THE IRE JOURNAL

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NOVEMBER/DECEMBER 2003

Photo Illustration by Joe Ledford | The Kansas City Star

ABOUT THE COVER

Rob Thiemann, the Kansas City Water Department's project manager for water recovery, checks the water meter on the J.C. Nichols Fountain. Wasted or lost city water is just one of the angles covered by *The Kansas City Star*'s Mike Mansur as he digs beneath the surface of city government coverage.

Cover photo by
David Pulliam, *The Kansas City Star*

THE IRE JOURNAL

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Join IRE's leadership in pledging for future

BRANT HOUSTON

The IRE Endowment campaign is moving into overdrive.

With the help of many advisers and friends, we have put together the materials and the plans for raising $1 million by Oct. 1, 2004. By accomplishing that feat, we will be assured of receiving another half-million dollars in matching money under a generous grant made by the Knight Foundation.

Current and former board members have contributed and pledged more than $95,000 by the time you read this. Donations of $10,000 to $25,000 have come in from the Philip L. Graham Fund, the Newhouse Foundation, NBC News and other donors. Many media companies have matching programs that have bolstered both the small and large donations.

Equally important, our members have donated more than $13,000 over the past year in smaller contributions, showing larger potential donors the strength and passion of this organization.

After we reach the October 2004 goal, the endowment will be at $3.5 million and we will be closing in on our final goal of $5 million.

Everyone can help

There is no doubt this drive has entered its most challenging time. The economy does not appear to be rebounding quickly. Newsroom budgets remain tight or have been cut further. As we work on the drive, we still need to raise money for our conferences and workshops and other services to keep our fees affordable for our members and other journalists. (We haven't raised conference fees in eight years.)

There is no doubt we need everyone's help. We need your donation and we need a firm pledge if you can make it. Many members and supporters are making five-year pledges to allow them to make larger donations than they would be able to at one time.

Whether it's $5 or $500 or $5,000, every dollar counts and every dollar will draw 50 cents from the Knight pool of matching money. If your dollar is matched by your own news organization, that too will draw a Knight match.

Why are we doing all this work?

It has become ever more clear since 9/11 that this country and the world need strong, independent associations and institutes for investigative journalism that are financially secure and depend on the commitment of their working members. IRE has not only supplied a template for this kind of organization, but has worked to help journalists in other countries form their own organizations and helped create a new global network in which we can all share. (The Global Investigative Journalism Network can be found at www.globalinvestigativejournalism.org.)

Careful investment

To continue this kind of service to members and journalism at large, IRE needs a secure financial base. With an endowment that can produce investment income for IRE's core activities, the staff and board will have more time to concentrate on programs and be able to spend less time on raising money to cover the costs of each year's operations.

Be assured that your contribution will be invested and used carefully. In the past two years, when other funds were losing huge percentages of their value, IRE's increased by 8 percent. This prudence included paying for almost all endowment efforts until recently with operating funds, allowing the general endowment fund to keep growing undisturbed.

As the holidays approach, please consider giving the most you can to the endowment. Let us know, too, of potential donors – companies, foundations, individuals who can help us reach this goal. Send your messages to endowment@ire.org or call our development officer, Jennifer Erickson, at 573-884-2222.

This drive will benefit not only IRE and all of journalism, but every member of this critically important organization.

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

BREAKTHROUGHS

FUNDING IRE's FUTURE

Please make your annual contribution to **IRE**!

"IRE has built a reputation as an industry-leading source of support and training, helping investigative journalists surface the truth and produce meaningful stories. Your contribution to IRE's endowment campaign represents an investment in the reporters, editors and broadcast producers responsible for the news, from small towns to major markets."

Neal Shapiro, Campaign Co-Chair
President, NBC News

"This endowment will provide an enduring source of funding, helping IRE share the latest investigative tools, tips and methods with print and broadcast journalists now and in the future. I hope you will join me in supporting this crucial campaign for IRE's future."

Myrta Pulliam, Campaign Co-Chair
Dir. of Special Projects, *Indianapolis Star*
Founding Member, IRE

Annual IRE Endowment Appeal

Your annual support is vital to the future of IRE. Please join IRE's leadership by making a gift to IRE's endowment fund.

Begun in 2000 to provide a stable, long-term source of funding for IRE's mission, the Endowment Fund has grown to nearly $2 million. With a goal of $5 million, "Breakthroughs," IRE's endowment drive, will ensure the future of the organization's training programs, services, resources and the ability to create new initiatives for investigative journalism.

Members' annual donations show strong internal support for IRE to potential corporate and foundation donors. Under a matching program, the John S. and James L. Knight Foundation will give $1 for every $2 you give.

This year, current and former IRE board members have pledged an additional $95,000 to the endowment. With the Knight Foundation match, gifts from IRE's leadership will result in an even more significant increase:

$95,000 (new board pledges) + $47,500 (50% Knight Foundation match) =
$142,500 endowment increase

To make a contribution, please use the form below, visit www.ire.org/endowment or phone IRE Development Officer Jennifer Erickson at 573-884-2222. All contributions are tax deductible to the fullest extent allowed by law.

YES! I would like to support IRE's Endowment Fund

Name _____

Address _____

City _____ State _____ Zip _____

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Company Address _____

Wk Phone _____ Hm Phone _____

❒ My check is enclosed and **made payable to IRE.**
Please write "Endowment" in the memo line of your check.
❒ Please charge my credit card with the amount indicated ❒VISA ❒MasterCard
❒ I will pledge $_____ over _____ years.

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I would like my gift to benefit IRE in this way:
❒ Endowment - general operations
❒ Endowment - specific program, services or resource area
Name area _____

Amount of gift $_____
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$20,000 Ottaway grant will back minority fellows

The Nicholas B. Ottaway Foundation has awarded IRE a $20,000 grant for minority fellowships to computer-assisted reporting boot camps at the Missouri School of Journalism. The grant will allow IRE to offer 10 fellowships in the coming year.

"This will make a big difference to the fellows, to the quality of boot camps and to the nation's newsrooms," said Brant Houston, executive director of IRE. "The Ottaway Foundation's generosity will ensure that IRE's efforts to expand diversity within the field of investigative journalism will continue."

The CAR boot camps are intensive, six-day seminars. They give working journalists a jumpstart in CAR techniques, training participants to acquire electronic information, use spreadsheets and databases to analyze the information and translate that information into high-impact stories.

For more information and application forms, visit www.ire.org/training/fellowships.html or contact John Green, membership coordinator, at jgreen@ire.org or 573-882-2772.

Upcoming training events include workshops, seminars

IRE still has openings at several upcoming training events. IRE seminars and workshops are an excellent way to sharpen your investigative techniques and keep up with the latest developments in the field. For more information go to www.ire.org/training. Open training dates include:

• Better Watchdog Workshops

Learn investigative skills and how to produce enterprising and informative stories while covering a beat. Panels include finding and cultivating sources, interviewing, using the Internet and electronic data, using FOI and open records requests, overview of computer-assisted reporting and how to juggle a beat and produce investigative stories. Presented in conjunction with SPJ and with funding from the SDX Foundation.

- Nov. 1, Helena Mont.
- Nov. 8, Honolulu, Hawaii
- Nov. 15, Buffalo, N.Y
- Dec. 3, College Park, Md.
- Feb. 7, 2004, Fullerton, Calif.

• CAR Boot Camps

These unique seminars, put on by IRE and the National Institute for Computer-Assisted Reporting, train journalists to acquire electronic information, use spreadsheets and databases to analyze the information and to translate that information into high-impact stories. In addition, the institute provides follow-up help when participants return to their news organizations.

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

• Advanced Statistics Workshop

Pulitzer Prize-winning journalists Steve Doig, interim director of the Walter Cronkite School of Journalism at Arizona State University, and Sarah Cohen, database editor of *The Washington Post*, will team to teach an Advanced Statistics workshop.This session is aimed at strengthening the skills of reporters who want to move beyond basic computer-assisted reporting and use statistical analysis in their work.

- Feb. 13-15, 2004, Tempe, Ariz.

Atlanta hotel discount for early-bird registration

Reserve your hotel room for the IRE Annual Conference before Jan. 16 to get a special rate. Until Jan. 16, the rate is $109 single or double occupancy. After Jan. 16 the room rate will increase to $119. Hotel reservations must be made before May 21 for the June 17-20 conference.

To make hotel reservations at the Atlanta Marriott Marquis, call 404-521-0000 or 800-228-9290 and ask for the "IRE 2004" room block. To reserve your room online, follow the Marriott link from IRE's conference Web page.

The conference will feature more than 100 panels, workshops and special presentations about covering civil rights, public safety, courts, national security, the military, business, education, local government and much more.

Be sure to sign up for the conference and get more information about IRE's premier event at www.ire.org/training/atlanta04.

IRE members honored in annual Clarion Awards

IRE members had a strong showing in the 2003 Clarion Awards from the Association for Women in Communications. Winners included:

- **Josephine Cheng** in the television health/medical story category for the story "Alfonso's Miracle" on KING5- Seattle.
- **Geri Dreiling** in the newspaper feature story category for the story "Nasty Boys" in the *Riverfront Times* of St. Louis.
- **Eric Eyre** and **Scott Finn** won two awards, in the newspaper special section category for the section "The Long Haul and Broken Promises" and in the newspaper investigative series category for the series "License to Steal," both in the *Charleston Gazette*.
- **Mike Kelly** shared an award in the newspaper feature story category for the story "Journey Through Shadow" in *The Record* in Hackensack, N.J.
- **Jack Kresnak** in the newspaper hard news story category for the story "Foster Children" in the *Detroit Free Press*.
- **Martin Kuz** in the newspaper hard news story category for the story "The Wal-Mart Menace" in the *Cleveland Scene*.
- **Gale Workman** in the education and course development category for the public affairs reporting course "Your Capital Bureau" at Florida A&M University.

MEMBER NEWS

Christopher Castelli, chief editor of *Inside the Navy*, has been awarded a fellowship by the Knight Center for Specialized Journalism in Maryland. The program will examine the level and extent of post-9/11 government secrecy and the historical context and trickle-down effect in states and localities.

■ **Craig Cheatham** of KMOV-St. Louis was part of the team that won first prize from the Society for Environmental Journalists in its 2003 Reporting on the Environment contest. The team won for their story "La Oroya, City of Lead" in the In-depth Reporting – TV category.

■ **Joe Follick** has moved from the *Tampa Tribune* to the *Courier-Journal* in Louisville, where he will be an investigative reporter.

■ **Stephanie Kang** has joined *The Wall Street Journal*'s Los Angeles bureau as a reporter. She was an IRE data analyst and a graduate student at the Missouri School of Journalism.

■ **Steve Mills** and **Maurice Possley** of the *Chicago Tribune* have been awarded the 2003 Lovejoy Award for journalism from Colby College. The team won for its series on the death penalty in Illinois. ■ **Deborah Potter** of NewsLab has been named executive director of the Radio and Television News Directors Foundation. She has worked for local and network news organizations and has taught at American University and the Poynter Institute.

■ **Seth Rosenfeld** of the *San Francisco Chronicle* has been awarded the 2003 Eugene S. Pulliam First Amendment Award by the Sigma Delta Chi Foundation, the educational arm of the Society of Professional Journalists. Rosenfeld, a reporter specializing in legal affairs and investigative reporting, is being recognized for his piece "The Campus Files: Reagan, Hoover and the UC Red Scare," which won an IRE Award this year.

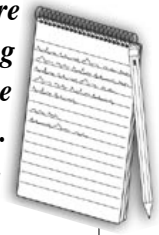
■ **Ellen Shearer** was awarded the first William F. Thomas Professorship at Northwestern University's Medill School of Journalism, where

CONTINUED ON PAGE 42 ➢

Send Member News items to Len Bruzzese at 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 final installment.



PART 6

Finding and cultivating sources

BY LORI LUECHTEFELD
THE IRE JOURNAL

Renee Ferguson can't even go to the supermarket anymore without meeting new sources. Somewhere between the fresh produce and the checkout line, she might be approached by someone who has seen her on television, … people who trust her without having met her. At her station, she receives 20 to 30 calls a day from people who have seen her on WMAQ in Chicago. They want to tell her their stories.

This recognition is both the advantage and disadvantage of television, says Ferguson. On one hand, sources of stories know how to find her (even on the street.) On the other hand, the subjects of her investigations also know whom to avoid.

Although documents are at the heart of good investigative journalism, most investigations would never come together without human sources.

"I like to start with people," Ferguson says.

Knowing whom to talk to – and how to talk to them – is a key aspect of investigative journalism. Establishing trust and open lines of communication with sources is what makes good stories great. Without this trust and communication between journalists and the public, many crucial investigative stories would go undiscovered and unreported. Source cultivation includes not only locating and contacting people while working on stories, but also maintaining these ties for future stories and tips.

Entering new areas

Tracking down interview subjects is often hardest when a journalist enters a new area, whether it be a new town, beat or issue. When entering a new beat or general area of interest, the best thing a journalist can do is become a familiar face in that area. Casual conversations with people can often be the first in a series of interviews with a source.

Ferguson and other broadcast reporters are already familiar faces to the people in their community. Print journalists might have to put in a little extra time.

Victor Merina of the Poynter Institute recommends finding a "listening post" in a given community where people know what's happening. This might be a restaurant, a barbershop or any number of places where individuals gather and discuss issues.

"Not only will you get a better sense of the community, but you will have a presence there," Merina says. Such a presence, he says, keeps journalists from always relying on the usual suspects when writing a story. Rather then recycling old interviews for new issues, journalists with a good footing in the community can find fresh voices for their articles.

James Neff of *The Seattle Times* says that a journalist can be systematic about establishing and interviewing sources."Deliberately try to meet someone in a new area," he says. A journalist, Neff says, can make it a personal goal to take a new person to lunch every week.

Similarly, Bruce Selcraig, an investigative freelancer for national magazines, says journalists must spend time in places where there isn't currently a story. While covering police, Selcraig spent time at the firing range with police officers and used his time there to get to know the cops. Listening to them talk among themselves helped him acquire the language needed for the interviews he would later conduct.

"Try to find out what they really talk about among themselves," Selcraig says. "They're not talking about the use of excessive force. They're talking about health care and the chief."

Locating the right source

Understanding the language of the people a journalist covers, whether it is a single story or a general beat, is important. Knowing how to find specific sources, especially in investigative projects, also is crucial.

Selcraig recommends searching for unsung heroes within stories and agencies, and for this, a journalist must have an understanding about how bureaucracy works. The best interviews often come from those at the bottom of a corporate pecking order.

"Every time a politician writes a speech, there is probably a person behind them who wrote those words," he says.

Similarly, when covering the police, it is important to find the person who did the real work, says Selcraig. For example, when covering a drug bust, find out who actually did the bust.

"If you find the people who did the work, you will find someone who is frustrated that someone else is taking the credit," says Selcraig.

Often in investigative reporting, it is important to find the individuals who are frustrated with the way a corrupt agency is working.

In working with prisons, Selcraig offers several avenues to explore in locating these people:

1. Find an association related to the prison and meet members. This casts the net of your investigation far and wide.
2. Meet individuals who work in the medical facilities of the prison. These people have a loyalty to their patients, not the prison.
3. Find former employees. These individuals often still live nearby.
4. Find inmates who have been transferred away. Inmates still at a prison will be reluctant to talk frankly about the institution because they fear punishment by officials at the prison.

These principles are generally applicable to many areas of source cultivation in investigative reporting. Associations, people connected loosely with organizations, former employees and people affected by the organization can provide good inlets to any story.

Ferguson, while investigating customs at O'Hare International Airport, found current employees to be good sources as well. She recommends that reporters look for past whistleblowers, disgruntled workers and people who have filed lawsuits against the agency.

Steven Rubin for IRE

Renee Ferguson speaks on a panel at the 2003 IRE Annual Conference.

Occasionally, journalists only need to find one source. The rest might naturally follow. When Ferguson investigated clinical drug trials that resulted in the deaths of children, the names of the families affected were not public record. But all it took was one family that came forward. And they knew another family… who knew others. Her short list of sources quickly expanded into a broad web.

Often the most important sources that reporters use will not appear in their articles. If Al Tompkins of the Poynter Institute wants to know about the homeless, he pays a visit to a priest. If he wants to know about the criminal underground, he drops by a junkyard.

Although these might seem like unlikely places to begin investigations, Tompkins knows that these people are reliable sources with whom to conduct background interviews. The priest he visited had worked in a shelter and knew all about what it was like to be homeless. Tompkins' source at a car junkyard had a connection with a criminal element because of the nature of his business. Although neither of these men were usually the focus of Tompkins' stories, he knew he could count on them as guides in otherwise unknown territory.

In addition to finding a source, journalists must establish a solid reputation with these individuals through honest and fair interviews.

"Trust is a precious commodity," says David Kaplan, an investigative reporter with *U.S. News & World Report*. "It takes years to build up and can disappear in a day."

A technique Kaplan finds helpful in establishing this trust is to return to his interview subjects after a story has run and show it to them. Spending this extra time with a subject after the interviews are over is vital.

"Over the years, it becomes obvious that you can't work without people trusting you," Ferguson says. Reporters must keep their word to their subjects and, if journalists promise protection to an interviewee, they can't give them up. Not in their writing and not in their interviewing.

Selcraig believes journalists can help establish trust with interview subjects by presenting themselves as "normal people." Spend a few moments discussing the weather or their kids… anything that personally connects the journalist to the subject.

Tompkins says journalists must make themselves accessible, and he does not understand reporters who are hard to reach. How can journalists who want people to talk to them be unlisted in the phone book?

In addition to being easy to reach, there's another simple way to break down the barriers during interviews: Say "thank you."

"It's important that they know what they tell you is valuable," Tompkins says.

Pat Stith of the *The* (Raleigh) *News & Observer* agrees, saying "I don't send birthday cards and, generally speaking, I don't take people to lunch," he says. "But I do thank them."

To Stith, applying such a fundamental principle during interviews seems painfully obvious.

"It's the kind of thing your momma and daddy taught you to make friends," he says. Be nice. Smile. Don't trick people.

Stith says that he always considers himself as being off the record in casual conversations. He doesn't want people to have to be cautious when they talk to him. If they mention an issue he would like to pursue as a story, he then asks for their help in getting at the heart of that issue.

Walking the line

Despite the personal connections and trust between journalists and sources, there is a fine line between friendship and the relationship a journalist has with a good source. The more a journalist interviews a source, the more likely it is that a casual bond will form. These bonds can change the tone of an interview.

"You have to remind them that you're a journalist," Tompkins says.

He says these clarifying conversations are necessary when a close source begins to casually discuss newsworthy items. Conversations between friends are different than those between journalists.

Kaplan says that a number of his sources have become good friends, but a line is still maintained.

"They know when you put your professional cap on," he says.

Selcraig worries about more subtle problems with having sources who are also friends.

"Do we ask the right questions of someone we know as a friend?" Selcraig asks. Reporters not previously connected with an individual will tend to ask more aggressive questions.

"We can't forget that some questions have to be asked just one way," he says.

In addition to staying objective with sources, a journalist also must worry about the perception of others when it comes to sources.

"Friends can help, but they certainly can hurt," Stith says. "There are lots of couples in government, and it's best you know that. There are connections like that all over government."

Stith says other people will figure out these connections as well, and a journalist must be careful not to get a reputation as being in someone's corner.

Neff also worries about connections made with people on beats.

"It's a double-edge sword," he says. "If you get too close, you'll want to ignore things that might burn the source… If you do your job right, you probably can't stay on a beat more than a few years."

"A journalist's first loyalty is always to the public, and you shouldn't do anything to get in the way of that loyalty," Tompkins says. "That's why journalists have so few friends."

Lori Luechtefeld has completed graduate studies at the Missouri School of Journalism, where she was an intern with The IRE Journal. She was just named an associate editor with Fancy Publications in Southern California.

TEACHING

Newsroom uses state data to create teacher index

By Joshua Benton
The Dallas Morning News

I am a volunteer in a Big Brothers/Big Sisters program at an urban Dallas high school. Every time I'd see my "little brother," he would have a new horror story about his teachers – painting some as incompetent, others as not caring.

He said one teacher, for example, didn't require students to actually read the books they were assigned. Instead, he said, they spent every class period listening to a boom box playing a taped version of whatever they were supposed to be reading. The lights were even turned off, leading some to nap. No discussion, no actual teaching. Just press "play."

My little brother was having academic troubles. But I doubt anyone could learn much with the sort of teaching he described.

That was the impetus behind creating the Teacher Preparation Index, which we published in *The Dallas Morning News* in August. The TPI is a statewide rating system determining the school getting the most qualified teachers, and which ones get the leftovers.

Not surprisingly, we found that the children often most in need of great instruction – the poor, minorities, those who can't speak English – were much more likely to be stuck with the weakest teachers. I've no doubt that reporters in other states could duplicate our efforts and find a similar distribution.

"Sadly, it's the same pattern you see nationally," Kati Haycock, director of the Education Trust, told us. "We take the kids who are really the most dependent on their teachers for academic learning and systematically assign them our weakest teachers."

We knew going in that creating a rating system like TPI meant navigating a minefield. No principal likes to be told his teachers are anything less than perfectly prepared. And defining teacher quality is nebulous.

So I shifted my focus to something that could be more easily measured: teacher preparation. The State Board for Educator Certification keeps several excellent datasets that proved perfect for our purposes.

We posed three questions about each of 7,145 Texas public schools:

- What percentage of its teachers are fully certified and teaching the subject in which they are certified? (For example, a math teacher who is certified in math.)
- What percentage of its teachers are fully certified in any subject? (For example, a physics teacher who is certified, but only to teach middle school history.)
- What percentage of its teachers have less than two years of total teaching experience?

After getting the data, I sorted the schools into deciles (or one of 10 groups) and assigned them all a rating from 1 to 10 based on how they compared to one another. On each of the three questions, schools that finished in the top 10 percent of Texas schools got a 10. The next 10 percent got a 9, the next 10 percent an 8, and so on.

I averaged those three ratings to come up with each school's Teacher Preparation Index. A TPI of 10.0 meant the school finished in the top 10 percent of all schools on all three questions. A TPI of 1.0 meant it finished in the bottom 10 percent on all three.

Doing this simple math accomplished a few things. First, it put the state's data in context. If a mom finds out that 42 percent of the teachers in her son's school are rookies, she might not have enough information to know if that's a good or bad showing. But she can quickly understand if she's told her school is in the bottom 10 percent of all Texas schools.

Second, it allowed for easy comparisons among schools by demographics and other factors. We ran dozens of comparisons: poor schools vs. rich schools, white schools vs. black schools vs. Hispanic schools, schools with high test scores vs. schools with low test scores. Here are some of the results we found:

- Minorities were much less likely to be taught by experienced, certified teachers. Schools whose student bodies were more than 90 percent white had an average TPI of 6.3. Schools that are more than 90 percent Hispanic averaged 4.6. Predominantly black schools averaged only 3.4.
- Schools that didn't do well on state tests were much more likely to have ill-prepared teachers. Schools that the state considers "exemplary" – the state's highest rating – had an average TPI of 6.4. Those rated "low performing" averaged 3.5.
- The patterns were similar for schools with many English-language learners or with high poverty.

The schools with the lowest TPIs were typically in central cities. (We used mapping software for a newspaper graphic that made the pattern very clear.) But there also were surprising gaps in the suburbs.

We filled six pages of a Sunday newspaper with the TPI scores of more than 1,200 Dallas-area schools. (We put the scores of all 7,145 schools in a searchable database online.) Many parents were surprised to learn that all the uncertified teachers in their suburban district seemed to be funneled into their local school, or that the local high school was packed with teachers fresh out of college.

Once we had the data analyzed, we began writing the stories. The main piece examined the gaps we found along with the teacher food chain – how many teachers start out their careers in undesirable schools (usually with low TPIs), then work their way out to the high TPI suburbs. One sidebar looked at what researchers say about the value of certification as a marker of teacher quality. Another detailed our methodology and explained the limits of our analysis.

As soon as I began this project, I knew I'd have to build in caveats for readers. There are plenty of certified, experienced teachers who are just awful. And there are some rookies who do tremendous work. Neither is the norm, but they both exist.

The reaction was quick. State and national experts thought TPI was a great idea. Local educators – superintendents, in particular – hated it, at least if their schools didn't do well. They came up with a wide array of excuses for why their schools fared poorly.

It was while hearing these arguments that I was most thankful we were using official state data. Everything that went into the TPI – from definitions of who counts as certified to the data – came straight from the state. That made it easier to defend our package.

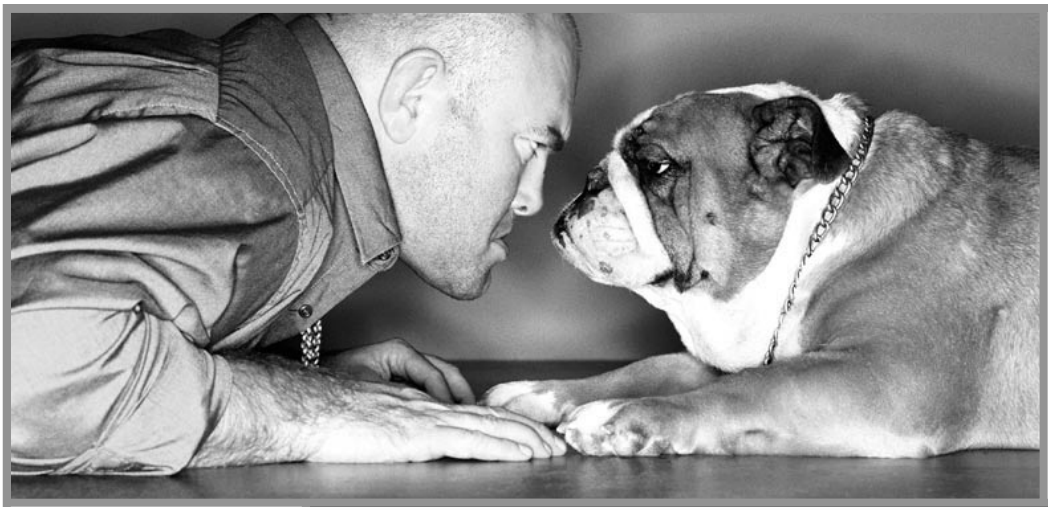
Looking at teacher preparation is always timely, but especially now with the No Child Left Behind Act. The massive education reform law passed in 2001 requires states and districts to ensure poor and minority students are not taught disproportionately by "unqualified, out-of-field, or inexperienced teachers." Those inner city schools with low TPIs aren't just failing their kids – they're going against federal statute, too.

[See Charles Davis' take on No Child Left Behind in this edition's FOI Report, page 11.]

One of No Child Left Behind's hallmarks is that it treats schools the same no matter what sort of students they teach. The dirt-poor urban school and the lily-white suburban palace have to meet the same test scores to meet federal standards.

But if some schools end up with all the weak teachers, equality will be almost impossible to obtain.

Joshua Benton has been writing about education for The Dallas Morning News since 2000. He is currently on leave from the News as a Pew Fellow in International Journalism and will be reporting on the AIDS crisis in Zambia.



WHO WATCHES THE WATCHDOGS?

USC
UNIVERSITY
OF SOUTHERN
CALIFORNIA

The SEC scrutinizes Wall St. The FAA inspects airlines. The EPA battles toxic waste. But we still need relentless investigative journalists – and their bold editors – to watch the watchdogs.

The **SELDEN RING AWARD** recognizes these vigilant professionals. The **$35,000** prize honors published investigative stories that made an impact, such as the **2003 SELDEN RING AWARD** recipients *Boston Globe* editor Martin Baron and his reporting team led by Walter Robinson and Michael Rezendes, whose shocking serial coverage revealed that the Boston archdiocese routinely hid sexual abuse by Catholic priests.

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TESTING

State's indexing of California schools found to be unreliable

By Ronald Campbell
The Orange County Register

School tests, like hay fever, are a rite of spring in California.

Every May, every child in every California public school from grade 2 to grade 11 is supposed to take a battery of tests. Based on these tests, the state calculates a three-digit score for every school.

Hundreds of millions of dollars rest on that score, the Academic Performance Index. The API is the ultimate in high-stakes testing, providing money to schools that improve their scores and disgrace to those that do not.

But the API is not reliable, *The Orange County Register* found in a 10-month investigation. Among our conclusions:

- The API has an undisclosed 20-point margin of error. A school where the API rises from, say, 680 to 690 might actually be losing ground.
- API scores have seesawed at many schools, dramatically rising one year (and earning the schools cash rewards) only to plunge the next. Many top award winners in 1999 were labeled failures in 2001.
- The API discriminates against diverse schools. The system is mathematically rigged against schools with three or more racial groups.
- One child in six is excluded from the API, despite state claims that virtually every child is included.

This story has national implications. The federal No Child Left Behind Act requires public schools in every state to institute performance tests like the API. Those tests all will have margins of error. In addition, by widening the number of racial and social groups that must demonstrate annual improvement, the federal law could penalize diverse schools more than the California system already does.

Our investigation began with a deceptively simple question. Education writer Keith Sharon wanted to know if schools were deliberately excluding kids from the test to boost their scores. He had noticed that schools in one district reported many fewer students taking the test than were enrolled.

We downloaded the API test database and school-by-school enrollment from the California Department of Education for a three-year period. We crosschecked these databases against lists of "under-performing" schools. Then we started looking for patterns.

We couldn't find one.

But we did find hundreds of thousands of children in districts all over the state whose test scores were excluded from the supposedly universal API.

Finding a pattern is easy. Determining that there is no pattern takes time.

We spent months figuring out how to bridge gaps in the state data to calculate participation rates by race and then to examine those rates for each of more than 7,000 schools. By the time we were done, we knew the numbers intimately.

And that's when we asked a wild question: If lots of students are excluded arbitrarily, isn't the API a sample? And if it is a sample, wouldn't it have a margin of error?

Then came the Hallelujah moment. After months of badgering, state officials told us, yeah, sure, there's a 20-point margin of error. And oh yes, an independent consultant named Richard Hill had written a technical article describing it in detail.

That discovery changed the story's direction.

Until then we had been dealing with a fairly simple idea: Kids weren't being tested. Now we had to learn statistical concepts, argue fine points with Ph.D.s and figure out how to explain it all without turning off math-phobic readers (and editors).

Statistical flukes

The theme of the story shifted to undeserved awards and punishments. We quickly documented that hundreds of schools had won awards for API increases that were within the margin of error. We also found many schools that had lost awards for declines that were within the margin.

Sharon and education writer Sarah Tully interviewed principals, parents and teachers as well as testing experts in and out of the state bureaucracy. Teachers and PTA leaders at several schools were outraged to learn that statistical flukes had cost them money.

Sharon and Tully discovered that the experts had known all along about the margin of error but had never mentioned it to the legislators and gubernatorial aides who designed the awards system.

And why didn't they tell? Their reason, loosely translated: "It's not my job, man."

Meanwhile, education writer Maria Sacchetti investigated another angle of the API, the big cash awards the state gave to teachers at schools that registered large improvements. She discovered that dozens of schools where teachers had won $10,000 and $25,000 cash awards in one year had been labeled failures just a couple of years later.

She also found that a disproportionate share of the awards had gone to small schools. Large schools, which educate the vast majority of California children, rarely got awards.

On a statistical level, that made perfect sense: Chance plays a much stronger role in small groups than it does in large groups. Chance events – whether

it's the presence of a few exceptionally bright kids or a flu epidemic – tend to cancel each other out in large groups.

While my colleagues worked human sources and read mind-numbing reports, I worked the numbers. I did most of my work in Excel but increasingly came to rely on SPSS, a statistical package, to analyze patterns in the margin of error.

Writing proved a huge challenge.

I have a rule of thumb: Never use more than three numbers in a paragraph. The corollary to that rule is to never put many three-number paragraphs in any story. Here was a story with literally thousands of numbers.

Over weeks of rewriting, we found a few answers to the problem of too many numbers.

Real consequences

The first solution was classic *Register:* Say it with graphics. Artist Sharon Henry, a veteran of several investigations, spent weeks figuring out how to put the numbers in pictures.

One graphic illustrated how the margin of error declines as the sample – the number of students tested – increases. Another displayed the margin of error for two Orange County schools, showing how one school had won and another had lost awards for API increases that were well within the margin.

Another solution was to put a whole bunch of numbers in one place. I wrote what amounted to a nerd box on steroids – about 25 inches describing our methodology.

The third solution was to write stories about people. The mainbars all followed a similar pattern: Mention a number, bring in many people to talk about the real-life consequences of that number, and then repeat the pattern for another number.

We published our stories to mixed reaction. Many parents, teachers and school administrators – even a superintendent who had objected to our aggressive reporting – thanked us. Some state legislators called for changes but a ballooning budget deficit prevented action.

The California Department of Education rejected our findings out of hand. CDE hired Stanford statistician David Rogosa, who prepared two papers ridiculing our findings and claiming that a high school statistics student could have done better.

Our experts told us to stick to our guns.

And so we have. When the state released another round of API scores, we reported the numbers. We also reported that the numbers were unreliable.

There are signs that CDE may clean up its act. When a new state schools superintendent took office this year, he promptly appointed a new deputy superintendent for testing: one of our sources.

Ronald Campbell is a staff writer for The Orange County Register. He has practiced and taught computer-assisted reporting for a dozen years. He shared an IRE certificate in 2001 for stories on the buying and selling of human body parts.

FOI REPORT

With so much data now, story potential abounds on school testing front

CHARLES DAVIS

Rather than preach this issue about where freedom of information is lacking, I'd like to use this space to point out one rich area of reporting literally overflowing with access.

Some stories just beg for data, the kind of number crunching made possible by the rare confluence of politics and transparency.

A case in point is the federal government's No Child Left Behind law, a mammoth piece of legislation that produces all sorts of school-testing data ripe for the picking. Journalists across the country are using the public data to tell the story of a law long on intent but, many say, short on realism.

So many great stories have sprung from the school-testing arena that no column could do them all justice, so let's zero in on a few of the most important questions about the No Child Left Behind regime – stories full of potential for reporters looking for local angles that demonstrate the power of public information.

First, and most importantly, there are the requirements of the No Child Left Behind program. While teachers and administrators agree the intent of the law is noble, they question whether its goal of 100 percent student proficiency on state assessment tests is realistic – particularly when all students, regardless of their needs and ability levels, are to be held to the same standards.

A case in point: Columbia, Mo., public schools far outperformed minimal proficiency standards under the NCLB standards, but many were flagged because excessive numbers of students did not, or could not, take the state's assessment tests last year. The catch lies in the fine print: The law mandates that all students – newly arrived immigrants, students with learning disabilities and behavioral disorders right along with the rest – must take the test. Those who can't complete the test count against the school, regardless of context.

Thus, schools in more urban areas with greater diversity face potential sanction merely because they are magnets for English-as-a-second-language students. Students nationwide must test proficient or higher on state assessments by 2014. If schools fail to meet the gradually increasing targets over the next several years, they face consequences ranging from in-district school choice and additional tutoring to school restructuring, replacement of staff and takeovers by states or private companies.

This is but one issue that begs for comparative, data-driven reporting using the reams of scores available at the school and district level nationwide. It's simply not enough to post the scores, as so many newspapers are doing: It is incumbent upon journalists to delve deeper, and to ask questions about the tests themselves.

The NCLB standards are generating interesting new records for reporters to use. For example, the law states that all teachers hired to teach core academic subjects must be "highly qualified" by the end of the 2005-06 school year. Highly qualified is defined as a teacher with full certification, a bachelor's degree and demonstrated competence in subject knowledge and teaching. Few, if any, schools currently meet those standards, and the first data on teacher qualification should provide lots of fodder for document-driven stories about this critical topic.

Then there are the results themselves: miles of statistics just waiting for reporters to make sense of them. The stories expose the many emerging problems with NCLB as written. In Olathe, Kan., where students traditionally have far exceeded any educational standards, the schools received a failing grade under NCLB.

Olathe is a town known throughout the region for its excellent schools, where high school students score well above national and state averages on the ACT exam, and where more than half of the elementary schools have achieved the high Standard of Excellence on state reading tests. Sixty-five percent of Olathe teachers have a master's degree or better. Olathe's pupil-teacher ratio is low.

According to *The Kansas City Star's* excellent coverage of the issue, the assessment test scores of 61 Olathe children who are learning English brought the entire district down. The federal law requires that students' scores be reported districtwide and for subgroups based on race, English proficiency,

CONTINUED ON PAGE 40 ➢

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.

Schools Web site provides an education

BY CAROLYN EDDS
THE IRE JOURNAL

Looking for a specific school? What about information on education organizations? An excellent place to start is the Web site of the National Center for Education Statistics (http://nces.ed.gov/).

To see a list of datasets, select "Data Search Tools (Information Locators)" from the dropdown menu on the home page or visit http://nces.ed.gov/pubsearch/onlinedata.asp. In addition to finding statistics on educational facilities, the site can be used to locate schools, colleges, state education agencies and education organizations. The information is updated at different times so the most recent year available is different from dataset to dataset.

To find contact information for schools, colleges or libraries, visit http://nces.ed.gov/globallocator/. Search by city, state, specific distances within a certain ZIP code or by name. Search only for a public or private school, college or library or search for more than one of these at the same time. On the search results page for a particular institution, the date and source of the information are listed at the bottom of the page.

For example, search for all of these in Council Bluffs, Iowa, and the results include a list of public schools, private schools, two colleges and a public library. Each organization in the list has a hyperlink for more information about that institution.

For schools, this information includes school and district ID numbers; mailing address; phone number; district; county; characteristics such as being located in a mid-size city; whether it is a regular, magnet or charter school; the total number of teachers and students; and the student-teacher ratio. For Abraham Lincoln High School in Council Bluffs, the student-teacher ratio is 20.3 to 1. The information also includes enrollment by grade, race and ethnicity.

At the top of the window with the basic information about a school, click on the "more information" link to learn the physical address, enrollment by gender and the number of migrant students as well as the number of students eligible for free or reduced-price lunches. Some of the same information from the previous page is displayed in a different format.

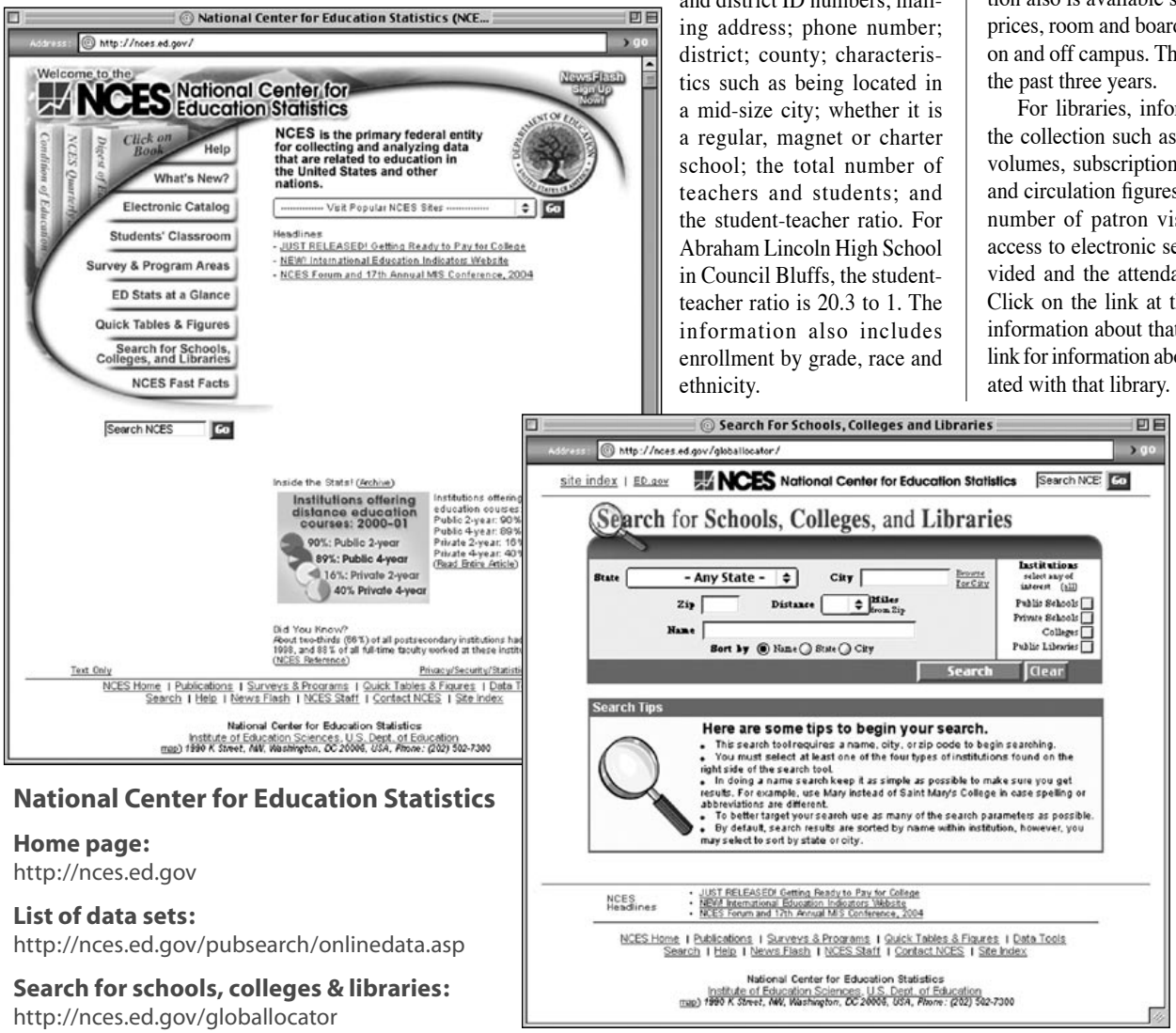
Either page about the school provides a hyperlink to learn more information about the school district – much of it the same kind of details provided about each school. Follow hyperlinks from the district page to learn more about staff, high school completion, fiscal issues and census counts.

Public Elementary/Secondary School Universe Survey, with historical data going back to the 1986-87 school year, is available at http://nces.ed.gov/ccd/pubschuniv.asp.

For colleges, information includes whether they are public, two- or four-year institutions, general types of degrees or certificates offered, accrediting agencies, library information and enrollment by gender and race or ethnicity. Financial information also is available such as tuition and fees, book prices, room and board and other expenses for both on and off campus. The information provided is for the past three years.

For libraries, information includes the size of the collection such as number of books and serial volumes, subscriptions, video and audio material, and circulation figures. Other information includes number of patron visits, turnover rate, whether access to electronic services or the Internet is provided and the attendance at children's programs. Click on the link at the top of the page for more information about that library or follow a different link for information about the branch libraries associated with that library.

This is only a small part of the information available from the NCES Web site. To learn more about how journalists use education statistics for stories, visit the IRE Resource Center at www.ire.org/resourcecenter to search the story and tipsheet databases. Use this for your search: (education or nces) and (statistics). Use the same phrase to search the indexes of *The IRE Journal* and *Uplink*, also available from the Resource Center page.



National Center for Education Statistics

Home page:
http://nces.ed.gov

List of data sets:
http://nces.ed.gov/pubsearch/onlinedata.asp

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

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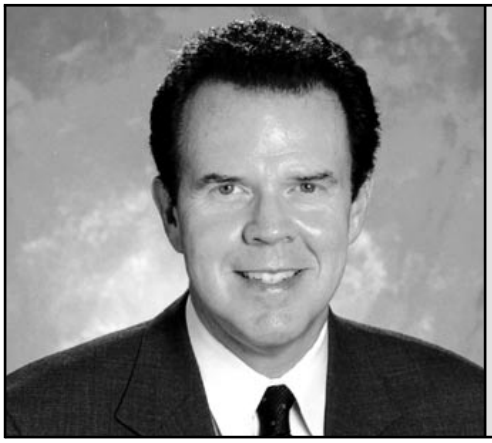

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GUNS

Recycled police weapons find their way to criminals

By Michael Diamond and John Froonjian
The Press of Atlantic City

Most people don't realize that when police departments buy new guns, they usually sell their old weapons to gun dealers. With hard work and help from a federal gun database, it's possible to develop a story about former police weapons being used in crimes.

At *The Press of Atlantic City*, we published a story showing that more than 100 former police guns were linked to crimes between 1985 and 2000. Two were used in murders. There's a good economic incentive for police to sell their used guns: They receive a hefty discount on the price of new weapons.

At the same time, dealers are especially anxious to obtain guns with high-capacity magazines that hold more than 10 bullets. Federal law bars dealers from selling such guns, but the ban does not apply to guns manufactured before Sept. 13, 1994.

Many police departments that recycled guns back onto the market at the same time worked to reduce the number of guns available on the street. Some departments ran gun buy-back programs. A few who sold their old weapons even sued gun manufacturers for allowing guns to fall into the hands of criminals.

Since some police departments hold onto their guns for 10 years or longer, many of the traded-in guns have the high-capacity magazines. Dealers sometimes will agree to upgrade all of a department's weapons for free in exchange for those guns with high-capacity magazines.

We found that New Jersey police departments recycled more than 1,200 such guns.

When we first began our investigation, we obtained the makes, models and serial numbers of more than 12,000 police guns traded to gun dealers in exchange for credit toward new gun purchases. We also requested the dates the guns were sold to dealers.

Because New Jersey has more than 400 law enforcement agencies, we limited our survey to agencies with 100 or more officers. That covered about a third of the state. It took several months to make the information requests and obtain the data.

Aside from the time factor, we were able to get the identifying information without too much difficulty thanks to a new public records law in New Jersey.

We did get some opposition, however. Two county prosecutors initially instructed police departments not to release the information. They argued it would jeopardize security to give out serial numbers of weapons. They eventually relented after we filed complaints with the New Jersey Government Records Council.

We then obtained the federal Alcohol, Tobacco and Firearms database of gun traces. The database lists guns linked to some type of crime dating back to 1988. If a gun is in the database, it means that a law enforcement agency requested a trace to determine who owned it.

ATF charged us $50 for the database. The latest year, 2001, is now available.

We compared the makes, models and serial numbers of the guns traded by New Jersey police with the guns in the trace database. We found that about 1 percent of the former police weapons were linked to crimes.

Still, there were some difficulties in working with the ATF data.

The database has fields telling when and where the weapon was recovered and the type of crime to which it was linked. (Be careful of the description, "homicide, willful killing." That's not a murder. It's a suicide.)

The problem is that if the trace is less than five years old, ATF withholds important information, such as the law enforcement agency requesting the trace. Also withheld is the gun dealer who sold the weapon.

If you do know where the crime occurred, you can seek information about it – especially if it's a murder – through that city's police department.

You can sometimes get more information by filing separate FOIA requests with ATF for a trace you've zeroed in on. It helped us in a couple of instances.

Chicago, which has sued the gun manufacturers, sued the ATF to get the entire gun trace database. A trial court judge and an appeals court ordered ATF to release the information. But early this year, Congress inserted a provision into a spending bill that prevents the ATF from spending money to provide more information than it had previously provided.

The result is that ATF has become very unhelpful. And the Supreme Court, which was about to consider the case, kicked it back to the trial judge to determine the effect of the spending provision.

The bottom line is that dealing with the database can be quite frustrating. Sometimes ATF wrongly identified the crime. It would report, for example, that a gun was used in a murder when it was only found to be in the possession of a murderer.

Once we found former police weapons used in crimes, we interviewed authorities in the few departments that did not trade old weapons. They denounced the practice.

Mike Derer | AP

Newark Mayor Sharpe James holds a Chinese-made AK-47 assault rifle during a 1999 news conference at which he announced a civil suit against gun manufacturers.

We also checked to see if the departments trading in weapons were involved in gun buy-back programs or had sued gun manufacturers. We found a picture of the mayor of Newark holding aloft an AK-47 assault weapon as he announced the city would sue gun manufacturers. Newark had put more than 1,500 police guns onto the market.

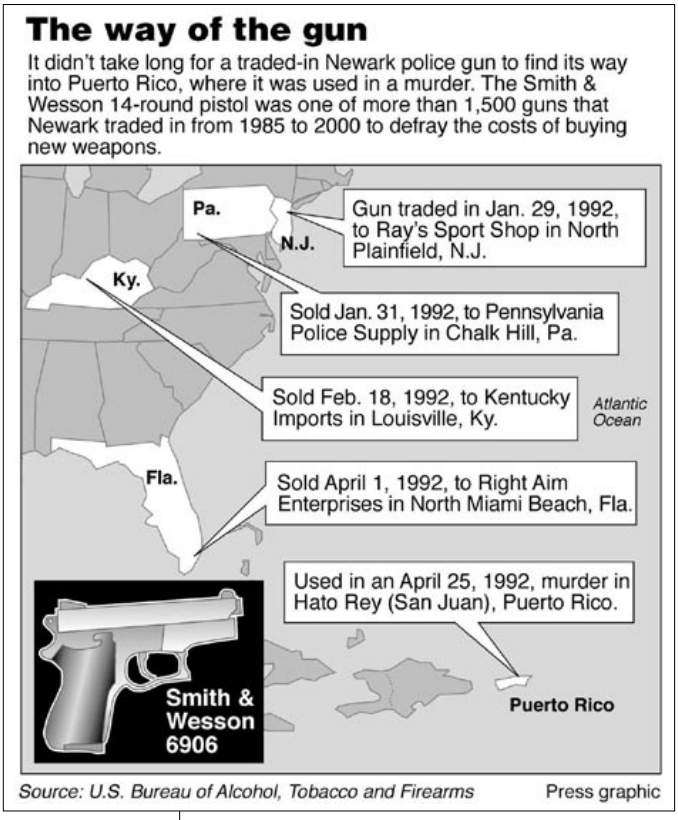
Some advice: Don't just look at police departments. Take a look at county sheriff departments and state agencies such as the state police and corrections department.

You may find that different departments within the same government have different policies regarding gun trade-ins. In New Jersey, the State Police stopped trading weapons in 1983. The state Corrections Department, however, continued to trade guns and was in the process of doing a large trade-in/purchase.

That was news to Gov. James McGreevey, an advocate of strong gun-control laws.

When we informed him of what the Corrections Department was doing, he moved to issue an order directing state agencies to destroy old weapons. We were tipped off about the order and published our story a day before it came out.

In a sense, we jackpotted ourselves and had to publish a little sooner than planned. But it's a testament to the power of the story's revelations that the story produced results before it was even published.



Michael Diamond has been a reporter with The Press of Atlantic City for 31 years, and a member of the award-winning Special Reports Unit since it was created in 1991. John Froonjian, a reporter with the paper for 24 years, joined the Special Reports Unit in 1997 after nine years as the paper's legislative correspondent.

FIREARMS DATA

The ATF gun traces database is available from ATF (www.atf.gov). The ATF Federal Firearms Licensee database, which lists all federally approved gun dealers in the United States, is available from the IRE Database Library. The data includes retail stores, rifle clubs, museums and individuals who want to own guns requiring an ATF permit.

Since the Brady Bill went into effect, licenses for dealerships have become quite expensive and, consequently, the number of licensees has fallen noticeably.

Current as of September 2002, the data includes 74,789 records of licensed dealers, from Wal-Mart to Kmart to Texas EZPAWN.

To purchase the ATF data, visit www.nicar.org/data/atf or call 573-884-7711.

RELATED STORY

A similar story by Barbara Vobejda, David B. Ottaway and Sarah Cohen of *The Washington Post* linked old police guns to 107 crimes in the Washington area. The story (available from the IRE Resource Center at www.ire.org/resourcecenter, Story No. 15938) shows how more than 20,000 guns had been recycled in the area.

District attorney's office often slips between cracks

BY STEVE WEINBERG
THE IRE JOURNAL

Journalists across the nation are failing to cover the most powerful, unaccountable government official in their readership/viewership/listenership area: the local elected district attorney and the lawyers hired by the DA to prosecute cases on behalf of the citizenry.

Because so many journalists fail to examine the district attorney's office in a meaningful way, gutsy prosecutors winning difficult convictions against murderers, rapists and other perpetrators of crime are failing to receive the recognition they deserve. On the darker side, prosecutors who will do anything to prevail are getting away with making indefensible charging decisions and conducting unfair trials. The results can be devastating – the release of dangerous criminals, the conviction of innocent defendants, or both. In some jurisdictions, the same prosecutors bend or break the rules over and over, giving a new meaning to the term "recidivist." With a few notable exceptions such as the *Chicago Tribune*, news organizations are ignoring easily available evidence of prosecutorial misconduct.

Even the most lackadaisical news organizations usually cover at least a few dramatic trials, as well as the election campaigns for office of district attorney. But many news organizations do little else concerning prosecutors.

Examining the lawyers

The first step is simple – news organizations should cover the district attorney's office as a day-to-day beat. In many newsrooms, the prosecutor falls into the "cops and courts" beat. But notice that neither "cops" nor "courts" encompasses the prosecutor. Yet, the prosecutor is the linchpin of the criminal justice system. Without his or her approval, police arrests go no further, and cases that go no further than arrest never reach the courts.

Like any beat, covering a district attorney's office involves paper trails and people trails, or, phrased differently, documents and human sources.

The flow of paper is heavy, so it helps if the police reporter teams with the reporter covering the prosecutor – if those two reporters are not the same person. Ideally, the police reporter will examine every arrest report at the station house, entering each into a self-designed computer database or even onto a handwritten index card. The level of technology matters less than persistence in tracking each arrest through the system. What happened to that arrest on suspicion of rape when it entered the intake bin at the prosecutor's office? Did the arrest end up as a felony rape charge against the suspect? Or, at the other extreme, did the prosecutor refuse to file a charge? A middle ground might be the filing of a lesser charge than rape. Talking to the arrestee – whether at the jail or elsewhere if free on bond – will almost always yield information beyond what appears in the arrest report. Talking to defense counsel as early as possible is wise, too.

Becoming acquainted with the elected district attorney is an obvious step. Among the specifics that ought to be explored is whether the elected DA is mainly an administrator or is an experienced trial lawyer. If an experienced trial lawyer, has he or she ever performed defense work? What was his or her reputation, before election, among other prosecutors, among judges, among police officers, and within the defense bar?

Too few beat reporters take the next step, which is becoming acquainted with the lawyers in the office other than the elected DA, not to mention the investigators, paralegals and secretaries. Writing profiles of individual trial prosecutors will provide interesting copy and build good will. When studying the office staff as a whole, a beat reporter should determine how many of the prosecutors have previous experience as defense counsel. All generalizations are dangerous, but it seems safe to say that many prosecutors who have already defended clients are more likely to view suspects as individual human beings beset by problems, rather than undifferentiated criminals who all seem guilty until proven innocent.

Reporters covering the prosecutor beat should become acquainted with every local defense lawyer possible, in the public defender's office and in private practice. I usually start with those who are members of the National Association of Criminal Defense Lawyers – akin to starting with IRE members when cultivating local journalists. I especially cultivate defense lawyers who used to be prosecutors or police officers because of their valuable contacts and broader perspectives.

Paperwork bonanza

Each arrest becomes a potential story, not only at the time but also as the case moves through the system. More important, over a week, a month or a year, tracking enough of those arrests quite likely will suggest a variety of patterns. Does the prosecutor's office fail to charge a significant percentage of the arrests? If so, does that suggest shoddy police work? Or uncooperative witnesses and victims? If, on the other hand, almost every arrest is charged, does that mean the prosecutor is failing to show adequate skepticism when it comes to the police version? Are the cases of African-American, Hispanic or other minority suspects treated the same way as the cases of Caucasian suspects when the prosecutor's staff is heavily Caucasian? Alternately, if the prosecutor's staff is heavily non-Caucasian, does there appear to be discrimination in the handling of Caucasian suspects?

The paperwork in a prosecutor's office undergirding the decision to charge or dismiss is sometimes revealing. Some prosecutors' offices use forms to capture the details of each case, with the forms circulating to a committee of high-level staff that meets regularly to review the charging recommendation of the intake prosecutor or the staff prosecutor who will be assigned to try to case in court. Those forms and related paperwork are not normally public record. A resourceful journalist, however, might obtain them from an inside source, or at minimum learn from the defense lawyer a more-or-less precise version of what occurred. At minimum, I have succeeded in obtaining blank forms, so that I know what details are discussed in the charging decision meetings. In prosecutor's offices that publish manuals for their staff, I usually have found somebody who will supply a copy of the manual, so I can learn the charging standards

and other policies. Being acquainted with the office standards helps me formulate intelligent questions to ask about a given case.

After generating stories from the charging stage, the beat reporter can start tracking charged cases through the system. Attending the preliminary hearing and motion hearings, for example, is almost always useful. The prosecutor will have to disclose at least some of the evidence. Furthermore, a beat reporter can gauge whether the prosecutor seems prepared, whether she has a good or not-so-good relationship with the police officer working the case, the defense lawyer and the judge.

What percentage of charged cases reach trial? In many jurisdictions, no more than 5 percent of all arrests make it all the way to trial. That means the vast majority of cases are decided behind closed doors, with the prosecutor essentially acting as *de facto* jury and judge. Any journalist who covers only trials is by definition failing to inform readers/viewers/listeners about 95 percent of the cases on the beat.

At the other end of the process, the flow of documents is not only heavy, but also a matter of public information. That other end consists of the cases going to trial, resulting in a guilty verdict, and appealed by the defendant. Ideally, the beat reporter will stay on top of each case by studying the trial transcript, reading the briefs filed by the defense lawyer with the appellate courts, the reply of the district attorney assisted by the state attorney general, and the eventual ruling by the appellate court judges.

The upside of instituting a regimen to study all appellate court rulings involving the local prosecutor's office is huge: they are official records; they often contain nuggets of news amid the normally dry prose of judges; and those rendering opinions are often former prosecutors who know firsthand what to look for when examining state conduct.

Furthermore, an appellate ruling can provide a platform for a reporter to discuss more than the disposition of one case involving one defendant. It can launch a project about a specific issue, such as whether local prosecutors regularly withhold evidence from the defense in violation of U.S. Supreme Court mandates; use jailhouse snitches as witnesses, without fully checking the snitches' accounts or fully disclosing the quid pro quo to the defense; coach state witnesses; discourage potential defense witnesses from cooperating; or perhaps cross the line during trial, opening statements, cross-examination, or closing arguments.

Steve Weinberg is senior contributing editor for The IRE Journal and a former executive director of IRE. He was part of a team at the Center for Public Integrity that spent three years researching local prosecutors in the 2,341 jurisdictions across the United States. The center's book-length report, published in June, is available at www.publicintegrity.org under the heading "Harmful Error."

USEFUL RESOURCES

Looking into the local district attorney's office? Some resources on prosecutors include law textbooks, law review articles, congressional testimony and speeches, especially by Bennett Gershman, a former prosecutor who now teaches at Pace University in New York. Other great places to look:

- Two books by prosecutors for prosecutors – "The Prosecutors Deskbook: Ethical Issues and Emerging Roles for 21st Century Prosecutors, third edition," American Prosecutors Research Institute/National District Attorneys Association (www.ndaa-apri.org); and "Doing Justice: A Prosecutor's Guide to Ethics and Civil Liability," National College of District Attorneys at the University of South Carolina.
- National Association of Criminal Defense Lawyers (www.nacdl.org) annual member handbook. There are defense lawyers, public defenders and private practice lawyers, in every jurisdiction. The ones who belong to NACDL seem especially helpful. When practical, it is useful to learn from defense lawyers who previously worked as prosecutors and/or police officers.
- Defendants sometimes know more about a specific prosecutor than the defense attorneys know. This sometimes means reaching out to current and former inmates.
- Magazines and newspapers devoted entirely to covering the law, including *American Lawyer* magazine; *National Law Journal*; *Journal of the American Bar Association* and more specialized ABA publications; *Legal Affairs* magazine; *Legal Times* of Washington, D.C., plus similar publications devoted to one metropolitan area or state.
- Criminal Justice Journalists (www.reporters.net/cjj) includes reporters who cover the courts' process on a daily basis.
- The Transactional Records Access Clearinghouse (tracfed.syr.edu), which monitors federal prosecutors' offices, is run by former *New York Times* reporter David Burnham and Syracuse University professor Susan B. Long. Bill Moushey of the *Pittsburgh Post-Gazette* examined misconduct by federal prosecutors across the nation in a book-length November-December 1998 newspaper series.
- *Frontline*, the PBS documentary television program, broadcast a program last year called "An Ordinary Crime," about a North Carolina armed robbery case that may have been mishandled. The Web site contains insightful interviews with the prosecutor, judge, appellate attorney for the defendant, victim of the crime, a law professor with expertise in the prosecutorial misconduct realm, a Raleigh *News & Observer* reporter named Anne Saker who started writing about the case after the apparent wrongful conviction, and Ofra Bikel, the producer of the documentary. The interviews can be found at www.pbs.org/wgbh/frontline/shows/ordinary.
- The Resource Center at IRE (www.ire.org/resourcecenter) is a wise place to look for already-published projects about prosecutors (as well as related aspects of the criminal justice system) from newspapers, magazines and broadcast newsrooms.
- Want to check the home page for any one of more than 2,000 local prosecutors' offices? A Web site to visit for a link is www.prosecutor.info. Some home pages mounted by prosecutors' offices are detailed and candid. Others are *pro forma* at best.
- Popular books, the kind found in retail stores. Most are about one case; some of those are excellent, but obviously limited in scope. Six superb books that transcend one case are:
  - "The Prosecutors: A Year in the Life of a District Attorney's Office" (Dutton, 2003) by Gary Delsohn, a *Sacramento Bee* reporter;
  - "Boston D.A.: The Battle to Transform the American Justice System" (TV Books, 2000) by Sean Flynn, a Boston journalist;
  - "The D.A.: A True Story" (Morrow, 1996) by Lawrence Taylor, a former Los Angeles prosecutor turned prolific author;
  - "In Spite of Innocence: Erroneous Convictions in Capital Cases" (Northeastern University Press, 1992) by Michael L. Radelet, a sociology professor now at the University of Colorado; Hugo Adam Bedau, a now retired Tufts University philosophy professor; and Constance E. Putnam;
  - "Presumed Guilty: When Innocent People Are Wrongly Convicted" (Prometheus, 1991) by Martin Yant, an Ohio journalist who has since become a private investigator;
  - "Mean Justice: A Town's Terror, a Prosecutor's Power, a Betrayal of Innocence" (Simon & Schuster, 1999) by Edward Humes, a former *Orange County Register* reporter.

At the 1999 IRE national conference, Humes delivered a thoughtful talk about how journalists can write more informatively about prosecutors. It is available at www.edwardhumes.com.

GOVERNMENT ETHICS

Georgia's leaders spend year under newsroom's microscope

By Tom Bennett
Atlanta Journal-Constitution

Metro newsrooms like *The Atlanta Journal-Constitution*'s are discovering a new "allure" to investigating state government.

That wasn't the case at the beginning of last year. The legislative advance in the paper was headlined, "For many people, lawmakers' efforts worthy of yawns," continuing "Little allure to Gold Dome."

However, before the year was out, the 647,000-circulation Sunday *AJC* had published a string of major investigative packages about Georgia government. What happened?

"The newspaper had done a great deal about corruption involving the city of Atlanta and its Hartsfield Airport, and an ongoing investigation by the FBI of city contracts and alleged bribes," said Susan Stevenson, deputy managing editor. "By late November 2001, I thought we were letting state government with its own troubled history and corruption off the hook.

"Jim Walls and I convinced Ron Martin, John Walter and Julia Wallace that it was worth having our project team spend 2002 examining state government.

"We decided to go after specific people and incidents that represented what had become a sort of resigned acceptance of state legislators and state bureaucrats overfeeding at the public trough.

"The battle over the proposed Northern Arc, a massive and expensive roadway, joined the news by spring and Bert Roughton and a team of reporters went after that piece of the state story."

[Jim Walls is director of special projects. Ron Martin then was editor of the *AJC*. John Walter then was executive editor. Julia Wallace has since moved up from managing editor to editor. Bert Roughton is metro editor.]

Some highlights of a year of refocus upon state government:

- Staff writer Christopher Quinn and Assistant Database Editor Maurice Tamann detailed how 32 campaign donors to Gov. Roy Barnes owned land on, or within a mile, of the route of the proposed Northern Arc freeway north of Atlanta. That June 14 story augmented staff writer Julie Hairston's yearlong beat coverage.

"We used property-tax records from the counties, and the best were in Gwinnett," Tamman recalled. "There we had property parcel map overlays with the identities of the people that owned the land.

"I wrote a few programs to loosely match names. After that, it was a matter of reporting. It took weeks. It was not an automated process, it was largely manual. The databases allowed us to identify a list of suspects, and from that we gradually weeded them down and down until we got down to what you saw in the paper."

Gov. Barnes announced July 5 he was shelving plans for the roadway until it could be considered under a new, tougher ethics law that he proposed. But Barnes was defeated for re-election Nov. 5, and new Gov. Sonny Perdue has taken the freeway off the state's transportation agenda.

- Staff writer Jane O. Hansen exposed allegations of corruption at the state Board of Pardons and Paroles. Bobby Whitworth, then a board member, had a contract with the Bobby Ross Group, a Texas-based private prison company that paid him more than $135,000 in consulting fees between 1996 and 2001. Whitworth also earned a state salary of $111,509 a year, Hansen reported.

Whitworth and another board member also were paid by a private probation business that lobbied for a law that could place thousands of state probationers under private supervision. Both parole board members resigned last June.

"I did a lot of open-records requests for personnel records, prison records and contract records," Hansen recalled. "As for their [board members' consulting] fees, I asked them what they were, and they told me, and they also said on TV what they were."

Hansen, staff writers James Salzer and Jim Tharpe detailed how favoritism in hiring created a job for an ex-governor's son. It also found work and higher salaries for the wives, children and nephews of state politicians or agency heads.

The same trio of reporters cooperated in an article showing how more than a third of the members of key state boards and commissions appointed by Gov. Barnes contributed to his campaign treasury.

Staff Writer Alan Judd described how 44 of Barnes' 53 judicial appointments – or their close associates – contributed to Barnes' campaign.

- The shoes of staff writer Ken Foskett, as well as his award-winning reporting, were in the spotlight after his expose of State Senate Majority Leader Charles Walker's controversial business affairs in Augusta, Ga. The senator later said publicly that he "could care less" about what was revealed in the articles. He added: "No $35,000 reporter with worn-out loafers will determine my destiny."

Walker, however, was defeated by voters in November.

Foskett (currently on leave writing a biography of Supreme Court Justice Clarence Thomas), revealed how legislators use campaign funds to pay for year-round condos and apartments in Atlanta. Terry Coleman, now speaker of Georgia's House of Representatives, put his condo in the name of his private business. Several double-dipped and accepted a state per diem intended to cover the same lodging expenses.

Coleman later repaid his campaign treasury $38,000 in an attempt to settle a pending ethics investigation of the payments.

- Staff writer John McCosh reported that Georgia Ports Authority executives received fringe benefits such as $15,000 a year for membership in three swank dining clubs and four exclusive golf courses. At the same time, they received a generous travel allowance providing for perks, including $923 a night stays at the Trump International Hotel.

McCosh also reported that the state was moving to place a 2,300-acre reservoir and recreational lake in Haralson County. It was a coincidence that the lake's waters would "lap against more than 1,000 acres owned by state House Speaker Tom Murphy and his family," McCosh wrote.

Plans for this and other reservoirs are being challenged in court, and Speaker Murphy was defeated for re-election.

Legislation supported by Gov. Sonny Perdue for tougher state government ethics law is under consideration.

Tom Bennett is a writer and editor at the AJC and Georgia sunshine chair for SPJ.

Nieman Fellowships for Journalists at Harvard University

The Nieman Foundation is now inviting applications for its 2004-2005 fellowship program.

In this critical time for journalism, the mission of the Nieman Fellowships has never been more important. The fulfillment of its mandate to "promote and elevate the standards of journalism and educate persons deemed specially qualified" begins each year with the selection of 12 working journalists from the United States and 12 from other countries.

At Harvard, the Fellows experience discovery and enrichment, learning and reflection in Harvard classrooms, in Nieman seminars and from the close friendships that emerge during the Nieman year. Each Fellow is free to design an individual course of study. Some pursue courses in a reporting specialty; others explore the breadth of Harvard's schools and departments. For many Niemans, it is a year of transformation enabling them to return to their news organizations with renewed journalistic purpose.

Nieman Fellowships are awarded to reporters, editors, photographers, producers, editorial writers and cartoonists, and Internet specialists. Whatever their roles in journalism, Nieman Fellows have this in common: they are achievers and they understand the virtue of continuing education for journalists.

Nieman Fellowships are granted for the academic year and include tuition, a stipend of $55,000, housing allowance and childcare support. To qualify for consideration, applicants:

- Must be full-time staff or freelance journalists working for the news or editorial departments of newspapers, news services, radio, television, magazines of general public interest or Internet news sites.
- Must have at least five years professional experience as a working journalist.
- Must obtain their employer's consent for a leave of absence for the academic year.

The application deadline for U.S. journalists is **January 31, 2004**

Information and application forms may be obtained from:

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Web site: www.nieman.harvard.edu

Some Kansas City fountains use excessive amounts of water. The Water Department's Rob Thiemann checks a meter for the J.C. Nichols Fountain.

David Pulliam, The Kansas City Star

DIGGING DEEPER at City Hall:

Getting beneath the surface of local government

Covering local government often involves long, boring meetings, putting up with the posturing of politicians and trying to find a way to make arcane city and county regulations interesting to readers who would rather know the score of last night's game.

There are good investigative stories, however, ready to be harvested from just about any corner of your city hall or county building, and they don't all take months to do. All it takes is a little insight on where to start and what to do once you begin digging.

COUNTY CORRUPTION

Bribes, deals, secret meetings signal end for commissioners

BY AMIE STREATER
FOR *THE IRE JOURNAL*

Even though it had been more than a year since I had stopped covering the Escambia County Commission for the *Pensacola News Journal*, Mike Bass, a longtime commissioner, still met with me occasionally to talk about what was happening around town.

Normally, the millionaire politician parked his Lexus LS 430 in front of downtown Pensacola's tonier lunch spots, but one day he asked me to meet him at the IHOP, west of town.

The sudden urge for pancakes in early December 2001 was definitely out of the ordinary, as was the urgency of his request to meet me right away. He didn't offer any explanations.

At the restaurant, Bass spent a good 60 seconds scanning the empty dining room, finally settling on a back booth.

"We bought the Pensacola Soccer Complex," he told me.

That meant a lot. The county had considered buying the failed 48-acre sports complex before, when it was still owned by private investors, but the public reacted with outrage. The complex fell into foreclosure.

But on Nov. 1, 2001, not only did commissioners vote 3-2 to buy the property, they voted to do so late at night as a last-minute add-on to the commission agenda.

The price tag: $3.9 million, the county's most expensive land purchase ever.

Bass was upset because although he had wanted the county to own the defunct sports complex, he had

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CITY COUNCIL PERKS

Nepotism, free parking spots lead to review of ethics rules

BY DOUG DONOVAN
THE (BALTIMORE) SUN

In any city where the mayor generates most local political news, the lesser-elected officials in town often escape the same vigilant scrutiny that newspapers apply to City Hall's shining star. In Baltimore, where the mayor has always been the city's political poster child, the City Council members have long been relegated to lower-priority coverage.

Time is every beat reporter's enemy. And there just isn't enough of it to spend on 19 elected officials whose decisions amount to nothing without the support of a mayor whose policy decisions are what define city government and how it affects the daily lives of citizens. When there is time, however, delving into the politicos who attract the least attention is bound to generate stories of considerable interest.

I arrived at *The Sun* earlier this year as a new city hall reporter. The beat quickly consumed me, but when the local-news doldrums of June set in, I finally found the time to abide by city editor John Fairhall's request: Look closer at the City Council. I started with a tedious review of standard documents, unsure of what, if anything, I would find. Two months later, between writing stories about the mayor's campaign for re-election, I had cobbled together enough information to reveal a council rife with nepotism and other perks that ran afoul of the city's ethics law.

My first move in investigating the council was to examine the financial disclosure forms required of all elected officials.

The forms contain a wealth of information on

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COSTLY SUBSIDIES

Citizens pay developers in land deals with city

BY JOHN TEDESCO
SAN ANTONIO EXPRESS-NEWS

In a picturesque corner of the Texas Hill Country, the charm of rural life has drawn thousands of new residents to the outskirts of San Antonio. Construction is booming. Nice homes have sprouted everywhere and a two-lane highway is being expanded to handle the growth.

"It's lovely out here," said George Newell, who has lived in the area for two decades.

But last year, the owners of a vacant, 2,700-acre property asked the San Antonio City Council for a $309 million subsidy under a program designed to revitalize slums.

The request was part of a tax scheme that has grown popular among developers and lobbyists.

At first glance, the term "tax increment financing," or TIF, looks boring enough to put any newspaper reader to sleep.

But when the *San Antonio Express-News* spent five months examining how developers and local officials were using this little-noticed tool, we found rich material that captured the public's interest in a four-day series called "Dollars for Developers."

We learned the City Council had agreed to give developers enough money in tax subsidies to pay for three sports stadiums. We learned that good intentions were being marred by rubber-stamped projects and a lack of oversight. And we learned that under the mayor's guidance, residents could soon be paying for ritzy deals that critics believed strayed from the intent of state law.

Almost every state has a TIF law on the books. The statutes vary in detail but work the same way:

Continued on page 32

The 2004-2005 John S. Knight Fellowships at Stanford

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Elizabeth Weise,
Biotechnology Reporter for USA Today,
— Knight Fellow 2002

"I can tell you first hand that the Knight Fellowship is the best program around for working journalists. The Knight Fellowship allows you room to breathe, ample time to learn and explore, and an opportunity to focus on yourself as a person and as a journalist. My year at Stanford has allowed me to realize that I have much more to accomplish in the world of journalism. It has made me more proud and confident that I can make a difference as a leader and as a journalist for my Navajo People, for American Indians and for Indigenous People everywhere."

Tom Arviso, Jr., Publisher, Navajo Times
— Knight Fellow 2001

"It was a year of extraordinary connections—intellectual, professional, and personal. The Fellowship was a bit of heaven, an intellectual feast, that propels us again into the world with a renewed sense of purpose, and meaning, and wonder. After the fellowship, I took up a new assignment in the Middle East with my fellow Knights' hearts embedded in mine."

Julie McCarthy, Jerusalem correspondent,
National Public Radio
— Knight Fellow 2003

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THINKING INVESTIGATIVELY ON LOCAL GOVERNMENT BEAT

BY MICHAEL MANSUR
THE KANSAS CITY STAR

I'm in an investigative state of mind… Hmmm. Doesn't sound as tempting as a New York state of mind, does it?

But viewing stories through such a "let's-see-the-proof" mindset is what will be required to produce memorable investigative stories, to go far beyond the daily grind of media events and interviews.

In April 2002, my newspaper, *The Kansas City Star,* asked me to take on a new assignment – become a local government watchdog.

For 10 years I had covered the environment beat at *The Star.* So my new assignment – it became quickly clear – would be a radical shift for someone who had actually come to understand and appreciate the meaning of TMDLs (total maximum daily loads) and ATSDR (Agency for Toxic Substances and Disease Registry).

On the environment beat, I had been involved in several investigative projects. I had sorted through EPA pollution data, uncovered towns exposed to high levels of chemicals known to cause cancer in humans. I had demonstrated the failure of major national regulatory efforts.

But I didn't approach the day-to-day beat with an investigative state of mind. It would take several months on this new beat to re-animate such a mindset.

In this new position, the plan was for me to focus on local governments, basing my operations out of City Hall, where the newspaper already maintained a bureau and one reporter. Within a two-minute walk was police headquarters, county government, as well as state and federal offices.

What I've attempted to do in this story is to capture some of my key thoughts in trying to fulfill my new job assignment and to develop this new investigative mindset.

Think documents

This, of course, is standard advice for any primer on investigative reporting. Government documents provide the foundation of most investigative stories. This was drilled into me in graduate school by IRE legends John Ullmann and Steve Weinberg.

But too often reporters think of these documents as what I will call "summary" records or "smoking gun" memos, e-mails or reports that lay out the essence of the story.

As you may know, finding a single document on which an entire story can turn does happen, but it is usually rare. So I like to think of documents in terms of data. I'm looking for documents that can provide useful data that may validate, verify or amplify a story.

For example, when the City Council of Kansas City last year began to develop its upcoming budget, it examined staff reports on overtime by city departments. The trend was that overtime was increasing, especially for the fire and police departments.

Those reports, in themselves, painted an interesting picture and were the basis of significant stories. But those summary reports paled in comparison to the data we received from city payroll records.

Overtime data, when sorted and summed in an Excel spreadsheet, revealed the high overtime wages were going to individual city employees, many of whom were more than doubling their annual salaries.

We found a street repair supervisor who made $111,000 in 2002 when his base salary was only $46,728. "He's constantly working," his supervisor said.

A half dozen in all doubled their annual salaries with overtime. And a dozen more reaped $30,000 or more in overtime.

Such hefty overtime bills indicated that the city wasn't managing its personnel well. Hiring an additional street maintenance supervisor, for instance, would have been far less costly than paying one nearly $70,000 in overtime.

As part of the same story, we also examined overtime slips from the Kansas City Police Department, which has a policy to reward four hours of overtime pay anytime an officer is called back to duty more than one hour after a regular shift.

An analysis of two randomly selected weeks of police overtime slips found that about 10 percent of the overtime pay was for hours never worked. In some cases, we found people being paid for four hours for what was really an hour or less of work.

City officials, blaming an antiquated computer system, told us they had never examined this payroll and overtime data in this way before. They were surprised by the high individual figures.

Joe Ledford | The Kansas City Star

Follow the money

How often have you heard that you should follow the money? Like my thoughts on documents, though, thinking about this axiom of investigative reporting in a slightly different way can produce results. I think: Watch out for taxpayers' money. Again, that's not novel. But keeping the thought at the forefront of your reporting will change the stories you do, not just in tone, but in type.

When I arrived in City Hall, I began to use a city telephone directory to track down officials I needed to interview. But I found it difficult to reach many, unless I obtained their cell phone numbers from secretaries or other sources.

I began to wonder: How much can all these cell phones cost taxpayers?

Partly to fill up my electronic Rolodex with numbers, I requested city cell phone records. But since I wondered, too, about the cost, I also asked for three months of summary bills by person, position and department, as well as phone number.

The data readily showed some high monthly bills, so we calculated the biggest users of cell phones – or at least those with the costliest bills. To get at the reason for these high bills, we asked for detailed billings for those with the 25 highest for the three-month period.

The resulting story, under the headline "KC Government Gabfest," detailed the abuse of some city phones and lax oversight by department managers, which had resulted in high cell-phone costs.

Some employees or contract workers were terminated for abuse of cell phones.

DIGGING DEEPER at City Hall

Others reimbursed the city, including a City Council member who rang up monthly bills as high as $1,500. And many turned in or had phones taken away from them. Today, the city spends about half of what it did in 2002 on cell phones.

Another story was prompted by the same question: how much does that cost? When I began to notice the high number of city vehicles that flowed into and out of downtown each morning, a little research revealed that the city's auditor had questioned the use of these city vehicles, finding many were used mostly or only for commuting to and from work.

When we checked, we found essentially the same thing – an estimated $500,000 waste of taxpayers' money.

Study audits, auditor methods

Read, read, read, especially the competition. I'm not talking about reading other reporters' work. Of course, you'll need to read that. I'm talking about government auditors.

In Kansas City, a city audit team regularly criticizes City Hall spending and program performance. These city audits are often stories in themselves. But studying the records used to produce the reports, as well as the methods, can be useful in developing your own story ideas and strategies.

Besides studying the city audits, I check regularly on the Missouri state auditor's Web site, reading audits that may not be of immediate interest, looking more at methods than findings.

City audits often can provide crucial context or springboards for your own stories. For example, the city auditor had questioned the use of take-home cars, so we essentially updated the audit.

Individual city departments often do their own audits, trying to dissect ways to improve their own management. Recently, I found that the city water department had audited its water losses.

In most cities, aging pipes weep a certain amount of the water treated for drinking. It simply gets lost in distribution. An acceptable loss rate is 10 percent to 15 percent, according to national experts. But in Kansas City, the city's audit revealed that in some parts of town nearly half the water was being wasted. Overall, the loss rate had reached one-third.

Of course, such a story demanded more than regurgitating the audit. Because one of the culprits in the city's water loss was the city itself, I requested data on water usage in city fountains. That spreadsheet allowed me to calculate how much was being wasted at specific, well-known fountains. Many city fountains were not designed or operated to recycle water.

Who else does audits? The Kansas City Police Department. I found one day that the department had quietly started its own internal audit division, which had produced a half-dozen audits unbeknownst to reporters in town. I only learned about it when I checked with police regarding cell-phone usage.

The Police Department, which in Kansas City is a separate government agency from the city, had done its own critical audit of its cell phone usage, a police spokesman told me. Somewhat proudly, he offered me a copy.

After I had completed that police cell-phone story, I went back and requested the other audits done by the unit. *The Star* had just won a long legal battle with the University of Missouri, which had tried to keep its audits secret from the public. So the Police Department had little choice but to release its own audits.

As a result, we found a good story about evidence in murder trials being lost or destroyed.

Someone in an investigative state of mind also should think about checking out the audit. Are the working documents of government auditors public in your state? If so, not only can you look at the documents the auditor used, but you also may find interesting early drafts. Tracking changes might reveal the audit's final version is a bit toned down.

> "Some employees or contract workers were terminated for abuse of cell phones. Others reimbursed the city, including a City Council member who rang up monthly bills as high as $1,500. And many turned in or had phones taken away from them. Today, the city spends about half of what it did in 2002 on cell phones."

Also, take time to read the city charter or city ordinances. You're likely to stumble over quirks in the law that can make for easy stories.

For example, when I recently heard that the Kansas City Fire Department wasn't enforcing city ordinances against salvage yards, I immediately checked city ordinances to see what the fire department was supposed to do. Then I asked to see its inspection files.

The review confirmed what I had been told: The department didn't even have inspection forms or licenses for salvage yards. What's more, the city's failure to inspect or license these businesses had resulted in numerous illegal and messy operations; some owners were squatting on city-owned or county-owned land.

On another occasion, while reading city ordinances on financial-disclosure requirements, I found language that specified that certain board or commission members would effectively resign their positions if they didn't file their annual disclosures by a certain date.

A few hours the next day checking through the disclosure forms showed that more than 50 board and commission members had resigned. Trouble is, they didn't know it until I told them.

Since my job involved finding stories about governments already being covered by daily reporters, I needed to become a good diplomat. Obviously no one wanted to give up a good story he or she has been hoping to complete.

So I tried to convince my newsroom colleagues that partnerships might allow them to complete those stories or some others I proposed, giving them faster front-page bylines and maybe some new insights into their beats.

I find good partnerships can develop by being upfront, letting them know specifically what I'm trying to accomplish, then including them in the reporting process as much as they want to be included. Some want to walk every step with you, while others prefer to keep a distance. Either way, assistance from fellow reporters is crucial.

Keep it simple

This advice, of course, should make every editor smile. But in looking for quick investigative stories on the local government beat, I think about what discrete set of documents might be available. If you can find the right data, you could avoid what might be weeks or months of reporting.

For example, I had repeatedly heard that the city did not aggressively enforce its business license laws. City officials even acknowledged that they relied mostly on voluntary compliance. But they offered no other details.

So we developed a list of businesses in the city, randomly selected from the telephone book. We then submitted the list to city officials, asking whether the listed businesses had licenses.

City officials would confirm only that about a third of the listed businesses had licenses. They wouldn't confirm whether the others should have licenses, citing confidentiality.

We pushed on with the story, calling the businesses ourselves to try to confirm their compliance or noncompliance. Ten percent readily admitted they didn't have licenses. Many others wouldn't respond or failed to offer proof.

With our new mindset, we didn't let the city get away with just telling us that confidentiality precluded them from saying more about the businesses with uncertain license status.

Give us the law, order or whatever it is that says you can't give us more information, we said. Let's see it in writing.

Michael Mansur is local government reporter at The Kansas City Star, where he has also covered the environment and education. He has won numerous journalism awards, was a Michigan Journalism Fellow in 1993 and president of the Society of Environmental Journalists.

DIGGING DEEPER at City Hall

Must-have documents for local government coverage

No matter what local government you cover, there are some basic documents you want to automatically collect for your own office library. Obtaining these documents right away helps you get a good overview of the government, its agencies and its employees. The documents jumpstart your beat and can provide good story ideas and tips. You also add context and depth to your daily coverage and on breaking stories.

These documents often lead to daily stories – and sometimes investigative pieces – that allow you to produce more meaningful beat coverage. In turn, you get the routine stories done more rapidly and gain more time for cultivating sources and doing research. You also can come up with good stories by comparing many of these documents and databases to each other.

This suggested list is just one of many drawn from the IRE Resource Center. It's generally best to look at all the recommended documents and then develop your own list for the special characteristics of your community and your beat. Whenever possible, get the documents in an electronic format or database.

Financial documents

- Annual reports. Get the current year and last two years to see what the government officials see as significant and what they say they have accomplished.
- Budgets. You need at least three years to see how well the government projects its revenues and expenses. Major changes by themselves can be stories.
- Audits. Get the last three audits. Auditors identify weaknesses and recommend improvements. Did officials respond? Also, look for both financial and performance (or management) audits, which show more closely how the government and its agencies operate.
- Purchasing and bid rules. You need those to see the government is following its own rules when awarding contracts.
- The vendors' list. Get the list of all vendors who sold goods and services to the local government in the past three years. Get the total amount bought from each vendor and the detail, preferably in a database. With these records, you can see if there is favoritism or waste or bid-splitting, in which bid rules are circumvented by dividing purchases into small portions.
- Request for proposals. These are the equivalent of bids, but are much looser and generally cover architectural, engineering and consulting services. This is an easy area for officials to favor friends.
- Grants. Get the list of state and federal money coming to the city or county and ask the state and federal agencies for the audits of those programs.
- Capital improvements. Get the list of the budgeted repairs to buildings, sewers, playgrounds, roads and bridges. See if the money is actually being spent and if one section of the community is being favored.

Financial and Personnel

- Employee salaries. Get at least the name, title, department, salary and date of hire of each employee. If you can get the date of birth, get it. This list comes in handy for daily stories and will allow you to track nepotism, patronage and pay inequities.
- Boards and committees. Get the lists of all board and committee members. They may be volunteer posts, but they show you the power and influence structure of the community.
- Cars, cell phones and travel. Get the list of who receives these items. Compare the use to regulations and guidelines.
- Internal phone directories. Great for knowing who works for whom and helps you get around public information officers.

Campaign Finance and Elections

- Campaign finance reports. Get the campaign finance reports for each elected official.
- Financial disclosure reports. Get the financial disclosure and conflict-of-interest reports required of officials.
- Voters. Get the results, broken down as small as possible, of voting records. It can show the disenfranchised parts of the community and you can compare it to city expenditures.

Land and taxes

- Tax delinquents. Get the list of the top 100 tax delinquents. (Get the whole list if you can.) This is always a sure-bet story.
- Big taxpayers. Get the list of top 10 to 100 taxpayers. If a business closes, you will know the impact immediately.
- The Master Plan. Get the overall plan for zoning and development in a community.

Courts and Crimes

- Lawsuits. Get or put together a list of all lawsuits against the local government.
- Crime statistics. Get the crime statistics for the community, whether from local law enforcement or state and federal agencies.
- Lawyers. Get a list of local lawyers from the bar association. They are a terrific source list and you need to know who the influential ones are. Look for certain lawyers getting all the city business or handling all zoning requests.

Overall information

- Census data. Get the basic census data (www.census.gov) on the community – population, ethnicity, income, housing, etc.
- Federal programs. Check General Accounting Office reports (www.gao.gov) on federal programs in your community. They are good tipsheets on possible problems and background on what programs should do. Also, look for inspectors' general reports for federal agencies. Look for the local angles.
- Your state open records law. Carry it and use it.

— Brant Houston, IRE

COUNTY CORRUPTION

from page 21

become convinced in the weeks after the vote that something illegal had taken place.

He didn't share many details, just snippets of conversations that were starting to paint an ugly picture. People close to the deal were dropping hints, spreading rumors and claiming outright that bribes had been paid.

Bass wanted to know the truth, and with good reason: One of the three "yes" votes had been his.

Little information

After pulling some initial records to confirm the basics of what Bass was alleging, I went to the *News Journal*'s executive editor, Randy Hammer. He pulled me off the other stories I was working on and allowed me to pursue the land purchase full time.

He was as fascinated with the deal as I was, especially after I discovered that another land purchase was already in the works.

The seller of both properties was Joe Elliott, local real estate agent and a longtime friend of County Commissioner W.D. Childers, the former dean of the Florida Senate.

There were many questions, but few answers. Elliott wouldn't return my phone calls.

The commissioner who proposed the purchase, Willie Junior, also wouldn't return my phone calls or explain his actions after I submitted written questions.

Childers, meanwhile, said he thought the purchase was a fine idea, and insisted his support had nothing to do with his relationship with Elliott.

The two commissioners who voted against the purchase were clueless as to what had happened and why.

Public records requests to each of the five commissioners yielded little helpful information.

I started looking at the commissioners' financial disclosure forms, required annually under Florida law. Junior's numbers didn't add up. Among the financial discrepancies he wouldn't explain was a sudden $234,120 increase in his net worth, while his reported income increased by only $10,126.

Then-County Attorney David Tucker knew the basic mechanics of the purchase, but said he was not involved in any detailed discussions before the sale went down.

"It's not the stuff I know that keeps me up at night," Tucker said in January 2002. "What keeps me awake is why all of the sudden they had to have it, and had to have it so quickly."

After about six weeks of grueling days, endless research and thousands of pages of documents, I still didn't know what happened.

There was no evidence of bribes being paid and no good explanation for why the county bought the property when it did.

I went back to Hammer and laid out what I knew. I asked for more time, but to my surprise, the answer was "no."

DIGGING DEEPER at City Hall

"You've got the story," he said. "Go write."

As I started to write, Hammer's point hit me as hard as Bass' initial disclosure: The questions *were* the story.

The public read those unanswered questions for the first time on Feb. 3, 2002.

On a full inside page, we reproduced three letters I wrote Junior asking pointed questions about the land deals and his connections to key players. We noted that he did not respond to two of the letters, and we printed, in full, his written response to a third letter requesting public documents.

It was an unusual move, but Hammer and I agreed those letters proved that Junior, and perhaps other commissioners, were hiding something. With those letters, we had more than questions. We had proof that those questions were not being answered. The public had a right to those answers.

As it turned out, we weren't alone in our curiosity. Citizens packed the next commission meeting and demanded answers. They left disappointed.

But just days after the initial stories appeared, State Attorney Curtis Golden announced a grand jury investigation into the commissioners' activities.

Phone records produced in court would later show that Childers called Elliott early the morning of Feb. 3, 2002, as the papers were hitting Escambia County driveways.

The firestorm was coming.

Tony Giberson | Pensacola News Journal

Suspended Escambia County Commissioner W.D. Childers, a former Florida Senate president, bides his time during a break in testimony during his bribery trial in Crestview, Fla.

Gary McCracken | Pensacola News Journal

The former Stalnaker Mazda dealership was purchased by the Escambia County Commission for $2.3 million. After an investigation of the deal and ensuing indictments of commissioners, the property was reappraised at $1.7 million.

Simple curiosity

Less than three months later, four of the five commissioners were indicted on charges including bribery, money laundering, extortion, racketeering and violating the state's Sunshine Law, which prohibits officials from discussing public business in private.

Bass, Childers and Junior were among them. Elliott and his wife also were charged.

As the year unfolded, the careers of some of Escambia County's most revered politicians lay in tatters:

- Junior struck a plea deal with prosecutors that, when executed, will limit his state prison time to 18 months. He initially faced 125 years. He told prosecutors that among the improper payments he had taken was a $10,000 bribe from Elliott. Junior agreed to testify against the other defendants in the case.
- Childers was found guilty of two felony charges, bribery and unlawful compensation for an official act. He also was found guilty of one misdemeanor count of violating the Sunshine Law and he pleaded no contest to a second charge.
- Commissioner Terry Smith, who had voted against the soccer complex purchase, was convicted of two unrelated misdemeanor Sunshine Law violations.
- Bass pleaded no contest to two Sunshine Law violations and vowed to never seek public office again.
- Elliott was found innocent of racketeering, bribery and money laundering.
- His wife, Georgann Elliott, saw her first trial end in a hung jury, divided over a complicated charge of structuring a financial transaction to evade reporting requirements. Prosecutors have since filed additional charges against her including principal to bribery and principal to money laundering, but her trial has been delayed indefinitely while prosecutors appeal a judicial ruling.

Today, Childers remains tangled in his legal battles, a troubling end to his distinguished 32-year political career.

Junior continues to wait on the sidelines, testifying when called against other defendants in the case, often bungling his own accounts of what happened.

Bass has stayed out of the public eye and started building what has become a lucrative real estate career.

The investigation ultimately won the National

Gary McCracken | Pensacola News Journal

Junior, left, with attorneys Charles Liberis and Michael Griffith, enters Escambia County Jail where Junior was booked on charges stemming from indictments by an Escambia County grand jury.

Gary McCracken | Pensacola News Journal

This soccer complex was bought and sold to Escambia County on the same day for a $600,000 profit.

Headliner Award for public service, and earned honors as a finalist for the Pulitzer Prize in the public service category.

I've been asked by many reporters about how the stories came about, how we found out what we did that made the questions so relevant and so important to our community at a time when interest in local government seems to be waning.

It was simple curiosity. Asking lots of questions. Gathering public documents. And asking more questions.

We put the unanswered questions out to the public, and the citizenry took it from there. There were no computer databases, no legal maneuvers, no heavily staffed investigative team to descend on the courthouse and pick apart the land deal.

There was no smoking gun.

For six weeks it was just me, supported by a great editor, surrounded by thousands of pages of documents and a lot of Diet Cokes.

I came to appreciate the very questions that as a reporter I had always seen as my obstacle to overcome. I learned that sometimes unanswered questions, just like hard answers, make for very good journalism.

And questions, like answers, can rally a community and bring about real change.

County ordinances were changed to limit add-on items to the commission agenda, a move to prevent taxpayers from ever again becoming the unwitting owners of controversial property under questionable circumstances.

And taxpayers took a hit when the soccer complex was ultimately sold at a loss of almost $1 million, but getting the property off the public books allowed the wounds to begin healing.

After considerable time, a grand jury investigation and numerous trials, there are still stories that don't add up and no ironclad, documented proof that any bribes ever took place.

In the end, we're left with what we had at the start.

Said Tucker, "They're damn good questions."

Amie Streater joined the Fort Worth Star-Telegram in September after eight years at the Pensacola News Journal. Her work has earned numerous state and national journalism awards.

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The Pulliam Journalism Fellowship

GANNETT

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*.

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

CITY COUNCIL PERKS

from page 21

elected officials: home phone numbers, real estate owned, outside employment, relatives employed by the city, financial dealings with entities engaged in city business. The forms also require disclosure of any gifts.

I did not find anything too shocking, but my instincts were sounding alarms. Only three council members listed gifts of any sort. What they disclosed piqued my interest: free tickets to a local movie theater, free entry to the city zoo, free passes to the downtown arena's events, and free parking at garages owned by a private company. Another three council members employed relatives as council assistants.

With no context, there was not much of a story in anything I had found. The story, I learned later, existed in what I had *not* found.

Hiring family members

Before delving any deeper into council members' behavior, I first decided to gain the context I needed by learning the local ethics laws. Without that knowledge, I would not be able to determine if such gifts and nepotism were prohibited. The ethics law prohibited such gifts if the organizations do business with the council or are expected to do business with the council.

Public agendas showed that the arena is city owned but privately operated. Earlier in the year, the council approved a bill to sheath the arena in billboards to offset losses to the privately owned soccer team that used the arena. The city subsidized the zoo with $3 million. And the city guaranteed loans to the movie theater that provided the free tickets.

But an exception in the ethics law allowed for passes for cultural or sporting events if given to all council members. My potential story was further deflated because I found nothing in public records that tied the company giving the free parking passes to any city business.

I turned my attention to nepotism. The ethics law contained no direct prohibition of hiring relatives. But a conflict-of-interest provision stated that council members could not make financial decisions affecting family – defined as spouses, parents, siblings and minor children. Two of the three council members with relatives on the payroll violated that provision by hiring siblings. The other had hired his daughter.

Still, there was not much news in reporting that two out of 19 council members appeared to violate prohibitions on hiring family. And the gifts did not appear to violate the law. The public would certainly be interested in the gifts and the nepotism, but there wasn't much of a story in just stating those findings. My direct editor, Bill Ordine, sensed my frustration and gave me subtle, yet key, advice: Take your time and keep digging.

I started over. I focused on the one gift that seemed most problematic: free parking passes from a local company, Arrow Parking. With the council ready to pass a bill increasing fines for parking violations, it seemed distasteful that they were able to park in garages for free. Again, I searched public agendas and reviewed money distributed by the Parking Authority – Arrow Parking still did not show up anywhere.

I then searched newspaper clips, something I should have done from the start. A brief news story in our paper stated that Arrow was involved in a partnership that was building a downtown parking

Stories from the RESOURCE CENTER

The IRE Resource Center's searchable story archive can serve as an excellent source of story ideas and investigative techniques. Here are just a few of the many local government stories available:

- **No. 16188:** This 1999 investigation by the *New York Daily News* exposed the biased granting of parking permits for New York's city employees and elected officials, who misused the permits at the expense of taxpayers and other city residents.
- **No. 16200:** This investigation by the Waterbury, Conn., *Republican-American* detailed a corrupt City Hall administration that would habitually "dole out dozens of teaching jobs to a network of relatives, friends and campaign contributors." The project examined the city's finances through the school department.
- **No. 16354:** In 1999, WCAU-Philadelphia exposed how a city councilman used city resources, employees and vehicles to subsidize his wife's cookie-delivery business, in a scandal the local press would later dub "Cookiegate."
- **No. 18632:** This 2001 *Secaucus Reporter* investigative series revealed repeated financial blunders by the New Jersey town's government. The series detailed how the town administrator helped friends and relatives get municipal contracts as well an uncovering a secret campaign-finance account with contributions from almost all the town's vendors.
- **No. 18654:** *SF Weekly* reported on a public works project gone down the drain. Mismanagement by public works officials and the contractor selected to build a municipal pool led to over a year and $1.5 million in delays. This 2001 investigation revealed that the contractor submitted false information with his bid and yet was subsequently awarded another contract.
- **No. 18685:** Using computer-assisted reporting and old-fashioned surveillance, a team at KTRK-Houston revealed the city was not fixing its streets fast enough, despite officials' claims. While the city claimed it was fixing more than 660,000 potholes in a year, it only had nine pothole repair trucks. Reporters witnessed city workers dumping piles of asphalt on small dead-end streets to cover up the city's problems. After this 2001 report, City Hall began its own examination of the problem.
- **No. 19600:** A Gary, Ind., *Post-Tribune* investigation of the city clerk's office in 2002 found multiple illegal activities, from the city clerk's attempts to make her employees sell candy for her campaign fund (with threats of being let go for noncompliance) to a ghost-payrolling operation. The investigation resulted in criminal charges against the clerk.
- **No. 18807:** *The Atlanta Journal-Constitution* conducted a yearlong investigation in 2002 and exposed serious corruption in local government. The stories revealed links between city contracts and political contributions to the mayor's campaign fund, showed how the mayor used city workers to write speeches he gave to earn outside income, and exposed many illegal campaign contributions. The series prompted a federal investigation.
- **No. 19708:** The *Commercial Appeal* in Memphis, Tenn. investigated the suspension of the mayor's senior advisor in 2002. The team discovered that not only had the advisor accrued $35,000 in debt on his county-issued credit card for unauthorized personal charges, but the mayor had also used his county-issued card for personal items.

DIGGING DEEPER at City Hall

garage, a job that was likely to require city assistance. I got the name of the partnership, searched for that in public records, and … bingo. Arrow Parking and its partner were asking for a $2.9 million tax break for the project. I called the company's vice president to confirm that he had extended the free parking passes to the council members and that his was the same company asking for the tax break. He angrily declared, with no prompting by me, that there was no quid pro quo.

The story was coming together.

As I looked further into city rules, I discovered a little-known code of conduct for the City Council. It did not carry the force of law like the fines that could be applied by the courts for ethics violations, but the conduct codes were far broader in restricting council behavior. It stated that elected officials could not accept any treatment that was different than what ordinary citizens received and that they must avoid the mere appearance of a conflict of interest with hiring.

Although only six council members disclosed either the passes or the nepotism, that did not mean the other 13 elected officials were avoiding the same conduct. I needed to call all the council members.

I made my calls off and on for over a week until I was able to speak with every council member. I asked each one if they employed relatives and if they received the free passes.

What I found was that 10 council members, not just three, employed relatives. I got their names and their relations from my interviews. I also found that all council members received the same passes. The gifts had been bestowed on each office for nearly a decade. They came with the job, council members assured me. No one had ever asked about them before.

The story was almost there: A majority of council members employ relatives and accept questionable gifts.

I searched the city's salary database, which the paper had obtained through the Freedom of Information Act, and nailed down the relatives' salaries. I then issued a FOIA request to the city's Finance Department to see the most recent payroll reports for each individual council office to double-check the salary database.

In interviews, I confronted the council members with the information that Arrow Parking was requesting a tax break under a different name. None of them knew of this. Most also said that the ethics law was so confusing they were unclear whether hiring relatives was prohibited. The council president, who employed her sister, said she was unaware of any provision preventing her from hiring a sibling. And none was knowledgeable about the conduct codes.

What I also learned was that a revision to clarify and strengthen the ethics law had been pending review in the mayor's office for nearly two years. Shortly after I inquired about the revision, the mayor's administration introduced the bill to the council. The revision's aim was to make city law more like the restrictive state ethics law. This added a new dimension to the story.

Ethics revision

I studied the state law and interviewed state and city ethics officials. The city's revisions actually were not being rewritten as restrictive as the state. State law includes an outright prohibition on nepotism and includes an exhaustive list of immediate family members and in-laws that, if used by the city, would have prohibited all of the council nepotism cases I had found.

The city's law had no such ban and it narrowly defined family as spouses, parents, siblings and minor children. The city's revisions called for changing the definition by deleting the word "minor," prohibiting the hiring of adult children.

Not only had I dug up an interesting story, the revisions provided a news hook.

My story ran on the front page of *The Sun's* Sunday paper on July 27. The issues raised by the story quickly became major campaign questions for the Sept. 9 primary election. After the story ran, council members returned their Arrow Parking passes and the company said it would never extend such free gifts to the council again. The city's Board of Ethics began an inquiry into the behavior detailed in my story and approved amendments to the revisions that would explicitly prohibit nepotism and would include the longer list of relatives used by the state.

The story was slightly complicated to write because it dealt with so many council members and their relatives. One of the elements that I should have taken more care to triple-check was the salary figures. The numbers, which I got from two separate payroll reports, were inflated for a few of the relatives who worked part time but had full-time salaries listed in payroll documents. I was forced to correct those figures in the next day's reaction story. The lesson: Always conduct one last round of calls to everyone involved in such sensitive stories.

Still, the story attracted extensive attention and is forcing the council members to debate the ethics revisions. The ignorance they claimed about the old rules can no longer serve as a valid excuse. They may not attract the same attention as the mayor, but the conduct of all local elected officials is a crucial part of covering City Hall and a necessary duty of watchdog journalism. Find the time and you'll find a story.

Doug Donovan is a city hall reporter for The (Baltimore) Sun. He worked as a writer for Forbes magazine in New York following two-year city hall stints at The News & Observer in Raleigh, N.C., and The Philadelphia Inquirer.

Web Resources

In addition to the Web sites of local governments themselves, a good way to get a handle on the issues facing communities around the country is to browse the many government association Web sites. Many associations conduct their own research or compile data on their members, and the links from their own pages can prove invaluable. A selection of those available:

- **Institute for Government Innovation**
  www.innovations.harvard.edu
  Endowed by the Ford Foundation and administered by the Kennedy School of Government at Harvard, the Institute awards grants to groundbreaking government programs.

- **International City/County Management Association**
  www2.icma.org
  The ICMA is a national organization for appointed administrators, most from the United States. The survey research page offers potentially useful comparative data for cities.

- **International Downtown Association**
  http://ida-downtown.org
  IDA is a Washington-based organization of mostly U.S. downtown associations. The news section offers a look at development initiatives around the country.

- **National Association of Counties**
  www.naco.org
  NACo is an organization that serves as the Washington presence for a group of more than 2,000 U.S. counties.

- **National League of Cities**
  www.nlc.org
  The NLC represents more than 18,000 communities, directly or through state associations. It conducts and posts original research and boasts a comprehensive links page.

- **U.S. Conference of Mayors**
  www.usmayors.org/uscm
  The USCM is the federal representation for all 1,183 U.S. cities with population over 30,000. The group posts new municipal-level research and program information.

COSTLY SUBSIDIES

from page 21

A municipality creates a zone that freezes property values at a certain level. Streets and infrastructure are built within the zone and the improvements spark new growth. The boost in property tax revenue pays back the developers who built the infrastructure, or bonds that financed the project.

The idea in most states is to spur growth in stagnant areas. What's so exciting about these mundane little districts?

They hold the ingredients of any good investigative story: lofty goals corrupted by money and politics. And because municipalities are the only entities that create TIF districts, these stories are good ways to hold local government accountable.

Big dividends

A tip from a disgruntled developer got us started.

The developer was embroiled in a troubled $134 million TIF project called Mission Del Lago. His business partner was a former Texas attorney general, Jim Mattox, and their lobbyist was a well-connected lawyer named David Earl.

The tipster had read our articles about FBI wiretaps in a local corruption case, and contacted columnist Rick Casey to share some secret recordings of his own.

We received digital recordings and confidential contracts that suggested Earl stood to make millions of dollars from Mission Del Lago, thanks to the backing of local power brokers. Earl also was behind the $309 million project in the Texas Hill Country.

It was a great beginning. But the information raised more questions: How many TIF projects were active in San Antonio? How many projects did Earl handle on behalf of developers? Who was benefiting from this public tool and was it being used appropriately?

Casey handed the story to my bosses, who handed it to me, and I got to work trying to find the answers.

Billy Calzada | San Antonio Express-News

Children play in the streets of Sky Harbor, a housing development built under the Tax Increment Financing plan.

In recapping this process I'll probably sound like a genius. Actually, I drank a lot of caffeine while reading mind-numbing reports and blundered down many a rabbit trail. But with patience, an examination of TIF practices in your city can pay big dividends by educating readers about this important government program.

Some key documents: I looked up the state's TIF legislation, and contacted the friendly librarians at the Texas Legislative Library in Austin, who for a small fee faxed me past versions of the statute and told me who the original bill's author was.

That led to an important interview, with the former legislator questioning San Antonio's use of TIF in high-growth areas that don't need subsidies.

I obtained the city's TIF guidelines, both current and past, and compared them. If you can obtain these documents electronically, Microsoft Word has a function under "tools" that allows you to track changes.

This information shows you what the city and developers *should* be doing with TIF, and then you can find out what's actually happening.

To learn the basics, I talked to experts and found a book about TIF that examined the pros and cons about the financing tool. It's called "Tax Increment Financing and Economic Development," edited by Craig L. Johnson and Joyce Y. Man.

Other documents included TIF applications filed by local developers. The hefty paperwork justified the use of the subsidy, gave property descriptions, and background information on each developer. Again, do their goals, promises and justifications match reality?

I developed a simple Microsoft Excel spreadsheet


Billy Calzada | San Antonio Express-News

The Westpointe TIF zone is to be located in an undeveloped area near established developments and Sea World. Some question the need for incentives to developers in an area already seeing growth.

to keep track of each project and how much TIF revenue was being raised. The grand total reached an estimated $658 million.

Each project had extensive case files that held gems of information, such as candid e-mails by city staff. I soon became a fixture at the city offices. I brought a laptop, typing my notes into a list of contacts and a detailed chronology. I also found sources who were critical of the program. I made copies of all documents I thought might be useful.

Some other tips:

- IRE members often advise keeping a handle on the reams of information you wade through during an investigation. A system that works for me, which I copied from an IRE tipsheet, is to number my manila folders, and keep an Excel list of each number with a subject category of the file and a brief description. The list is searchable and helps you quickly track down the file you want, as long as you keep them in order.
- Investigative reporting veterans Donald Barlett and James Steele recommend re-reading documents you gather. What might not seem so relevant early in an investigation can gain new importance later. I began writing my stories early, because for me I often don't know where a story is going until I write. Even when the articles were written, I went back and re-read my files, looking for details that might fit the finished product.
- Despite the importance of gathering documents and evidence, don't get stuck in the office. It's one thing to look at a project on a map, but there's no substitute for driving to each location, looking around, and talking to residents. At one spot, I found a brand new subdivision – being built with no subsidies – that was across the street from a $25 million TIF zone. Why was a TIF deal necessary if homes and businesses were already being built in the area?
- Court records, depositions and county deeds also proved invaluable, especially as I traced the dismal history of Mission Del Lago. Contractors slapped lien after lien on the property of the bankrupt partnership, all of which was traceable on the Internet through Bexar County's Web site.
- Local officials recently put scanned images of deed records on its Web site – for free. All I did was type in "Mission Del Lago" and the names of key players to see what turned up. I entered the pertinent information into my chronology and list of contacts, which helped when I later wrote a narrative of how things went wrong at Mission Del Lago.
- Contact local taxing entities that might be very concerned about TIF, since they are the ones being asked by cities to forsake tax revenue in each zone. Interviews and e-mails showed the county and a local college district were pushing for a TIF moratorium.

"New Urbanism"

Through interviews and LexisNexis searches, I learned that Houston is the TIF capital of Texas, and that the mayor saw the city as an ideal example of how to use TIF.

But to critics, Houston was a glowing example of TIF abuse. For example, the city created a TIF zone in the Galleria shopping center, a booming commercial area, much to the chagrin of Harris County commissioners who were being asked to forsake years of future tax revenue.

In San Antonio, developers and lobbyists justified TIF subsidies because they claimed to want pedestrian-friendly neighborhoods based on the ideals of "New Urbanism," which were more expensive.

But we wondered, do their actual plans measure up to the ideal of New Urbanism? I sent their plans to urban design experts across the United States and found the TIF projects fell short of those lofty goals.

Long stories need compelling art. Photographers Billy Calzada and Karen Shaw put a human face on the package and showed how the Texas Hill Country was about to be reshaped under a program meant to curb inner-city blight.

I also shared maps and reports with graphic artist Monte Bach, who with the help of Robert Zavala boiled down the complexities of TIF into an informative, easy-to-understand format.

The first Sunday story ran under the headline: "Good Idea Gone Bad?" and introduced readers to tax increment financing in San Antonio. The series sparked numerous e-mails and letters to the editor, the mayor sought to limit the ways Earl and other lobbyists profit from TIF, and Bexar County officials imposed a one-year hiatus on participating in all TIF projects. For such a boring-sounding topic, the series forced city officials to re-examine their priorities, and TIF became campaign fodder for new council members who pledged to use the financing tool as it was intended.

John Tedesco has worked at the San Antonio Express-News for six years, and is currently on the newspaper's projects team.

Tipsheets from the RESOURCE CENTER

The IRE Resource Center has a variety of tipsheets from journalists who have successfully tackled local government investigations. IRE members can access tipsheets and stories from the Resource Center at www.ire.org**.** A selection of the available tipsheets:

- **No. 39**: "Documents Useful for Covering City Hall." Walter Fee has compiled a comprehensive list of key local government documents, categorized by government department.
- **No. 50**: "Investigating City Hall." Don Yeager lists suggestions for local government stories and offers tips on investigating conflicts of interest and minority contracts.
- **No. 958**: "Dissecting City Hall with Databases." Rick Linsk highlights the use of databases for reporting on local government, suggests story ideas and lists examples of city hall stories using databases.
- **No. 1349**: "Government Reporting: Tips to Building a Great Career." Shawn McIntosh offers suggestions for developing productive relationships with sources and getting the most out of the city hall beat.
- **No. 1432**: "Cracking Open Scams at City Hall." David Herzog examines common local government documents and what they can tell you.
- **No. 1523**: "Q&A: Watching Over Smaller Government." John Kelly answers questions commonly asked by reporters covering small-town and suburban city halls.
- **No. 1800**: "Seven Ways a Government Watchdog Can Chow Down." Dan Meyers outlines seven approaches for examining local government in the quest to be a better watchdog.
- **No. 1887:** "Six Key Records for the Local Government Beat." Michael Mansur focuses on six types of government documents and the stories they can produce.

DANGEROUS DOCTORS

Depicting review system exposes secretive process

BY LIZ SZABO
THE (NORFOLK) VIRGINIAN-PILOT

In "Operating Behind Closed Doors," *The Virginian-Pilot* documented the medical system's failure to protect patients from dangerous doctors by focusing on the career of a single surgeon.

Dr. Robert G. Brewer, an obesity surgeon from Virginia Beach, Va., was allowed to practice for more than a decade after patients reportedly began suffering grave problems.

Dozens say they were harmed. One lost a baby. One had the wrong organ cut out by mistake. Another developed gangrene and began to rot from the inside. Others were left doubled over in pain and addicted to narcotics.

Some did not survive, according to records and interviews.

I met these patients and their families when they called in response to a daily story about Brewer's first hearing before the Virginia Board of Medicine. More patients contacted me after Brewer's final hearing, where he permanently surrendered his license after being found guilty of endangering the public.

Again and again, patients thanked me for taking them seriously. Most said that Brewer had dismissed their symptoms or blamed them for their problems.

Ralph Fisher, accompanying his mother in 1990, was 6 feet 7 inches tall and weighed 400 pounds. He hoped stomach surgery would improve his life.

Patients felt rejected a second time when doctors refused to testify on their behalf and attorneys declined to take their cases. Patients were relieved that someone seemed to care.

I couldn't help wondering why it had taken so long to get Brewer out of medicine.

The case against him stretched back at least 11 years. Some patients complained of problems dating to the early 1980s, but no longer had medical records to document their stories.

After a trip to the courthouse, I learned that Brewer paid $250,000 in 1992 to settle a malpractice suit filed by a man who had nearly died two years earlier. There were other lawsuits against him in 1995 and 1996.

Medical board records showed that Brewer was forced out of one hospital in 1997, and another in 1999.

Between them, these two hospitals filed three confidential reports to state officials documenting Brewer's problems.

Were there other complaints?

We may never know.

I learned that Virginia's medical board closes 90 percent of complaints against doctors with no public record that they ever existed. Secret investigations drag on for years, even as doctors continue to practice, and records become public only if the board decides to convene a public hearing.

Internal hospital reports also are confidential. Unlike state investigations, hospital inquiries in Virginia are never released to the public, even when patients die.

Local doctors often are afraid to testify against colleagues, even when their patients are harmed. Nurses say they are threatened with termination if they try to speak out. Even hospital executives say they have trouble getting rid of problem physicians, many of whom threaten lawsuits.

I began my reporting by asking the state medical board for a copy of all complaints filed against Brewer.

My request was denied, but I kept asking questions. When had the board begun investigating him? When were the first complaints filed? How long had the board investigation taken?

Every request for answers was denied, and it was at this point I knew this story was as much about secrecy as it was about Dr. Brewer.

To fill in the blanks, I turned to the usual documents: lawsuits, depositions, bankruptcy records, land holdings. I also dusted off a scathing report written by the state's legislative watchdog arm three years earlier. Legislators had largely ignored the report, but I found it invaluable. State auditors had been given unrestricted access to medical board records and reviewed proceedings that I never could have found on my own. Their conclusions – ignored for so long – gave the story authority.

In Virginia, death certificates are released only to the next of kin, so I had to work with traumatized families who were often reluctant to reopen old wounds. I had to balance compassion for their trauma with gentle prodding to keep my story going. In addition, I asked patients to obtain copies of their medical records, which is harder than it sounds.

Patients have a right to their medical records. But costing up to a dollar a page, the total was often hundreds of dollars. *The Virginian-Pilot* paid for the records, but patients still had to fill out consent forms and wrangle with records clerks.

In several cases, hospitals said they lost consent forms, forcing patients to fax them two or three times with a request, and even drive to the hospital. One spokeswoman tried to talk patients out of participating in the story, while clerks at the same hospital informed me that hundreds of pages of medical records for a deceased patient could not be found.

The records had not disappeared. They had been moved to the hospital's risk management office.

To get the records, I explained to a spokesman how the hospital would look in print if those records never materialized. I mentioned Enron. The records turned up the next day.

Getting the records was only the first challenge. Understanding them was another.

A retired physician helped me understand patient charts, a doctor friend read my final draft, and I took the unusual step of allowing an outsider – a respected obesity surgeon – to read the final draft for accuracy.

I learned early on from the newspaper's attorneys that medical records are not privileged documents. So when I decided which stories and facts to include, I created an Excel grid asking:

- What do I know?
- What can I prove?
- What do I need so I can prove what I know?
- Can I prove these patients were treated by Brewer?
- Can I prove their medical problems?
- Can I prove that Brewer caused their medical problems?

With more than 2,000 pages of medical charts and hundreds more in reports and newspaper clippings, I faced a mammoth organizing job.

After months of research, I took two weeks to reread my material and organize my notes. I sorted each patient's documents into an accordion file folder, arranged them by year, numbered the pages and stuck tabs on key pages.

I also borrowed a tip from *Washington Post* reporter David Finkel: I actually indexed my notes, jotting short phrases about key points so that I could

DATA AVAILABLE

The IRE and NICAR Database Library can provide copies of the National Practitioner Data Bank, kept by the U.S. Department of Health and Human Services. It contains information about doctors and other health-care practitioners who have had medical malpractice suits filed or adverse action taken against them.

Names are not included, but it is possible to use other public data to determine identities. Reporters in the past have used this data to find the most sued doctors or doctors with large amounts of cases against them who continue to practice medicine.

More information can be found at www.ire.org/datalibrary/databases/npd/.

find them more easily.

I did not want to take the chance that the newspaper's attorney would cut vital details.

So, when I wrote my rough draft, I footnoted it. I wanted to be ready to defend the story. As it turned out, the company lawyer suggested adding two or three attributions, but cut nothing.

My editor and I agreed that the story would work best if told chronologically. I structured the story as one long narrative, divided into eight chapters that focused on eight key players – seven patients and Brewer himself.

The day after publication, a Virginia Beach hospital turned over confidential documents proving that executives had warned state officials about Brewer nearly five years before the board took action. The hospital leaked a letter proving that executives had warned a neighboring institution about Dr. Brewer. The second hospital, located in the city of Chesapeake, let Brewer on staff anyway.

In later stories, I reported that patients had virtually no hope of suing the Chesapeake hospital because it enjoys special immunity from litigation.

In a follow-up project, I documented that more than 250 doctors are still practicing in spite of serious records of misconduct. The newspaper's computer-assisted reporting specialist, David Gulliver, used a public-access version of the National Practitioner Data Bank to show that dozens of doctors were practicing even though they had been disciplined five or more times.

We showed that the medical board also has awarded licenses to dozens of convicted felons, including child molesters and a murderer.

To report that story, I filed a Freedom of Information Act request for all board actions since 1990, the year that the National Practitioner Data Bank was activated. I also purchased a DVD from the state containing the disciplinary records of doctors, nurses, dentists and others for the past 12 years. These actions, unfortunately, came in a narrative format that did not allow them to be imported into a database.

Since these stories were published, Virginia's medical board has become a bit more open. It now posts disciplinary actions online as soon as they occur.

The stories also helped change Virginia law.

Nine months after the publication of "Operating Behind Closed Doors," Virginia's governor signed legislation reforming the medical system. Doctors, who in the past could be sanctioned only after committing multiple offenses, can now lose their licenses after a single mistake. The medical board also is required to investigate every complaint.

Will the law make a difference?

There's only one way to find out – more reporting.

Liz Szabo covers medicine for The Virginian-Pilot in Norfolk.

Military weapons land in hands of local cops with little oversight

By Chuck Murphy and Sydney P. Freedberg
St. Petersburg Times

Like so many other projects, the stories which became "Fort Florida" began as a fishing expedition.

We decided to track weapons used by terrorists in the Middle East, Afghanistan and South America. Freedberg, not expecting to get anywhere, asked U.S. Army officials in Afghanistan to provide us the inventory of weapons seized in that nation's caves along the Pakistan border.

Surprisingly, they obliged with a detailed spreadsheet. Most were made in Soviet-bloc countries, but a few were manufactured in the United States. All had fallen into terrorist hands.

> "...some of the nation's smallest police agencies have been given powerful military hardware – with no training requirements or guidelines for use against civilians."

We had wanted to track the weapons found overseas back to their U.S. sources. But in truth, our editors did not seem very interested. So we reassessed and started hunting closer to home, looking for the number of ways military weapons could get into civilian hands.

We came across the Web site for the Law Enforcement Support Office, the agency responsible for distributing military weapons to civilian law enforcement agencies.

As detailed in our stories, Congress has created a couple of different programs to allow civilians to access M-16s, grenade launchers, night-vision goggles, armored personnel carriers, aircraft, stun guns and other items.

But while the goal of the programs was to increase the nation's crime-fighting capability, little oversight accompanies the delivery of the weapons. As a result, some of the nation's smallest police agencies have been given powerful military hardware – with no training requirements or guidelines for use against civilians.

Civilian shootings

We decided to focus on Florida agencies and the weapons delivered to them. That allowed us to avoid the cumbersome federal Freedom of Information procedure. Instead, we went straight to the state officials who oversee the program, and made our records request under Florida's more accommodating public records laws.

In post-9/11 government, any requests for information about weapons, or emergency responses, is greeted with arched eyebrows. So, when the state said we could look at its files in the warehouse where they were kept, we moved quickly.

After we were told that employees in the warehouse had only one copy machine, and that our access would be limited, we decided to bring our own.

For two days, we camped out in the employee break room, making copies. We spent little time reviewing the records, choosing instead to copy everything we could get our hands on before our access was challenged or shut down.

We left the warehouse with our copier and 78 files containing information on 1,941 military weapons delivered to Florida police and sheriff's agencies.

Then we had to figure out how they were being used.

Kitty Bennett of the paper's research library started a hunt for any newspaper stories about shootings of civilians by police using M-16s, M-14s or other military rifles. The paper's computer-assisted reporting specialist, Constance Humburg, created the necessary spreadsheets to allow us to organize the information in the paper files.

We set out to verify the location and use of the weapons in the files by calling and visiting each of the agencies that had received them.

Immediate corrections

Over the next three months, we found that a fully automatic M-16 had been stolen from one agency and that it had failed to report it to LESO

Checking on YOUR STATE

To find out whether your state participates in the weapons programs, you can call your state "point of contact" with the Law Enforcement Support Office.

Those names are available on the home page of the National Law Enforcement Support Association (www.nlesa.org/default.asp)

The Law Enforcement Support Office (www.dla.mil/j-3/leso/) is in charge of the programs for the federal government.

Daniel Wallace | St. Petersburg Times

Officers practice gaining entrance to and securing a building. After receiving training, each Citrus County Sheriff's Office patrol car will have an M-16 for the deputies to use at their discretion.

officials. Most agencies weren't storing the rifles in any manner approaching military standards – with some small agencies allowing their officers to take the rifles home. And some agencies had inflated crime statistics in an effort to get the weapons while the state and federal officials in charge of the programs had done little in the way of auditing.

A handful of agencies had never registered weapons with the Bureau of Alcohol, Tobacco and Firearms, as required, or had provided the ATF with inaccurate serial numbers, making the rifles untraceable if they were lost or stolen.

We also found that an M-16 had been used to kill a suicidal Central Florida man after a standoff with Seminole County sheriff's deputies – a shooting that placed other civilians in danger when bullets passed through doors and walls behind the intended target.

Finally, as expected, we found that several police agencies didn't think their weapons were any of the public's business. They claimed that homeland defense legislation passed in Florida after 9/11 gave them the authority to shield any information about the guns their officers used. The *Times* remains in litigation with one of those agencies, the Pensacola Police Department.

We put it all together in a single-day package of stories. The mainbar provided an overview of the programs and our findings. Sidebars and news graphics examined the lack of training policies, the history of the programs, the difference between these weapons and commercially available rifles, and the location of Florida's military arsenal.

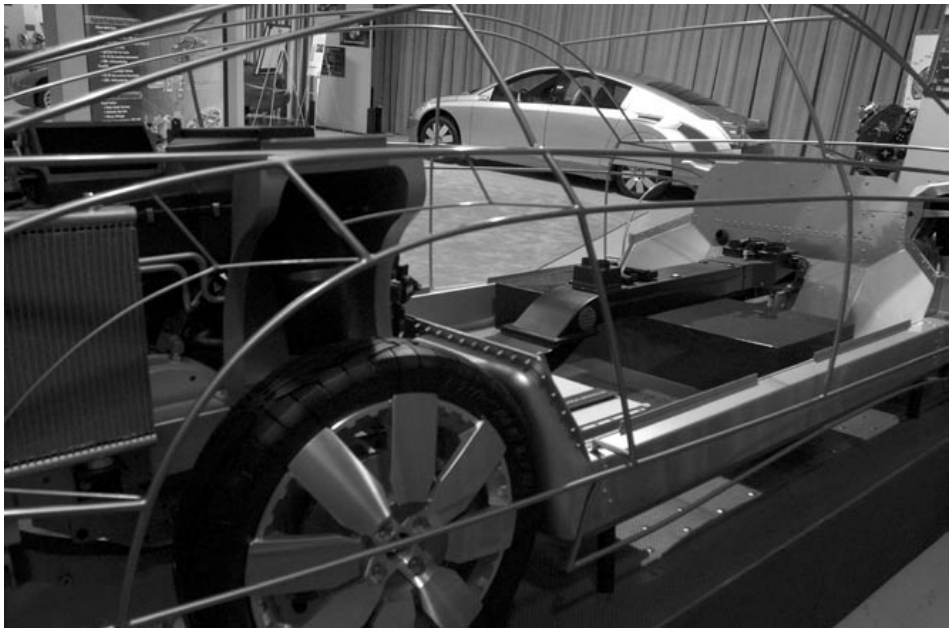
Much of the fallout occurred as we reported the story. After we interviewed agencies about mistakes or lack of policies, several of those agencies made immediate corrections, or pledged that they were in the midst of drafting training procedures. Others chose to give up the rifles. In a couple of cases, police chiefs were unaware that their predecessors had received the rifles and, after learning from us that their officers were carrying them, asked to return them to the Army.

Our effort to force the Pensacola Police Department to open its records to inspection failed in the trial court. An appeal is under way. Should it be resolved in our favor, it would give us the opportunity to re-visit those agencies refusing to show us files or rifles.

We also are awaiting the results of a federal audit of Florida's oversight of the program.

Sydney P. Freedberg joined the Times in 1998 as an enterprise reporter. She has won a number of national journalism awards and has been part of three Pulitzer-winning teams in Detroit and Miami. Chuck Murphy joined the Times in 1988. He was part of a team that won a Sigma Delta Chi award for a series of stories on Florida's practice of sealing or destroying criminal records.

Scott Strazzante | Chicago Tribune



The framework of the General Motors' Precept concept car shares a display area at GM's Advanced Technology Vehicles research facility in Troy, Mich.

AUTO INDUSTRY

Politics puts brakes on plans for Supercar

By Sam Roe
Chicago Tribune

My 1987 Honda Civic gets 25 miles per gallon. After I change the oil, it gets about 30 mpg. If I were to ever take it in for a tune-up, it would probably get 35 to 40 mpg.

So, I was surprised to read in the newspaper last year that the U.S. government was scrapping its much-heralded Supercar program, a joint effort with the Big Three automakers to build a family sedan that could achieve 80 mpg. After nine years of effort and $1.5 billion in taxpayer money, the Bush Administration said that building an 80-mpg car that consumers could afford was simply not technologically possible.

If a little maintenance on my old Honda could improve its mileage to 40 mpg, why couldn't the best scientific minds in government and industry build an 80-mpg vehicle?

I called a couple of Supercar officials to see what had happened. They said building a highly fuel-efficient car involved more than an oil change and new spark plugs.

They also noted the program had been undermined by political squabbling and backroom deals. They said that had everyone acted in good faith, 80-mpg cars would have made it to the showrooms.

There seemed to be a good story here. Supercar was born in pomp and splendor at a 1993 White House ceremony, with officials comparing its challenges to the Apollo program. In the ensuing years, politicians often pointed to the project as an example of how they were diligently battling pollution and America's dependence on foreign oil.

Now Supercar was dead, and no one was being held accountable.

I pitched the idea to my bosses, Robert Blau, the *Tribune's* assistant managing editor for projects, and George Papajohn, the assistant projects editor. Both encouraged me to write the piece as a narrative, capturing the drama of those involved, from the engineers piecing together Supercar in the back shop to the powerful industry executives scheming to kill the program.

Hostile auto industry

I had done some narrative writing before but never for a multi-part series and never on such a potentially dry topic. Did readers really want long stories on fuel economy?

So I had to meticulously report the story in order to write authoritatively about events that occurred as far back as a decade.

For example, when officials were uncertain about details of an early Supercar prototype, I tracked down purchasing records to find that the first seats and dashboard had come from a Michigan junkyard.

As a narrative device, the series focused on Charles Gray, a brilliant but quirky federal engineer who came up with the idea for Supercar, then went off on his own – much to the dismay of other project leaders – to build his own Supercar. I spent days with him at his laboratory in Ann Arbor, Mich., and visited his boyhood home of Fountain Hill, Ark., population 159, where as a teenager he had tinkered with engines to make them more fuel efficient.

We flushed out other Supercar players, including Francois Castaing, the renowned car designer who had helped usher in the era of sport-utility vehicles but who was now being asked to help undo the damage, and John Dingell, the gruff Detroit congressman who was the automakers' biggest ally and no fan of the Supercar program.

But I still had to find out who killed Supercar and why.

I visited several former project leaders and convinced them to allow me to review their notes. One former U.S. official pulled out several boxes of notebooks from his attic in North Carolina. A Washington bureaucrat sent me lengthy e-mails detailing the infighting. And a former Clinton aide living in Virginia found in his storage room dozens of confidential White House memos, e-mails and internal reports. The White House notes, in particular, allowed me to report on key conversations that took place.

What I found was that Supercar was largely a victim of a hostile auto industry and self-serving politicians. Yet, the program somehow sputtered along, and just when it looked like it would succeed, the auto industry lobbied the Bush Administration to kill it. Detroit was more interested in making

Scott Strazzante | Chicago Tribune

Charles Gray watches as members of his team conduct a fuel economy test resulting in 86.1 mpg on the equivalent of a 3,800-pound vehicle at an EPA lab last fall.

Scott Strazzante | Chicago Tribune

Chrysler's Intrepid ESX3 concept car, which was completed in 2000 and achieved a remarkable mileage of 72 mpg, was the company's contribution to the failed Supercar program. It's shown being retired to the museum at Daimler-Chrysler's Liberty & Technical Affairs research facility in Auburn Hills, Mich.

big-ticket SUVs than fuel-efficient sedans.

The automakers also reneged on another major promise. They vowed over the course of the Supercar program to use emerging technologies to improve the fuel economy of existing fleets. But *Tribune* database editor Geoff Dougherty helped compile figures that showed the mileage for Big Three passenger vehicles had remained flat since 1993, while the horsepower had shot up 27 percent.

"Supercar: The tanking of an American dream" turned out to be a three-part series, with part one detailing the project's beginnings, part two exploring the early successes and part three chronicling its demise.

Right up to deadline, one key interview was missing: Al Gore, who, as vice president, had personally negotiated the Supercar deal with the Big Three and then championed the project for years.

But White House notes showed that Gore was not entirely honest about the program. The records showed that when Supercar was created, Gore had struck a secret deal with the Big Three that was highly favorable to the industry. Afterward, the White House denied that any deal had been cut.

I made repeated requests to talk with Gore, but he had recently lost the presidential election and was granting few interviews.

Then two days before publication, Gore came to Chicago with his wife, Tipper, to promote a book they had written. Late in the afternoon, they appeared on a radio station four floors below the *Tribune* newsroom. Gore's handler called me and said the former vice president had a few minutes to spare.

I ran downstairs, did the interview, came back and plugged in Gore's responses – all in a half-hour, one of the quickest close-out interviews I have ever had.

FreedomCAR

Reporters attempting similar stories might keep in mind that in high-profile government projects like Supercar, many officials keep detailed notes of meetings and telephone conversations, particularly if they believe the proceedings have historical value. When the officials leave office, they often take their notes with them, hoping to someday write a book. If they do not end up writing a book, they might turn over their notes to a reporter so their work does not go to waste.

I also would suggest that reporters identify who are the champions and villains in their stories and report the pieces through their eyes. And read drafts of your work out loud. When your own writing bores you, start to cut.

Thanks to an extensive Web presence produced by Jill Blackman of chicagotribune.com, the *Tribune's* Supercar series elicited hundreds of reader responses. The Web site included graphics and charts that the newspaper version of the series did not.

But what surprised me most was how passionately some readers defended their SUVs. Perhaps fuel economy was not such a boring topic.

In the meantime, the White House and the auto industry have launched a replacement program for Supercar, a project called FreedomCAR. The plan is to build highly fuel-efficient vehicles powered by hydrogen.

If history is any indication, there will be a good story here shortly.

Sam Roe is a projects reporter for the Chicago Tribune.

FOI report

CONTINUED FROM PAGE 11

poverty and other factors.

A subgroup of 30 or more students who can't speak English or who have learning disabilities can miss the proficiency mark on a state test and affect the rating for the entire school – or district.

Olathe Superintendent Ron Wimmer told *The Star* the federal law is "out of touch with reality."

"I don't object to accountability," he said. "I don't object to assessment, but we had 61 kids who, through no fault of their own … made it appear there is something wrong with a system that is serving 23,000 kids."

The arbitrary nature of such high-stakes testing means that administrators under intense pressure to perform might cut corners. U.S. Education Secretary Rod Paige's meteoric rise began in his old base in the Houston public schools, which served as one of the catalysts for NCLB.

Paige never misses an opportunity to tout the Houston "miracle," and as the Houston media have doggedly tracked the district's numbers, the miracle moniker seems more accurate than ever.

As reported in August, a legal firm probing the dropout numbers at Sharpstown High School found that a "complete breakdown in the chain of command" allowed the school's top management to report dropout data to the state that school officials should have known was false.

The school, with 1,700 students – many considered at-risk – was reporting zero dropouts. An investigation determined that computer network specialist Kenneth Cuadra changed dropout records in a school computer to show no one had quit school in 2000-01. Cuadra was subsequently disciplined.

A series of internal audits and external investigations revealed that nearly all the schools examined in Houston were vastly underreporting dropouts.

Upon finding nearly 3,000 uncounted dropouts in Houston schools, the Texas Education Agency threatened to lower the district's rating to unacceptable. The sanction was averted when district officials promised to keep more accurate student records.

However noble its intent, it's clear that No Child Left Behind was designed with impossible expectations and might well be what many critics warned: an attempt by voucher proponents in Congress to ease the way for tax-supported vouchers for private schools.

This may or may not be the case, but journalists have no excuses this time. The data is public, the sources eager to talk. In a nation battling endemic secrecy on virtually every front, school testing is an oasis of openness.

Nieman Foundation

at Harvard University

Taylor Family Award

for Fairness in Newspapers

2003 WINNER: The second $10,000 Taylor Family Award for Fairness in Newspapers went to ***The Boston Globe's*** Spotlight Team for its coverage of the sexual-abuse scandal in the Catholic Church and its outstanding effort to examine charges and accusations from all sides and sources. "Day after day after day, *The Globe* met the standards of fairness in examining a sensitive subject and a much-revered institution that news organizations often tiptoe around," the Taylor Award judges said.

2003 FINALISTS: ***The Plain-Dealer*** of Cleveland for a series that unflinchingly examined the bitter-sweet life of Michael Green, who was released from prison after serving 13 years for a rape he didn't commit. ***The Milwaukee Journal Sentinel*** for its coverage of chronic wasting disease in deer, the risk to the deer population and its impact on hunting and its potential impact on Wisconsin dairy cows.

CALL FOR NOMINATIONS

The Nieman Foundation is accepting nominations for the 2004 Taylor Family Award for Fairness in Newspapers by January 12, 2004. A single article, editorial, commentary, series of stories, editorial or commentaries or a body of work by an individual journalist, is eligible for the $10,000 award. The award jury will consider all aspects of the journalistic process: reporting, writing, editing, headlines, photographs, illustrations and presentation. To receive an award entry application please write to: Taylor Fairness Award, Nieman Foundation, Harvard University, One Francis Avenue, Cambridge, MA. 02138, 617.495.2346 or e-mail: **taylor_award@harvard.edu**

This award was established in 2001 through gifts by members of the Taylor family, which published *The Boston Globe* from 1872 to 1999, to encourage fairness in news coverage in America's daily newspapers. William O. Taylor, chairman emeritus of *The Globe*, embraced the idea out of his wish to give something back to the craft in which five generations of his family have devoted their working lives. The award is administered by the Nieman Foundation for Journalism at Harvard University.

Member news

CONTINUED FROM PAGE 5

she is an assistant dean. ■ **Amie Streater** has moved from The *Pensacola News Journal* to the *Fort Worth Star-Telegram*, where she will be the lead county government reporter. ■ **Scott Streater** has moved from The *Pensacola News Journal* to the *Fort Worth Star-Telegram*, where he will be an environmental reporter.■ **Adam Symson** has become director of investigations and special projects for Scripps Broadcast Group based in Cincinnati. He was executive producer at the company's KNXV-Phoenix. ■ **Alysia Tate**, editor and publisher of *The Chicago Reporter*, has been selected to participate in Leadership Greater Chicago's 2004 Fellows Program. She was a visiting faculty member at the Poynter Institute seminar "Reporting on Race Relations" in September.

NICAR offers new FAA and IRS data

Two of the most popular databases at the IRE and NICAR Database Library were recently updated.

The FAA Aircraft Registry has now been updated to include 352,914 records of aircraft, from jumbo jets to blimps to puddle-jumpers. The database is a directory of all aircraft registered with the Federal Aviation Administration. Not only can journalists look up a specific aircraft in the case of an accident using its N-number (the number visible on all aircraft), but they also can check ownership of particular type of aircraft, the aircraft owners of a particular city or county, registered aircraft dealers and more.

The Database Library also has just updated its Internal Revenue Service migration data, which now runs from 1992 through 2002. The U.S. Census Bureau compiles the data using personal income tax return information from the IRS. The database allows journalists to track the movement of people and their incomes, in and out of counties.

IRE is offering faster and cheaper delivery by creating a custom Web page for each subscriber, linked to the data for a download. This service is now available for almost all NICAR databases, which will be updated on a monthly basis (the previous quarterly CD shipments will still be available). For more information, go to www.ire.org/datalibrary/.

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, training@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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Mailing Address:

IRE, 138 Neff Annex, Missouri School of Journalism, Columbia, MO 65211

The Newspaper Guild-CWA announces its

2003 Heywood Broun Award

This annual competition is intended to encourage and recognize individual journalistic achievement by members of the working media, particularly if it helps right a wrong or correct an injustice. First consideration will be given to entries on behalf of individuals or teams of no more than two. This, too, is in the spirit of Broun.

- ***Deadline**: Entries must be postmarked no later than Jan. 30, 2004, and must have a clearly legible return address on the outside of the package. Entries posted after Jan. 30 will be discarded on receipt. Faxed and e-mailed entries will not be accepted.*
- ***Award:** $5,000, plus two awards of $1,000 each for entries of substantial distinction. One of the awards of substantial distinction will be for a broadcast (television or radio) entry.*
- ***Publication Dates:** The award will be given for work published or broadcast between Jan. 1 and Dec. 31, 2003.*
- ***Eligibility:** Journalists working on behalf of newspapers, news services, web sites, magazines and radio and TV stations in the United States, Canada and Puerto Rico are eligible, whether Guild members or not. Publications and other employers as such, or entries on behalf of an entire staff of a publication or employer, are not eligible; neither are entries written or reported by managers. Entries may be submitted by applicants for themselves or by others; however, entrants should note that in keeping with the award's emphasis on individual achievement, the judges frown on obviously mass-produced contest entries.*
- *All entries become property of the award committee.*

Heywood Broun was a pioneering and crusading columnist for The Tribune and The World in New York from 1912 until his death in 1939. He also wrote frequently for The Nation and The New Republic and wrote dozens of short stories, articles and essays that appeared in Harper's, Bookman, American Mercury and Collier's. **He founded the American Newspaper Guild in 1933 and served as its first president.**

Although his first love was sports, Broun is best remembered for his **reporting on social issues and his passionate championing of the underdog and the disadvantaged**. "When a man has a conviction, great or small, about eggs or eternity, he must wear it always in plain sight, pulled down tight upon his forehead," he once wrote. "I see no wisdom in saving up punches for a rainy day."

Broun maintained a steadfast belief that **journalists could help right wrongs, especially social ills**. "I am a little sick and tired of being classed as soft, bourgeois and sentimental if I say that human brotherhood could solve overnight the problems concerning which men shake their heads and say 'It's too bad but insurmountable'," he wrote in 1933. And in 1939, just a month before his death, he wrote: "I would like to see some columnists do the side streets and the suburbs and **chronicle the joys and tragedies of the ordinary run of people**."

- ***Requirements:** There is no official entry form, nor is there an entry fee. Each newspaper or magazine entry must be submitted in triplicate, one copy of which must be an original tearsheet. Internet entries should be submitted as print-outs, also in triplicate.*

  Broadcast entries shall consist of one copy of an audio or video tape (VHS) and three copies of a final script or summary.

  All entries must include:
  ***1.** A one-page summary of the work.*
  ***2.** A description of the circumstances under which the work was done and its results.*
  ***3.** Name, phone and e-mail address, if any, of those to be contacted with winning results.*

  Entries that do not conform to these minimum requirements will not be judged.
- ***Address:** Broun Award Committee*
  The Newspaper Guild-CWA
  501 Third Street, N.W., 2nd Floor
  Washington, DC 20001-2797
- ***Phone:** 202-434-7177*
- *Entries will be acknowledged via postcard. Winners will be notified personally and will be announced in the March, 2004 issue of The Guild Reporter. The Guild Reporter may be seen on the TNG-CWA website, www.newsguild.org.*
- *Awards will be presented at the Freedom Award Fund Banquet on May 19, 2004 in Washington, D.C..*

IRE AWARDS 2003

call for entries

The annual contest of Investigative Reporters and Editors, Inc.

DEADLINE: Postmark by Jan. 12, 2004

Categories

Newspaper:
For outstanding investigative reporting at a daily or weekly newspaper. (Use highest one-day circulation of the week.) Categories are: Circulation less than 100,000; Circulation between 100,000 and 250,000; Circulation more than 250,000; and Local-Circulation Weekly.

Television:
For outstanding investigative reporting by a television outlet. Categories are: Network or syndicated program; Top 20 market; and Below Top 20 market.

Other Media:
For outstanding investigative reporting in other media such as Magazine, Newsletter, Specialty Publication, Book and Radio.

Online:
For outstanding investigative reporting.

Special Categories:
Tom Renner Award: Outstanding reporting in any medium covering and exposing organized crime. (Limited to 10 stories) You must submit TWO sets of copies if submitting an entry in the Tom Renner category and in another category.

IRE FOI Award: Honors individual or organization in any medium whose significant actions further open records or open government. You must submit TWO sets of copies if submitting an entry in the FOI category and in another category.

Student Award: Outstanding investigative reporting by a student in a college-affiliated newspaper, magazine or specialty publication, or broadcast work that has been publicly reviewed, screened or aired.

International Entries: International entries will be placed into appropriate categories by IRE staff. Contest judges can then move entries into other categories. IRE can award a special citation for deserving international work.

NOTE: Judges reserve the right to give more than one award in a category or to declare no winner in a category

The contest recognizes the best investigative reporting in print, broadcast and online media, and helps identify techniques and resources used by entrants.

For entry forms and additional information, visit our Web site at **www.ire.org/contest**