAROLYN EDDS  
THE IRE JOURNAL

When investigating a nonprofit, the Guidestar Web site ([www.guidestar.org](http://www.guidestar.org)) can be a good starting point. The Web site contains a searchable database with information on more than 850,000 nonprofit organizations registered with the Internal Revenue Service as a 501(c) nonprofit organization.

While many of you are familiar with Guidestar, it appears from the calls we receive at the IRE Resource Center that this is a new resource for many. Reviewing what's available will benefit both groups as you learn about some of the advanced search capabilities.

The Web site is produced by Philanthropic Research, Inc., a charity founded in 1994. The nonprofit directory started out as a print publication, but shortly after the 1996 issue was printed, the directory database moved to the Web site. The financial information on the Web site comes from IRS forms and files. For nonprofit organizations that do not file

forms with the IRS, Guidestar uses a financial statement form for gathering information.

Financial snapshots are available for about one-third of the organizations in the Guidestar database. These are for the nonprofits that file IRS Form 990. If an organization has an income below \$25,000, or is a religious organization, it is exempt from filing. These snapshots, addresses, and employer identification numbers (EINs) are available in the basic information search result.

To view more detailed information, free registration to Guidestar Plus is required. Guidestar Plus provides access to 990s, summaries, the board of directors, mission statements and financial and program information. For some organizations, the IRS Form 990 PDF files are available for several years.

A quick search is available from the box in the upper left corner of the Guidestar home page by entering the name of the organization. Below that box is a link to an advanced search page with more options. In addition to searching by organization name, searches available include by city, state, ZIP code and category such as

health or performing arts. Also, visitors can search by nonprofit type such as public charity or private operating foundation. Other options include searching by income range or the EIN.

The search tips page at [www.guidestar.org/search/search\\_tips.jsp](http://www.guidestar.org/search/search_tips.jsp), provides additional searching options. For example, to search for nonprofits in more than one city, use "or" in the "city" field. To search for nonprofits in Tallahassee, Orlando and Miami, in the city field enter "Tallahassee or Orlando or Miami."

The syntax for exact phrases is the same as in Google. Use quotation marks around the phrase. The wildcard character, an asterisk (\*), can be used to find various forms of a word. For example, *librar\** will return organizations with the words library, libraries or librarians in the name.

On the advanced search page, these search options can be combined to reduce the number of results. For example, enter "Habitat for Humanity" (using the quotation marks) in the field labeled Nonprofit Name and in the city field enter "Tallahassee or Orlando or Miami." This will return a list of nonprofits in these cities with "Habitat for Humanity" in the name.

If you're looking for story ideas about nonprofits in your area, search by ZIP code, city or state.

Be aware some fields take precedence. For example, if an EIN is entered on the Advanced Search page, the search engine will search only by that field. Similarly, if both a ZIP code and a city are entered in the respective fields, the search engine will search only by the ZIP code. The maximum number of search results is 1,000.

Organizations that choose to add information to their entries in Guidestar are known as Guidestar Participants. These organizations are listed first in

the search results, followed by nonprofits that have IRS Form 990 and finally, other organizations. Within each group, the nonprofits are listed in alphabetical order.

When investigating a nonprofit organization, Guidestar is a good start but do not forget about the resources available from the IRE Resource Center Web site ([www.ire.org/resourcecenter/](http://www.ire.org/resourcecenter/)). These resources include the IRE story database, the IRE tipsheet database and the indexes to *The IRE Journal* and *Uplink*.

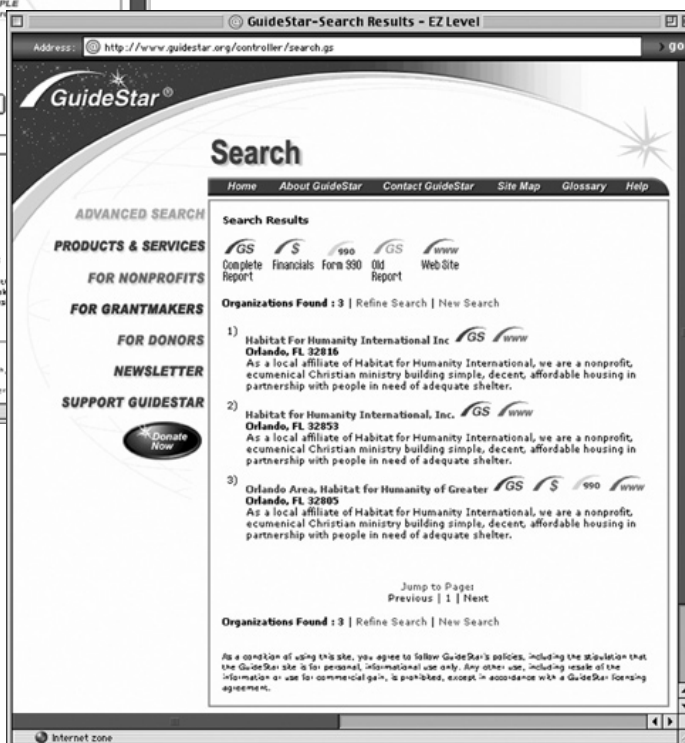
*Carolyn Edds is the Eugene S. Pulliam research director for IRE. She directs the IRE Resource Center and helps maintain Web resources.*



Homepage:  
<http://www.guidestar.org>

Advanced Search Page:  
<http://www.guidestar.org/search/index.jsp>

Search Tips Page:  
[http://www.guidestar.org/search/search\\_tips.jsp](http://www.guidestar.org/search/search_tips.jsp)



## Credit

CONTINUED FROM PAGE 13

second day, we recounted congressional battles to improve credit reporting, and explained the reasons why no one in a position to change the system — not Congress, not regulators, not the courts and not the bureaus — had shown much interest in challenging the status quo.

The first-day mainbar is sprinkled with anecdotes, but we also planned to profile several victims. Some of their stories proved irresistible: A bankruptcy filing that ended up on the credit report not of the penniless client, but of his well-to-do lawyer; a woman whose decade-long battle to clear her credit file required help from Social Security and Secret Service agents in two states; and Ray Deccy, the would-be cottage owner whose file said he was dead.

The profiles helped break up the pages, gave us an opportunity to use photographs, and allowed us to balance the hard facts and the human impact.

While profiles gave the series a human face, some of the graphics helped put a dollar figure on the problem without weighing down the mainbars with an overabundance of numbers.

We used simple graphics to show how a single credit report error could affect a consumer's credit score, and how much more consumers would pay for loans or mortgages with an inaccurate credit file.

Some graphics took days to perfect and hours of discussion. One especially tough one was simplifying how errors entered the system. Originally, we envisioned a flow chart, but one early version looked like an octopus. It was too complicated,

and we worried readers would be put off.

Ultimately, we chose blocks of text paired with icons that succinctly outlined the origin of the error and its impact on a consumer's credit report. In its final version, the graphic served as a roadmap to some of the more complicated elements of the Day One mainbar.

Fairly late in the game, we also — as objectively as we could — revisited our early story list and reconsidered how much we were asking readers to digest. We jettisoned sidebars that had only a tangential connection to the topic. And, at the pointed direction of business editor George Gombossy and deputy managing editor Barbara Roessner, we squeezed the mainbars to keep them under 90 inches.

It was a still a long series — seven pages over the two days — but ultimately we're glad we made some tough choices to limit its length.

We think that paid off in the reader reaction. Responses were overwhelmingly positive and gave an indication that readers had read virtually the entire package.

Some of those readers might be in a position to make a difference. A few days after the series ran, the U.S. Senate banking committee held a hearing on the Fair Credit Reporting Act. Connecticut Sen. Christopher Dodd began his questioning by referring to the series and its portrayal of the "devastating effects" credit report errors can have on consumers.

*Kenneth R. Gosselin and Matthew Kauffman are business writers at The Hartford Courant.*

Michael McAndrews | The Hartford Courant



Robert Sattin, a commercial bankruptcy attorney, was denied credit card approval because he was improperly listed as the defendant when representing a bankruptcy client.

## Computer - Assisted Reporting Boot Camps

These unique seminars give journalists a jumpstart in computer-assisted reporting techniques. Participants come to Columbia, Mo., where they are trained in how to acquire electronic information, use spreadsheets and databases to analyze the information and to translate that information into high-impact stories. The National Institute of Computer-Assisted Reporting provides follow-up help when participants return to their news organizations.

- Jan. 4-9, 2004
- March 21-26, 2004
- May 16-21, 2004
- Aug. 1-6, 2004

### What participants have said about IRE and NICAR training:

*"The workshop and the conference have convinced me that the investigative reporting approach and techniques can be easily applied to beat reporting and daily journalism."*

— Afi-Odelia Scruggs, Professor of Journalism at Ohio Wesleyan University

*"The training and workshops are first-rate, to be sure. ... Our newspaper, and hence our city, is the better for it in innumerable ways, both great and small."*

— Willy Stern, *Nashville Scene*

*"Thanks for your inspiration and guidance. I'm hooked on data!"*

— Glenn Henderson, *The Palm Beach Post*

**More information is available at [www.ire.org/training](http://www.ire.org/training)**

## Member news

CONTINUED FROM PAGE 5

superintendent and Charleston businessmen.

■ **Todd Gillman** of *The Dallas Morning News* has been named a winner of the 2003-04 Paul Miller Washington Reporting Fellowship.

■ **Sally Kestin** of the *South Florida Sun-Sentinel* won the Florida Society of Newspapers Editors' Paul Hansell Award. The award was given for her investigative work into the state's handling of missing children and the rise of pet euthanasia.

■ **Judy Miller**, former IRE board president, was named managing editor/news at *The Miami Herald*, responsible for most news reporting, including local, national, foreign and business news, as well as features coverage. Special projects editor and IRE member **Manny Garcia** will replace her as assistant managing editor/metro.

■ **Anne Mulkern** of *The Denver Post* has been named a winner of the 2003-04 Paul Miller Washington Reporting Fellowship.

■ **Lea Bayers Rapp**, a freelance journalist and author, received a first-place award for a religious or inspirational book from the National Federation of Press Women. The New Jersey Press Women's Association also awarded her a first-place prize for her most recent book, "Mazel Tov!" ■ **Diane Rodgers** of *The St. Augustine Record* won in the Investigative Reporting category at the Florida Society of Newspaper Editors' annual journalism competition and also took the Gold Medal for Public Service. The awards were for her investigation "Fare Warning," which exposed the failure of officials to screen taxi drivers for criminal backgrounds.

■ **Debbie Salamone** of the *Orlando Sentinel* won in the Explanatory Reporting category at the Florida Society of Newspaper Editors' annual journalism competition for "Florida's Water Crisis." This series documented the danger that unfettered growth poses to state drinking water supplies. ■ **Adam Symson**, formerly executive producer of investigations and special projects at KNXV-Phoenix, is now director of investigations and special projects for the Scripps Broadcast Group in Cincinnati. ■ **Lawan Williams** has moved from WFTV-Orlando, where she was a consumer investigative reporter, to KNXV-Phoenix, where she is an investigative producer.

## Interviewers

CONTINUED FROM PAGE 6

### Reaching an understanding

Unfortunately, as anyone who has tried to read an operator's manual for a technical machine knows, reading does not always lead to a complete understanding. Though journalists might think they've done their research, they might have no idea how something actually works.

"You can't explain what you don't understand," says Pat Stith of *The (Raleigh) News & Observer*. "You can only repeat what you hear."

Although background research can help reporters ask the right questions, journalists must admit when they don't understand the answer. Stith uses an example from his brother, a pilot. When flying a plane, other pilots can hear you communicate with the tower. If you don't understand what the tower tells you, you can't pretend you did so you don't look silly. You have to ask them to repeat themselves.

"Keep going over the same territory," Stith says. "Keep asking the same questions."

Wilson says that it pays to ask stupid questions sometimes. It also pays to find a roadmap source — a source not necessarily involved in your investigation, but a person with technical knowledge who can walk you through an issue.

Steele, who has written about custom-tailored tax breaks, will wait until he thinks he has a good feel for an issue and then bounce it off a background source. He needs to know if there's something he is fundamentally missing.

When Victor Merina, a former *Los Angeles Times* reporter who is now with the Poynter Institute, did a piece on auditing firms, he went to an auditor's convention and talked to fiscal officers. Although the convention itself wasn't a story, it established contacts for other investigations. The fiscal officers were willing to discuss issues with him, especially when it wasn't regarding their cities.

### Clarifying the issue

The deeper journalists delve into stories, the harder it is for them to step outside the technical jargon and consider the understanding level of the reader.

If journalists don't understand sources' responses or don't think they can reword it for the reader, they must ask sources to simplify their answers.

"Pretend I just parachuted in from Mars," Steele says.

"Tell me that in the language you would use to tell your daughter," Nalder says.

"How would I say that to my 10-year-old son?" McGraw asks.

Technical experts might have a difficult time dropping their professional jargon. If an inter-

viewee seems formal and stiff, Nalder recommends taking a break from the interview topic and talking about the source personally. It might help remove the official mood. Also, taking sources through well-organized interviews might help them speak more plainly. Journalists can have sources take them through chronologies or describe machines from one end to the other.

But Al Tompkins of the Poynter Institute cautions about getting too casual with a technical topic and says that journalists should ask their sources, "What's the danger in simplifying this?"

In technical areas, it might also be necessary for journalists to call sources before stories run to make sure explanations are correctly written. Tompkins says that journalists who run information by a source before publication should make it clear that they are looking for accuracy, not approval.

### Making it visual

Technical interviews are hard enough. Broadcasters face an added obstacle: How do you make complex issues visual? How do you get understandable quotes?

Roberta Baskin, a correspondent for *Now* with Bill Moyers, says she used to think it wasn't always necessary to make a broadcast story compellingly visual, but she's changed her mind. It *does* have to be visual.

"You can translate any story into television," she says. "You just have to be creative."

When Baskin covered a story about a plane crash in which the pilot had been drunk, she was forced to get resourceful in finding visuals. She didn't have the pilot, she didn't have the plane, she didn't have anything. Baskin had to create the visuals. She used graphics. She used a courtroom artist. She got a copy of the pilot's work-release document and his driving record.

Along with the issue of visual aids, a broadcast investigative reporter must know how to get understandable quotes from a source. Valeri Williams, most recently with WFAA-Dallas, says if a source doesn't get to the heart of a question the first time, she'll come back to it and make it more simple. In some cases, she'll shut down the camera to ask, "Does this word mean this?" By simplifying a source's language, she can help clarify the issue.

However, the advantage to broadcast, Williams adds, is that it leaves less room for a source to complain and scientifically split hairs after a piece is broadcast.

"You have them on camera," she says. "They're saying what they're saying."

*Lori Luechtefeld is a graduate student at the Missouri School of Journalism and magazine studies intern with The IRE Journal.*



## FOI report

CONTINUED FROM PAGE 17

But the proof, of lack thereof, of any effective policy lies in the enforcement of its language, and the rule as proposed contains not a single word to that effect. Corporations are placed on the honor system, it seems, and given discretion to do the right thing. Not only is there no policing of compliance, there is no guidance given for corporate counsel whatsoever. There are no penalties, not even for willful violations. One can only assume the lawyers and judges will do the defining, years and years of litigation later.

### Restore FOIA

Corporate types lobbying for the CII exemption in the Homeland Security Act knew what they were doing. The federal Freedom of Information Act contained adequate exemptions to protect CII information — the government's lawyers have admitted as much — but FOIA would have required submitters to segregate non-exempt portions of CII records for disclosure. The proposed rule does not. As Howell notes: "Consequently, agency documents relating to the safety of critical infrastructure facilities that are of enormous interest to the public but that reference or incorporate CII-marked information may be kept under wraps in their entirety."

The proposed rule may not be the final word on the subject, however. Sen. Leahy, joined by Sens. Robert Byrd, Carl Levin and Robert Graham, recently introduced a bill called the Restore Freedom of Information Act. "Restore FOIA" would replace the current exemption with a more carefully crafted one. The bill would shield from disclosure information that legitimately relates to threats to our critical infrastructure and companies' confidential business information, but it would not cut off public access to the type of health, safety, and environmental information that citizens up to now have had a right to obtain.

"Restore FOIA" would essentially return the exemption to compromise language a year ago that was supported by Sen. Robert Bennett, who wanted to protect critical infrastructure information, and Leahy and Levin, who wanted to protect FOIA access. It was also acceptable to government watchdogs, many of whom worked for months on the language. But Bennett, emboldened by Republican gains in the midterm elections, later voted with all but one of his fellow Republicans to pass the House version of the Homeland Security Act, without the FOI protections. The victory of partisan politics over rational lawmaking is what produced the department's radical interpretation of the exemption as it stands.

Whether or not "Restore FOIA" has political legs, the notice-and-comment period on the regulations implementing the provision closed June 16. The black hole is now in effect.

## 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 19,000 investigative reporting stories through our Web site.

Contact: Carolyn Edds, carolyn@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: Jeff Porter, jeff@ire.org, 573-882-1982

**CAMPAIGN FINANCE INFORMATION CENTER** – Administered by IRE and the National Institute for 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: Brant Houston, brant@ire.org, 573-882-2042

**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 boot camps and on-site newsroom training. Costs are on a sliding scale and fellowships are available to many of the events.

Contact: Brant Houston, brant@ire.org, 573-882-2042

### 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** – Newsletter by IRE and NICAR on computer-assisted reporting. Published six times a year. 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: Jeff Porter, jeff@ire.org, 573-884-7711

**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

### For information on:

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

**CONFERENCES AND BOOT CAMPS** – Ev Ruch-Graham, ev@ire.org, 573-882-8969

**LISTSERVS** – Ted Peterson, ted@nicar.org, 573-884-7321

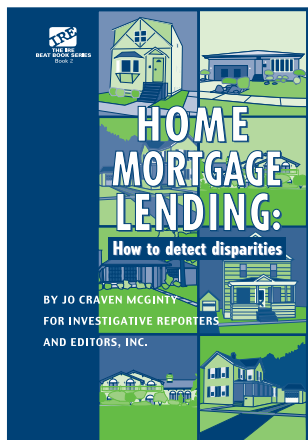
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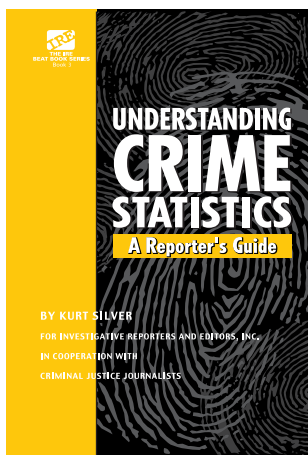
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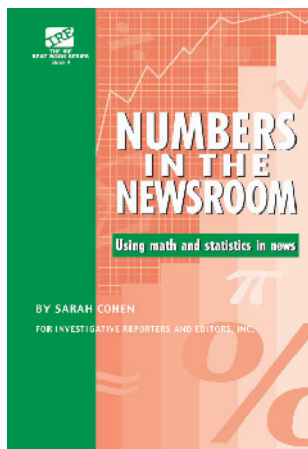
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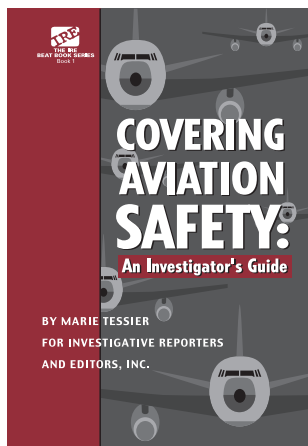
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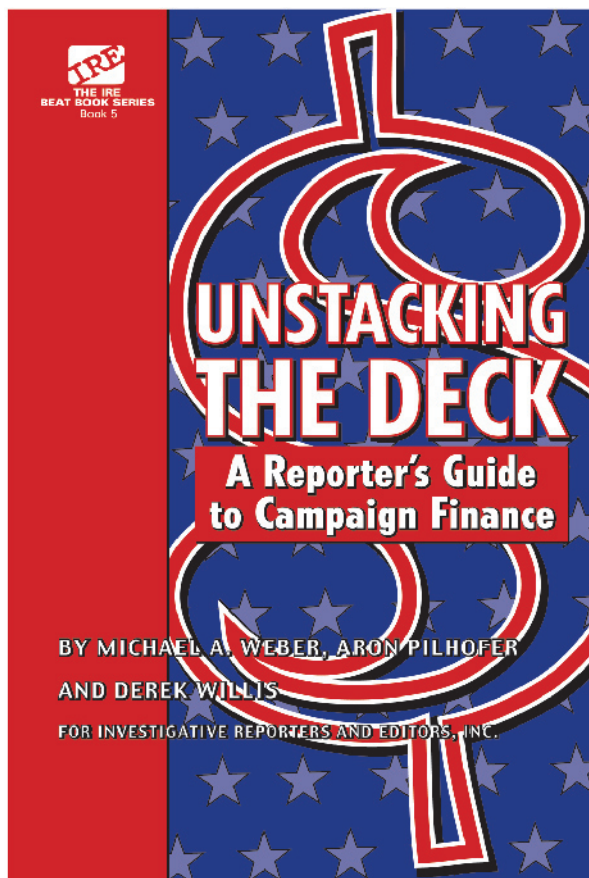


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