

# THE IRE JOURNAL

## TABLE OF CONTENTS MARCH/APRIL 2004

- 4** Investigative reporting, FOI laws go hand in hand to ensure open government  
By Brant Houston  
*The IRE Journal*
- 5** NEWS BRIEFS AND MEMBER NEWS
- 6** PANELS, CLASSES SET FOR CAR CONFERENCE
- 7** Newseum to honor sacrifice of Don Bolles
- 8** ATLANTA IRE CONFERENCE PREVIEW
- 9** HIGHER ED  
Land grab costs taxpayers \$139 million, fells university foundation, school president  
By Dan Popkey  
*The Idaho Statesman*
- 10** WAR CRIMES  
Recent war atrocity stories recall investigative reporting milestones  
By Steve Weinberg  
*The IRE Journal*
- 11** Army files, interviews detail rogue Tiger Force killings in Vietnam  
By Michael Sallah and Mitch Weiss  
*The (Toledo) Blade*
- 14** UNCIVIL SERVANTS  
Getting records on state employee discipline requires significant test of public records law  
By Thomas Peele  
*Contra Costa Times*

- 17** FOI REPORT  
Knowledge of scientific results now endangered by OMB plan  
By Charles Davis  
Freedom of Information Center

### 18 - 29 PRESCRIPTION FOR ABUSE

- OVERDOSES**  
Medicaid records reveal link between drug deaths and doctors, pharmacies  
By Fred Schulte  
*(South Florida) Sun-Sentinel*
- ROGUE MARKET**  
Shadow distribution system calls into question safety, origin of diverted drugs  
By Gilbert M. Gaul and Mary Pat Flaherty  
*The Washington Post*

- OFF-LABEL RX**  
High percentage of drugs prescribed for uses not approved by FDA  
By Chris Adams and Alison Young  
Knight-Ridder Newspapers



### ABOUT THE COVER

Prescriptions that land in people's medicine cabinets are taking increasingly varied routes to get there.

Cover photo by  
Len Bruzese, *The IRE Journal*

- 29** HOME FLIPPING  
Speculators, loan schemes cause housing foreclosures  
By Ken Alltucker  
*The Cincinnati Enquirer*
- 30** New investigative authors echo themes of original muckrakers  
By Steve Weinberg  
*The IRE Journal*
- 32** MILITARY ASSAULTS  
Few sex offenders, abusers face justice in military ranks or service academies  
By Miles Moffeit and Amy Herdy  
*The Denver Post*

## THE IRE JOURNAL

VOLUME 27 | NUMBER 2

EDITOR & IRE DEPUTY DIRECTOR  
Len Bruzzese

MANAGING EDITOR  
Anita Bruzzese

ART DIRECTOR  
Wendy Gray

SENIOR CONTRIBUTING EDITOR  
Steve Weinberg

CONTRIBUTING LEGAL EDITOR  
David Smallman

EDITORIAL INTERN  
Katie Underwood

### IRE

IRE EXECUTIVE DIRECTOR  
Brant Houston

#### BOARD OF DIRECTORS

CHAIRMAN  
David Dietz, Bloomberg News

PRESIDENT  
Shawn McIntosh, *The Atlanta Journal-Constitution*

VICE PRESIDENT  
David Boardman, *The Seattle Times*

TREASURER  
Duane Pohlman, WEWS-Cleveland

Paul Adrian, KDFW-Dallas/Fort Worth

Stephen K. Doig, Arizona State University

James V. Grimaldi, *The Washington Post*

Andy Hall, *Wisconsin State Journal*

Dianna Hunt, *Fort Worth Star-Telegram*

Stephen C. Miller, *The New York Times*

Cheryl Phillips, *The Seattle Times*

Deborah Sherman, KUSA-Denver

Nancy Stancill, *The Charlotte Observer*

Stuart Watson, WCNC-Charlotte

The IRE Journal (ISSN0164-7016) is published six times a year by Investigative Reporters and Editors, Inc. 138 Neff Annex, Missouri School of Journalism, Columbia, MO 65211, 573-882-2042. E-mail: journal@ire.org. U.S. subscriptions are \$70 for individuals, \$85 for libraries and \$125 for institutions/businesses. International subscriptions are \$90 for individuals and \$150 for all others. Periodical postage paid at Columbia, MO. Postmaster: Please send address changes to IRE. USPS #451-760

© 2004 Investigative Reporters and Editors, Inc.

## FROM THE IRE OFFICES

# Investigative reporting, FOI laws go hand in hand to ensure open government



BRANT HOUSTON

Quite often journalists have been shy about writing stories about freedom of information and the reluctance, if not downright hostility, of officials when asked for public information. In fact, if we wrote about public records requests at all, the articles have obsessed over how the release of public records invades our privacy.

Fortunately, that has changed. The closing down of records that protect the public, the ill-founded citing of national security to close off those records, and the increasing invasion of privacy by public officials all have created an attitude change.

News organizations are now more frequently pointing out when a sunshine law made a record available and they are doing “audits” of how public officials violate the law.

Recently, we reported in our Web feature Extra!Extra! ([www.ire.org/extraextra](http://www.ire.org/extraextra)) on a project, led by Chris Davis and Matthew Doig of the *Sarasota Herald-Tribune*, and 29 other Florida newspapers to test the availability of public records in 62 of the state’s 67 counties. They found that public officials “ignorant of the law or paralyzed by suspicion, regularly thwart citizens exercising their constitutional right to inspect public records.”

It was an excellent project that will be detailed in a future issue of this magazine, but we also need to show how open records laws protect the public.

This issue of *The IRE Journal* does just that, displaying how investigative reporting and freedom of information go hand in hand.

Despite the frustrations that journalists often encounter, the laws still can be tools to pry information loose that will keep our governments accountable and ensure a working democracy.

The articles in this issue show how journalists effectively employed the laws in working on their stories – whether about war atrocities, pharmaceutical misdeeds or how officials perform, or don’t perform, their jobs.

And if anyone needs further proof of how important open records laws are, a review of the contest entries we receive annually (nearly 600 this year) gives many, many more examples. On the contest form we ask the entrants whether they used open records laws and what results they had. Their responses are illuminating and at the same time a how-to tutorial.

Although we have heard (or experienced) horror stories about endless obstacles, delays and lack of responses, the entries demonstrate the success rate is still high enough that every journalist should know the laws and how and when to use those laws.

At IRE we use these resources to teach journalists to have “a document state of mind” and to always seek the document that brings us closer to the truth. And we teach that a well-aimed open records request is often key to getting that information.

Because of that, we make sure that our Better Watchdog Workshops, co-sponsored by the Society of Professional Journalists, have a specific session in which some of the best media lawyers and knowledgeable journalists go over the FOI basics and answer as many questions as they can. In addition, FOIA and sunshine laws are brought up throughout entire workshop day.

We do more than that by having FOI panels at our larger conferences, filing amicus briefs, working with the Freedom of Information Center (<http://web.missouri.edu/~foiwww>) at the Missouri School of Journalism (run by *Journal* columnist and associate professor Charles Davis), and supplying resources and links at our Web site on FOI ([www.ire.org/foi](http://www.ire.org/foi)).

Yet, we hope to go further by producing a practical open records guidebook for journalists that will the abundant archive of information we have from more than 20 years of IRE contest entries.

The guidebook will provide the nuts-and-bolts strategies for requesting and getting documents for investigative stories and keep us at the forefront of the struggle for democracy and good government.

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

## IRE taps David Donald as new training director

David Donald of the *Savannah Morning News* has been named the new training director of IRE and the National Institute for Computer-Assisted Reporting. He will coordinate and conduct workshops on investigative reporting and computer-assisted reporting for print and broadcast journalists.

A veteran journalist, Donald oversaw the computer-assisted reporting and research programs at the *Morning News* after stints on the education beat and the projects team. He was a lead organizer of IRE's regional conference in Savannah in 2002 and has spoken on panels at IRE's annual conferences. He succeeds Ron Nixon, who joined the (Minneapolis) *Star Tribune* projects team as computer-assisted reporting editor.

"We are pleased that David Donald has joined the IRE staff," said Brant Houston, IRE's executive director. "He brings a wealth of teaching experience and a great breadth of knowledge on newsgathering and computer-assisted reporting techniques."

Donald also has taught at the high school and college levels, including five years as a part-time instructor at Savannah State University. He holds a master's in journalism from Kent State University. He can be reached at [ddonald@ire.org](mailto:ddonald@ire.org).

## Basic TV reporting workshops set for NY

Two workshops on TV reporting, sponsored by IRE and the Missouri School of Journalism, will be held at New School University in New York City.

The hands-on workshops are aimed at younger journalists and print journalists who want on-camera experience. We encourage veteran journalists to share information about this opportunity with anyone they are mentoring.

Make the jump from writer/producer to on-camera reporter. Learn in-depth reporting and storytelling techniques from some of the best in the TV-news business. A limited enrollment of 12 ensures everyone will receive individual attention.

Under the direction of professional news editors, you will go onto the streets of New York to produce a story for use on your resumé tape complete with interviews, reporter standup and natural sound.

Choose from the March 31-April 4 or July 7-11 sessions.

## Election-year presentation to feature noted NY speakers

IRE will join with the Missouri School of Journalism to present a showcase panel on investigative journalism and political coverage at the New School University in New York City at 7 p.m. on June 8.

Entitled "Investigative Journalism in an Election Year," the panel is expected to include Neal Shapiro, president of NBC News; Jill Abramson, a managing

editor of *The New York Times*; and James Steele, editor-at-large for Time Inc. and half of the longest-running investigative reporting team in American journalism. The session will be moderated by Brant Houston, executive director of IRE and an associate professor at the Missouri School of Journalism.

The panel will look at the special challenges an election year presents for investigative journalists as politicians spin and attack every story and how deeply broadcast, newspaper, magazine and online organizations are delving into the obvious or hidden agendas.

The panel will examine the issues, evaluate the record on current investigative reporting, and talk about what needs to be done by the November election day.

Information on attending the presentation will be posted at [www.ire.org/training/otr.html](http://www.ire.org/training/otr.html).

## Editor Boot Camp will offer CAR training

IRE and NICAR are offering an opportunity for editors, news directors and other newsroom managers to take a larger role in their organization's computer-assisted reporting. An Editor Boot Camp will be held April 16-18 at the Missouri School of Journalism in Columbia, Mo.

The three-day workshop features hands-on coaching to help editors learn to obtain, read and edit electronic data from both government and private resources. Participants will learn to build a database library to organize news stories. They will become skilled at using the Freedom of Information Act to acquire records without a lawyer's immediate advice. Other editors experienced with integrating CAR into their newsrooms will provide testimonials on what worked and what did not.

In a weekend, editors will be ready to hold their own boot camps to get reporters up to speed with CAR. Readers also will benefit, as the quality of investigative news coverage will improve. To learn more or register for Editor Boot Camp, visit [www.ire.org/training/bootcamps.html](http://www.ire.org/training/bootcamps.html) or call 573-882-2042.

## UPDATE

Senior contributing editor Steve Weinberg has added two titles to his list of investigative books of 2003, which appeared in the January-February edition:

- Michael Hirsh, "None Braver: U.S. Air Force Pararescuemen in the War on Terrorism," New American Library/Penguin.
- David Cay Johnston, "Perfectly Legal: The Covert Campaign to Rig Our Tax System to Benefit the Super Rich – and Cheat Everybody Else," Portfolio.

You can reach Steve Weinberg by e-mail at [weinbergs@missouri.edu](mailto:weinbergs@missouri.edu) or by fax at 573-882-5431.

## MEMBER NEWS

**D**ebra Bade has been named editor of news research and archives at the *Chicago Tribune* Editorial Information Center. She was the deputy information editor.

■ **Marcus Baram** has been named news editor of *amNew York*, a free daily newspaper published by the Tribune Co., aimed at young commuters in New York City. He was a reporter at the *New York Daily News* and the *New York Post*.

■ **Daniel Borenstein** has been named editor of Knight Ridder's Sacramento bureau that joins the California capital staffs of the *Contra Costa Times* and the *San Jose Mercury News*. He had been the political editor at the *Contra Costa Times*.

■ **Neill Borowski** has joined *The Indianapolis Star* as assistant managing editor for local news. He was previously an editor at *The Philadelphia Inquirer*.

■ **John Jansson** has retired as editor of information systems at the *Chicago Tribune* Editorial Information Center. He is now a consultant.

■ **Karl Idsvoog** has joined the faculty of Kent State University as assistant professor of broadcast news. The founder and president of First Amendment Investigations, he will spend the summer with the International Center for Journalists training reporters in the Republic of Georgia.

■ **Maricarrol Kueter** has been promoted to managing editor of the *Argus Leader* (Sioux Falls, S.D.) She was previously the newspaper's city editor.

■ **Stephanie Mencimer**, a contributing editor at *The Washington Monthly*, was awarded an Alicia Patterson Foundation fellowship for 2004. She received a one-year grant of \$35,000 to conduct an investigation on "The Myth of a Frivolous Lawsuit," the articles for which will be published in the foundation's quarterly magazine, *The APF Reporter*.

■ **Alan Miller** has been named managing editor of *The Columbus (Ohio) Dispatch*. He was assistant managing editor at the newspaper.

■ **Mark Platte** has been named executive

CONTINUED ON PAGE 35 >

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



# Head First CAR

Cincinnati 2004

## PANELS, CLASSES SET FOR CAR CONFERENCE

Journalists looking to enhance reporting and editing skills using the latest computer-assisted reporting techniques should head to Cincinnati March 12-14.

The Annual Computer-Assisted Reporting Conference, hosted by *The Cincinnati Enquirer* and also sponsored by *The Cincinnati Post/The Kentucky Post* and WCPO-Cincinnati, will feature panels and workshops on a variety of beats and topics.

Welcome panels are planned this year to assist participants in making the best use of the conference. For those new to CAR, the conference will offer a rigorous hands-on training program to give a mini-boot camp experience. CAR veterans can attend the pre-conference workshops from 2 to 5 p.m. on Thursday, March 11, to share cutting-edge techniques. In addition to regular panels and workshops, special panels will be offered for CAR beginners, broadcasters and educators.

### PRELIMINARY PANEL SCHEDULE

(Check [www.ire.org/cincy04](http://www.ire.org/cincy04) for the latest lineup.)

#### For advanced attendees Thursday, March 11

- General session on latest developments
- Getting data to the newsroom
- The latest in programming
- Social network analysis
- Early-bird welcome panel (for those new to CAR)

#### Main conference days Friday, March 12

- **Welcome panel** (for those new to CAR)
- **Overview of computer-assisted reporting**
- **Driving CAR on the transportation beat:** Accidents, fatalities and general safety issues whether roads, air or rail
- **The Internet for everyone:** The best indexes, the best sites and where to find the best data
- **Broadcast track** – Strategies for broadcasters: Getting started, the basics, how to deal with the special chal-

### Registration

**Registration: \$150  
(Students: \$100)**

**To attend, you must be a current IRE member.**

**For a list of expected speakers visit  
[www.ire.org/cincy04](http://www.ire.org/cincy04).**

**Site: Hilton Cincinnati Netherland  
Plaza Hotel  
513-421-9100 or 1-800-HILTONS**

lenges of less time and fewer resources

- **Census track:** The basics of Census data and stories from the data. Plus using the data to expose the abuse and neglect of children.
- **Broadcast track:** How to use the Web for deadline stories. The best sites and best tools for data.
- **Investigating the pharmaceutical industry:** Pills, money and politics
- **Census track:** Unexpected uses and stories
- **Broadcast track** – Doing the story: A plan and methods for accomplishing the CAR broadcast story no matter what size market you are in.
- **Race and data:** Profiling and finding disparities in traffic stops, loans and justice
- **Diagnosing health care:** Reporting on doctors
- **The war on terror:** From contracts to security
- **Demo Room** – Social network software: Visualizing influence and power
- **Diagnosing health care:** Reporting on hospitals, nursing homes and other institutions
- **Fighting innumeracy:** Basic math and understanding numbers to prevent the big correction
- **Uncovering the predators:** Payday loans and other abuses of the poor
- **Demo Room** – How IRE and NICAR can help with TV sweeps

### Saturday, March 13

- **The crime beat:** Uncovering the big story with meaningful statistics
- **The environment beat:** Investigating the polluters
- **Schools – Part one:** Deciphering test scores
- **Demo Room** – Putting maps online with HTML Imagemapper
- **Schools – Part two:** Teachers, contracts and discipline
- **Covering city hall:** Using databases to dissect the performance of your public officials
- **Failures in the justice system:** Unequal treatments and unpunished felons
- **The power of maps:** How they are taking journalism farther
- **Measuring change in our communities:** Profiling, poverty, race, immigration and economics
- **Keeping business and corporations accountable:** Dealing with business data for investigations
- **Demo Room – Shboom and stats:** New intranet tools combining SQL Server and ASP
- **Freeing the data:** Open record laws, national security and privacy issues
- **Election year investigations:** Following the money and influence
- **The boom in sports reporting with CAR:** Finding and using data for better stories
- **Demo Room** – A smorgasbord of software tools to place data on your intranet – fast!
- **Bridges, dams, roads and public safety:** How to find problems before the collapse
- **Writing and editing the data-heavy story:** Tips and methods to make the numbers shine
- **Visualizing relationships:** The potential of social network analysis to track influence and power
- **International CAR:** Data and stories crossing borders
- **Keeping government accountable:** Looking into public contract abuses and public employee misdeeds
- **Making CAR stories bulletproof:** Avoiding the pitfalls and how to edit for accuracy
- **Evening Reception**

### Sunday, March 14

- **What to do next:** Follow-up training and networking
- **Educator workshop:** Materials, syllabi and skills
- **The Internet redux:** A second round of making effective use of the Internet
- **A statistical primer:** Going past addition and subtraction
- **Educator workshop:** How to teach CAR
- **Equip your newsroom:** Recommendations on commercial hardware and software to open sourcing

### Hands-on Classes

When you sign up for classes, they will be marked "B" for beginners, "I" for intermediate or "A" for advanced. Classes marked as "Mini-Boot Camp" will be set aside for 38 pre-registered CAR beginners. Special morning panels will be coordinated with specific hands-on classes in the afternoon. The combination will give participants a mini-boot camp experience with plenty of opportunity to apply what they learn. See the com-

plete list of hands-on classes and register for them at [www.ire.org/cincy04](http://www.ire.org/cincy04).

Classes will include:

- **Web sites** and search techniques for reporters
- **Backgrounding people** on the Internet
- **Backgrounding businesses** on the Internet
- **Access 1:** The purifying experience of filtering your data. Learn to select and sort data you choose.
- **Access 2:** Summarizing databases with counting and summing
- **Access 3:** How to join tables, matching information from file to another.
- **Database Building I:** Using Access forms to ease the process
- **Database Building II:** Fine-tuning your Access database with programming tools
- **Excel 1:** Performing simple calculations and sorting
- **Excel 2:** Calculating ratios and rates in Excel
- **Excel 3:** Learn pivot tables, filtering and more.
- **Importing data** into Excel (Mini-Boot Camp)
- **Beyond basic Excel:** Using advanced functions
- **An introduction to string functions** in Access and Excel
- **Visual FoxPro** as a text editor, data downloader and cleanup tool.
- **An introduction to SQL Server.** What does it have that desktop apps don't? How to import, view and query the data
- **SQL Server:** Using SQL Server, full-text indexing, Soundex and Active Server Pages to control non-standardized names.
- **One-stop analysis with SQL Server:** Save time (and money) by learning stored procedures and cursors to compute statistics, analyze content with no additional software.
- **SQL automation:** How to spend zero time on those tedious, recurrent tasks of importing, manipulating, analyzing and publishing data with data transformation service.
- **SPSS 1:** Navigate SPSS, using descriptive statistics and frequencies. Create basic counts and percentages to help you understand your data.
- **SPSS 2:** Doing crosstabs to show the data in different ways, and statistical tests
- **SPSS 3:** Basic linear regression techniques and diagnostics
- **Using VBA** to take control of text files, running queries and automating data cleanup
- **Advanced Scripting I:** Mining the Web for data
- **Advanced Scripting II:** Using Perl to grab data from searchable Web pages
- **Perl:** An introduction to Perl and regular expressions
- **PUMS:** Accessing and using Public Use Microdata Sample data from the Census
- **Factfinder:** Making the most of using the U.S. Census Bureau tool
- **Mapping 1:** Displaying data geographically with ArcView 8.2
- **Mapping 2:** Importing and selecting data by attribute
- **Mapping 3:** Geocoding to merge databases with street addresses into maps
- **Mapping 4:** How Spatial Analyst can pinpoint places and improve stories

## Newseum to honor sacrifice of Don Bolles

The Newseum, the interactive museum of news being moved to downtown Washington, D.C., has obtained the bomb-shattered automobile that belonged to one of IRE's founding members, Don Bolles, an *Arizona Republic* reporter who covered crime and political corruption.

In 1976, Bolles went to meet a source at a downtown Phoenix hotel who promised information on land fraud. The source didn't show up. When Bolles returned to his car, a powerful bomb was detonated, leaving Bolles mortally injured. Over the next 10 days, doctors amputated both of Bolles' legs and an arm, but could not save him.

The car, which had remained in police impound lots all this time, will be displayed in a gallery called "Dateline Danger," along with the mortar-blasted truck *Time* magazine staffers used in Sarajevo; a helmet from a helicopter crash in Vietnam that killed four journalists, including Larry Burroughs; a pen from Veronica Guerin; and an ammunition-pocked sign from Sniper Alley in the Balkans.

"We believed that the best way to educate visitors about the dangers journalists face and their courage in continuing to report the truth in the face of threats was to show actual artifacts of history," said Peggy Engel, Newseum managing editor.

"We want visitors to remember the sacrifice that Don Bolles made and for his name to be remembered as a journalist who gave his life so that his readers would know the truth. Displaying the car in which he was murdered will educate visitors about this tragic instance of killing a reporter who knew too much."

Bolles' death became a rallying point for the year-old Investigative Reporters and Editors. Shocked IRE colleagues reacted in a way unprecedented and never copied since. They descended on Arizona for a massive six-month investigation. They set out to find not Bolles' killer, but the sources of corruption so deep that a reporter could be killed in broad daylight in the middle of town. They were out to show organized crime leaders and corrupt politicians that killing a journalist would not stop reportage about them; it would increase it 100-fold.

Bob Greene, a two-time Pulitzer Prize winner at *Newsday*, led a team of volunteers – 38 journalists from 28 newspapers and television stations. Their work resulted in a 23-part prize-winning series published

across the country.

"I was never more proud of American journalism than I was at the time of the Arizona Project," said Greene said recently. "A reporter had been killed for doing his job. And throughout the country, fellow reporters responded with more than words and plaques. They took up newswroom collections to support our response and many gave up their vacations and came to Arizona to work on the project. Our craft solidarity was magnificent."

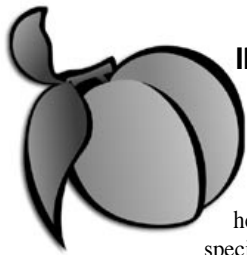
Bolles' car will be conserved in a warehouse in Laurel, Md., said Engel, while the construction on the new Newseum goes on. The former building was located across the Potomac River in Arlington, Va. Digging on the new building – with three times the exhibition space – begins this month. Construction will be completed at the end of 2006 and the doors will open to the public in the first quarter of 2007, she said.

Other recent acquisitions include original AP and UPI teletype wire copy associated with the 1963 assassination of President John F. Kennedy; models of the space shuttle that were used on-air by CNN correspondent Miles O'Brien during the network's coverage of the Columbia crash last year; and the camera used by Pulitzer Prize-winning photojournalist Harry Trask to capture the July 1956 sinking of the luxury liner *Andrea Doria* just off Nantucket Island, Mass.

Some long-term artifact loans include the camera used by Charles Porter to capture his 1996 Pulitzer Prize-winning photographs of the aftermath of the Oklahoma City bombing and clothing worn by photojournalist Thomas E. Franklin of *The Record* (Bergen County, N.J.) while covering the Sept. 11, 2001, attack in New York.



Police investigate scene of Bolles' car explosion.



## IRE Annual Conference to feature panels, classes and workshops in Atlanta

Civil rights and public health investigations will get special attention at the IRE Annual Conference set for Atlanta, June 17-20.

The conference, which will draw 1,000 or more journalists to the Marriott Marquis hotel, will start with an optional day on Thursday, June 17. The optional day will include 25 panels on using computer-assisted reporting techniques for investigations, as well as several panels on covering the criminal justice system.

On Friday and Saturday, the conference will offer more than 70 panels on investigations on a wide range of topics and include showcase panels on civil rights, public health and editing. Throughout the conference, participants can take advantage of a track of panels dealing with the particular challenges of broadcast journalists.

Friday's program will culminate in a showcase panel and reception at the Carter Center. The panel will focus on covering mental illness.

The traditional IRE Awards luncheon on Saturday will feature keynote speaker John Carroll, editor of the *Los Angeles Times*.

Sunday's sessions will highlight great authors on investigating history and helpful sessions on building your own career.

In addition to the showcase panels, the conference will provide related sessions on resources and techniques to use in investigations:

- Civil rights and related issues such as racial disparity in criminal justice
- Health and related issues such as pharmaceuticals, fraud in government health programs, medical mistakes and bioterrorism
- Waste and abuse in both local and federal government programs

Among the panelists will be many award-winning journalists in print, broadcast and online media.

As at every IRE Annual Conference, there will be fast-track sessions covering investigative fundamentals on daily beats like education, city hall, courts and cops, business and campaign finance. One-on-one mentoring also will be available for younger journalists wishing to receive expert advice from veteran reporters, editors and producers.

This year's local host is *The Atlanta Journal-Constitution* and sponsors include *The Wall Street Journal*.

Keep up with the latest conference offerings – and register – by visiting [www.ire.org/atlanta04](http://www.ire.org/atlanta04). Hotel reservations can be made by calling 404-521-0000 or 800-228-9290 and asking for the IRE 2004 room block before May 21.

## Schedule set for 2004 board elections

Plan on casting your ballot in this year's IRE Board of Directors election.

Voting procedures call for elections to be held at the IRE Annual Conference. They also allow interested members who are unable to attend the annual membership meeting at the national conference (in Atlanta on Saturday, June 19) to participate in choosing the organization's leaders.

Absentee balloting is meant to supplement, not replace IRE's traditional election process, which encourages membership meeting attendance as a sign of commitment to the group and to involve as many members as possible in discussions of importance.

Members attending the annual conference are still expected to cast their votes at the membership meeting. Only those not planning to attend the meeting – and requesting a ballot in advance – will be able to vote before the conference.

### Declaring as a candidate

The deadline for candidates to make it onto the absentee ballot is April 9. Candidates announce by delivering candidacy statements and bio information (up to 500 words) to IRE. An accompanying photo is encouraged. Candidate information will go on the Web by April 14 and absentee ballots will be ready by April 19.

Candidates can still declare via e-mail until June 4 to get on the Web, but their names will appear only on the conference ballot.

Every candidate still must be nominated and seconded from the floor at the annual membership meeting. They also must be present at the meeting and deliver their two-minute speeches to remain eligible.

### Requesting ballots

IRE members whose membership status will be current through June 30, 2003, may request absentee ballots by phone, e-mail or in person. Each ballot will be sent to the address of record for that member along with information on how to fill out the ballot properly. Requests may be submitted through June 1. Please send requests to [info@ire.org](mailto:info@ire.org). Completed absentee ballots must be received at the IRE offices by June 11 to be valid.

Only international members requesting absentee ballots will be allowed to vote via e-mail.

Absentee ballots will not be made available at the annual conference nor will they be accepted there.

### RUNNING FOR THE BOARD

The IRE Board of Directors serves as the governing body of IRE and meets several times a year – both as a group and in conference calls – to debate and vote on issues. Directors serve on committees and task forces made up of board members and appointed non-board members.

IRE members considering running will have a shot at one of seven seats this year, although incumbents may seek re-election.

Although members have until June 18 to get on the "election-day ballot," candidates have an opportunity to also be on an absentee ballot that will be made available to members not able to attend the conference.

To get on both ballots, candidates must declare by **April 9**. Declaring consists of sending a candidacy statement with brief biographical information to the IRE offices.

This information also will start going onto the IRE Web site about the same time.

Even if you don't make it onto the absentee ballot, statements will be accepted as late as **June 4** for Web posting.

Candidates who wait until the conference to announce, must deliver a one-page statement/bio to the IRE executive director or deputy director by 5 p.m. Eastern time on Friday, June 18. These – along with the previous Web announcements – will be posted on a bulletin board in the main conference area.

At the Saturday afternoon (June 19) membership meeting, candidates will need to be nominated and seconded from the floor by two other IRE members. There will be no nominating speeches, but candidates will have two minutes to address their peers. The ballot at the membership meeting will include all candidates declared through the June 18 deadline.

Immediately following the board elections, there will be a separate election for IRE Awards contest judges. Those candidates will be nominated and seconded from the floor.

Board candidates wanting to appear on the absentee ballot and/or the IRE Web site, should submit a candidacy statement/bio limited to 500 words. Head shots are encouraged. Send announcements via e-mail to Deputy Director Len Bruzzese at [len@ire.org](mailto:len@ire.org) along with contact information.

# HIGHER ED

## Land grab costs taxpayers \$139 million, fells university foundation, school president

BY DAN POPKEY  
THE IDAHO STATESMAN

Competition between public universities is as fierce as any in the business world, especially when the school pride of powerful alumni is at stake.

The school pride of Idaho Gov. Dick Kempthorne, a University of Idaho alumnus, led him to back university president Bob Hoover's grab for a piece of prime real estate in Boise, and a piece of rival Boise State University's growing prestige. When the deal fell apart, Idaho taxpayers were left with a bill of \$139 million they'll be paying over the next 40 years, and the finances of the university's supporting private foundation were in ruins.

BSU had made inroads into the University of Idaho's traditional preeminence in the state, taking advantage of rapid economic growth in the capital to expand its facilities and programs as Hoover, hired as president in 1996, looked on from his Moscow campus 300 miles to the north.

In 1999, Hoover came up with a plan to turn the tide: plant a flag in the capital just across the Boise River from BSU. The project, dubbed University Place, was to be a showcase complex of classrooms and office space.

Four years later, University Place had caused a financial meltdown, forcing Hoover to resign. His successor canceled the project except for the one building already under construction. The private foundation was \$26 million in debt – \$20 million of it borrowed from the university without approval by

the State Board of Education – and could no longer fulfill its sole purpose, to support the university. The university itself now can't afford to move into the one surviving building.

So how does a columnist who knows something about politics but little of higher education pursue such a complex story in a tough environment?

The answer: in fits and starts, and with patience from editors.

If you read no further, I have one piece of advice: Put everything you get in chronological order before you read it. I didn't and it cost me.

“When the deal fell apart, Idaho taxpayers were left with a bill of \$139 million they'll be paying over the next 40 years, and the finances of the university's supporting private foundation were in ruins.”

### Parade of players

I was first skeptical about the deal in March 2002, when Hoover and his lobbyist, Roy Eiguren, pushed the debt resolution through the Legislature in just seven days. Backed by Kempthorne and other powerful alumni, they got the single biggest building project in state history past an otherwise cheapskate Legislature without a peep. But I failed to write anything, pressed by end-of-the-session demands and confused by the deal's complexity.

In the following months, I heard rumbles, primarily from Boise State quarters. But I didn't do anything until a businessman I know called and persuaded me to listen. Going over the official statement for the bond issue, I knew we needed to figure this out. Collecting string between my thrice-weekly columns, I was partially prepared when the State Board of Education

called an emergency closed-door meeting Feb. 18, 2003, to discuss personnel matters regarding a topic they wouldn't reveal. It quickly became clear that the topic was the project because of the parade of players in and out of the meeting, including Hoover, Eiguren and Foundation President Pat McMurray.

The closed meeting lasted 11 1/2-hours and I filed my first story, which featured some mild criticism of the project from legislators who wondered if they'd been duped. My editors, led by Executive Editor Carolyn Washburn, and the higher education reporter, Bill Roberts, agreed we should file a records request. Two weeks later, a university official called to say there was “a room full of documents” waiting for me.

I went to Moscow, Idaho, and found they weren't joking: Architectural drawings, videos, 20 banker's boxes of paper records and a computer loaded with more than 6,000 e-mails literally filled a room.

For three days, I made copies, taking everything I thought relevant, including all the e-mails and other electronic records loaded onto five CDs and about 2,500 pages of paper.

University employees were polite, but professed ignorance when I asked to whom the files belonged. I didn't understand the university bureaucracy and should have insisted on a briefing from the flak. I had almost no clue about the organization and should have admitted that. As it was, I had to puzzle that out over many weeks.

### Connecting the dots

Returning to Boise, I started reading but it remained a jumble. I had no help, except the steady support of editors who balanced frustration at my absence from the paper with their assessment that this was a big story that would tell readers far more than how a real estate deal went bad.

The biggest smoking gun – a February 2002 memo from Hoover's top budget officer that said the deal could result in an “Enron-like implosion of our finances” – jumped out in the second week. I shared it with editors, but asked for more time to understand things in context. Because I hadn't yet listened to the tape of Hoover's remarks in committees, I still didn't realize the extent of his obfuscation; he told lawmakers two weeks after the memo that the risk of the deal was “minimal.”

Throughout the whole process, secrecy was the central theme. The foundation remained tight-lipped, denying public records requests, and Hoover repeatedly refused comment.

To unscramble things, I finally put the documents in chronological order. Only then did I begin to appreciate the hubris of the deal's orchestrators and see how to communicate that to readers.

I wrote process stories along the way, but our first big piece was forced by Hoover's resignation on April 16. The next day, we looked pretty good when we ran the Enron memo and quoted Hoover's misleading claims to the Legislature. But we might have looked

CONTINUED ON PAGE 17 >



A model of the proposed University Place project.

# WAR CRIMES

## Recent war atrocity stories recall investigative reporting milestones

BY STEVE WEINBERG  
THE IRE JOURNAL

**O**n March 16, 1968, a company of U.S. soldiers entered a South Vietnamese hamlet thought to harbor Viet Cong fighters, aka the enemy. Eighteen months later, the U.S. Army command charged Lt. William L. Calley Jr. with murdering 102 Vietnamese civilians in the hamlet, known as My Lai 4.

Although hundreds, maybe thousands, of military personnel knew first-hand or second-hand what happened at My Lai 4 that day, journalists and the general public dependent on journalists for information remained unaware until Sept. 5, 1969, when the military command at Fort Benning, Ga., transmitted this news release:

“First Lieutenant William L. Calley Jr. is being retained on active duty beyond his normal release date because of an investigation being conducted under Article 32 of the Uniform Code of Military Justice. First Lieutenant Calley, who was to have been separated from the Army on Sept. 6, is charged with violation of Article 118, murder, for offenses allegedly committed against civilians while serving in Vietnam in March 1968. Whether the matter will be referred to trial by court martial will be determined by the commanding general, Fort Benning, upon completion of the Article 32 investigation. In order not to prejudice the continuing investigation and the rights of the accused, it is not appropriate to report further details at this time.”

Not totally forthcoming. But certainly containing enough details to interest any journalist, it would seem. Wrong. The small number of journalists who saw the Fort Benning news release or otherwise heard about the My Lai allegations wrote little or nothing.

After a brief flurry of Associated Press briefs and other superficial mentions, coverage pretty much died. During October 1969, a witness named Ron Ridenhour shared his files with a Washington correspondent who never found time to digest the material. Before contacting him, Ridenhour had contacted a literary agent about selling a version of the story. The agent in turn contacted editors at magazines and newspapers. Only an editor at *Ramparts* said yes. Ridenhour decided it would be foolish to become associated with a magazine so stridently against the Vietnam War.

Until Seymour Hersh received a telephone call Oct. 22, 1969, it appeared as if the military might escape serious scrutiny for what seemed to be a massive war crime. Hersh was a young reporter who had worked for wire services and written a book on chemical and biological warfare. He was currently trying to finish a book about the Pentagon.

Hersh put aside the book manuscript for two days. After about 25 telephone calls seeking verification of the Army case, he heard about the Sept. 5 press release and a brief AP story based on it.

Without much difficulty, Hersh learned the identity of a Salt Lake City lawyer representing Calley. A week after receiving the original tip, Hersh flew to Salt Lake City, where Calley’s lawyer confirmed certain facts. Two weeks later, Hersh flew to Fort Benning unannounced. Ten hours after the plane landed, after asking around the base and the surrounding town, Hersh found himself face to face with Calley, who talked more or less openly over drinks.

Despite Hersh’s developing reputation as a ruthless investigative journalist, he hesitated before writing what he knew, wondering whether Calley “was as much a victim as those infants he and his men murdered at My Lai 4.” Finally, Hersh began writing. He quickly learned, however, that finding a publication outlet would be difficult. Major magazines and newspapers said no thank you. Discouraged, Hersh turned over the story to David Obst, a 23-year-old who owned a small Washington, D.C., syndication business called Dispatch News Service. *Life* and *Look* magazines both said no to Obst’s overture. Obst eventually offered the story to 50 newspapers. About 30 published Hersh’s expose in some form on Nov. 13, 1969. The next week, Hersh interviewed Ridenhour face to face in California, traveled to rural Utah to interview another witness, then flew to New Jersey to nail down certain details with a third witness. Dispatch News Service distributed Hersh’s follow-up story for Nov. 20 publication.

In 1970, Hersh shared the story behind the story in his book “My Lai 4: A Report on the Massacre and Its Aftermath.” Despite the book’s age, it is a primer, perhaps unintentionally so, for contemporary journalists wondering how, or even whether, to investigate rumored war crimes by U.S. military personnel.

### Growing accounts

Although nobody seems to be tallying journalistic accounts of alleged war atrocities involving U.S. troops, the past five years or so seem to have yielded an upswing. If there has been, it probably exists for some or all of these reasons: Ill or elderly veterans from World War II, Korea, Vietnam and the Persian Gulf wanting to clear their consciences before death comes; declassification of previously secret military and State Department documents due to their age;

CONTINUED ON PAGE 16 >

## Important RESOURCES

What are the special documents-gathering, people-searching and interviewing techniques journalists can use to nail down these stories before the military issues a news release, before a cover-up is in place, or before a court martial proceeding begins?

- Records of discharged and deceased individuals who have served in the U.S. armed services, kept primarily at the National Personnel Records Center in St. Louis ([www.nara.gov/regional/mpr.html](http://www.nara.gov/regional/mpr.html)). A journalist hoping to retrieve records without the veteran’s authorization will need, at minimum, the veteran’s complete name used while in the military, branch of service, dates of service and – preferably – a Social Security number, service number and/or date and place of birth. Center personnel have been known to give priority to journalists’ requests. On an average day, though, the center receives about 5,000 requests, so journalists should not expect a quick response.

Journalists must guard against those who claim to be veterans but never served, as well as those who served but falsified their assignments. Both types of liars frequently obtain official-looking yet phony paperwork and medals to bolster their lies. The book “Stolen Valor: How the Vietnam Generation Was Robbed of Its Heroes and Its History” by B.G. Burkett and Glenna Whitley documents numerous instances of journalists being duped by sources lying about their military service. Burkett fought as an infantryman in Vietnam, going on to a successful business career before becoming deeply involved in exposing military service fraud. He teamed on the book with Whitley, then an investigative reporter at *D Magazine*, a monthly focused on Dallas. *The IRE Journal* published an extensive review of the book in its March 1999 issue, then excerpted the book in the July 1999 issue.

The July 1999 issue of the *Journal* also contains an explanation by Caroline Noel about how she located active personnel on deadline for the television program *Inside Edition* by working through the individual military services – Army, Navy, Air Force, Marines and Coast Guard, as well as through public affairs officers, military and civilian policymakers with Pentagon offices. Each military service has within it an inspector general, a criminal investigations division, a historical office, and many other segments. The Department of Veterans Affairs ([www.va.gov](http://www.va.gov)) can provide relevant information from time to time, as do many nonprofit veterans organizations. A number of for-profit and nonprofit services help veterans locate their service colleagues.

CONTINUED ON PAGE 16 >



Andy Morrison | The Blade



Every day Kieu Trac heads to work in the same Song Ve Valley rice paddies where he saw his father killed in 1967.

## Army files, interviews detail rogue Tiger Force killings in Vietnam

BY MICHAEL SALLAH AND MITCH WEISS  
THE (TOLEDO) BLADE

In 2002, a retired Army colonel gave us 22 documents revealing a war crimes investigation of a small, elite fighting unit in Vietnam— highly mobile and trained to kill.

These records were part of a larger collection of Army investigative files obtained by *The Blade* in late 2002 detailing crimes such as the 1968 My Lai massacre. But in this large collection was a thin file containing information on a case the colonel had investigated and one that had never been revealed to the American public: Tiger Force.

Sallah came across the horrific allegations of a platoon that had spun recklessly out of control, killing scores of unarmed farmers in rice paddies and lobbing grenades into earthen bunkers where women and children were hiding. The soldiers also were accused of carrying out a ritual: severing ears and scalps for souvenirs.

After interviewing historians and conducting an intensive search, Sallah and Weiss quickly concluded the investigation had remained buried in the archives of the government for three decades. Though reports showed this had been a major investigation of war crimes, there had been no disposition.

The documents, prepared specifically for the commander of the Army's Criminal Investigation Command in August 1974, were just the beginning for us – the entire series never could have rested just on them, but it was the tip to a much bigger story. From the beginning, we knew we had something very special. Why? Because the documents were so detailed and were substantiated by Army investigators. Months later, after we obtained some of the classified sworn statements of soldiers, we *knew* it was the real deal.

In eight months, *The Blade* would publish a four-day series exposing the longest known series of atrocities by a U.S. fighting unit in the Vietnam War.

The records showed Army agents had found that 18 soldiers – including many of the unit's highest-ranking members – committed war crimes in Vietnam between May and November 1967.

Details of the case reached the Pentagon and the Nixon and Ford White House. The platoon's seven-month rampage through the Central Highlands was well documented by the Army. But no one was ever charged. In fact, many suspects were allowed to leave the military. Others were promoted.

### Painful memories

Three decades later, the surviving soldiers are still haunted by the memories of what they did, and failed to stop, so long ago. Some still suffer flashbacks of the atrocities. Some turned to alcohol and drugs to ease the pain. One suspect had only one regret: He didn't kill more.

It was a story that would slowly be pieced together from those early documents, from phone calls across the country, from a trip to Vietnam.

CONTINUED ON PAGE 12 >

MARCH 12-14

...s that touch on ever  
... crime, education, local a  
...nment, freedom of inform  
... transportation and more

...s-on computer clas  
...adsheets, database mana  
...ing, statistics and the lat  
...cutting-edge technology

**PLUS!**

...itors, networking and com  
... software demonstrations

...hotel reservations o  
...421-9100 or 1-800-HILT  
...e reservations online, fol  
...e hotel from www.ire.org

Cincinnati Netherland Plaza  
Fifth Street, Cincinnati, OH

**Hosted by:**

The Cincinnati Enquirer  
National Institute for  
Computer-Assisted Reporti

**Sponsors:**

Cincinnati Post/The Kentuck  
WCPO-Cincinnati  
The Gannett Foundation

Register at:

4  
2

Andy Morrison | The Blade



Vietnamese Colonel Nguyen Thai talks about war crimes while sitting near the beach at Chu Lai.

**Vietnam**

CONTINUED FROM PAGE 11

We soon learned that the initial 22 documents were not enough to fully document the Tiger Force atrocities. We were turned down four times by the Army when the full file was requested.

So, we went to the National Archives in suburban Washington, D.C., where a senior archivist was able to find a portion of the case (about 650 documents). But all the names and Social Security numbers were redacted.

Then we got lucky.

Through Army sources once a part of the Tiger Force investigation, we were able to get the complete and unredacted classified files – more than 1,200 records related to the 4 1/2-year investigation. Still, the research was far from complete.

The next step came with the Army’s radio logs and commanders’ operations summaries from 1967. We requested both from the National Archives, and then charted the unit’s daily movements on Army grid

maps of the Central Highlands, finding that the platoon’s area of operation for the seven-month period centered on the Song Ve Valley and an area further north, near Chu Lai.

Along the way, the Army proved to be of little help.

The military initially agreed to release its version of the investigative files. After sending 100 pages of the case, however, the Army suddenly reversed course and said it would not send any more. The official explanation: Releasing the documents – even a redacted version – would violate the privacy rights of soldiers.

But help came from the former soldiers themselves.

From the documents, we were able to track down 43 unit veterans in 31 states, asking them about their time in Tiger Force. Many eventually opened up and talked about their painful memories, each having stories of soldiers crossing the line. One medic recalled that his small team of Tiger Force soldiers had killed 120 noncombatants in a 33-day period.

Collectively, the stories were further evidence of a platoon that had strayed far beyond the norms of war. Not only had the soldiers’ recollections supported many of the allegations contained in the Army’s investigation, but their stories offered war crimes that the Army’s investigation hadn’t uncovered.

**Visiting victims**

After several months, we realized it was imperative to travel to Vietnam.

In late June, we ventured to the Central Highlands, along with *Blade* photographer Andy Morrison.

Andy Morrison | The Blade



A devout Buddhist, Tam Hau prays at the unmarked grave of her uncle Dao Hue in the Song Ve Valley of Quang Ngai Province, Vietnam. Tam Hau and her nephew Bui Quang Truong retrieved the body of her uncle, killed by Tiger Force members, and buried it here in 1967.

Linking victims and atrocities was difficult in the Chu Lai area, where many of the hamlets had been destroyed during the war. But that wasn't the case in the remote Song Ve Valley, a fertile basin in the heart of the Quang Ngai province that hadn't changed much since the war. With the assistance of a translator, we journeyed over narrow mountain roads to tiny hamlets in search of witnesses – tape-recording all their interviews to double-check the translation back in America.

Several villagers remembered watching as Tiger Force shot at 10 elderly farmers toiling in a rice paddy. Villagers recalled that four of the farmers had died. Kieu Trac retraced his footsteps the day he had to pull his father's body out of the muck. Tam Hau recalled how her elderly uncle, Dao Hue, never returned from a trip to another village to retrieve food after a Tiger Force lieutenant executed him.

The stories began matching up to atrocities documented in sworn statements by soldiers during the Tiger Force investigation. But we needed to find out why the Army's investigation never reached a military court or the American public.

Reporter Joe Mahr joined the team as we called more veterans, who offered additional stories of war crimes they witnessed. It was a slow process, having to piece together identities and current locations of former soldiers from the documents, Internet searches,

and interviews. Toward the end of the newspaper's investigation, a confidential source provided the full, unredacted case files – offering more biographical information to find ex-soldiers.

Mahr also began tracking down dozens of former generals across the country to ask what they remembered about the investigation, and why it was killed. They all claimed no knowledge of the case and expressed surprise at the extent of the documented atrocities.

Officially, the Army could not explain why the case was never brought to justice. One obscure document from the Army attempted to explain why one of the key suspects in the investigation was not prosecuted.

"No beneficial or constructive results would be derived from criminal prosecution for the alleged violation of the Uniform Code of Military Justice," the record states in the case of the platoon leader, Lt. James Hawkins. The case against the soldiers was quietly closed in November 1975.

There were many contributors to the series that aided in its impact on readers: project editing by Dave Murray; project design by Douglas Koerner; graphics by Wes Booher and Sean McKeown; photo editing by Larry Roberts, Darrel Ellis and David Cantor; copy editing by Ann Weber and Todd Wetzler; Web site preparation by Kevin Cesarz,

Karen Heebsh, and Rodney Kinn; along with direction from executive editor Ron Royhab, managing editor Kurt Franck and assistant managing editor Luann Sharp.

The series attracted worldwide attention. Nearly every major U.S. newspaper ran a version of the story provided by The Associated Press, Scripps Howard News Service or Reuters. The story was picked up by media outlets across Canada, Asia, Europe, South Africa and China.

The reaction has been emotional – particularly among veterans. Some complained the series needlessly reopened old wounds of the Vietnam War. Others thanked the reporters for uncovering crimes that were inexcusable, even in the chaos of one of the nation's most divisive wars.

The Army, for its part, announced two weeks after the series was published that it would review the case. But it still refused to open its records.

*Michael D. Sallah is The Blade's national affairs writer and joined the newspaper in 1989. He has won state and national awards and twice been named the Ohio Society of Professional Journalists' reporter of the year. Mitch Weiss is The Blade's state editor. He joined the newspaper in 1998 after spending 12 years with The Associated Press, where he won state and national awards.*

## The Only Magazine that Explores Freedom of the Press around the World

- profiles on the state of freedom of speech and the media in different countries in every issue
- personality profiles
- analysis of current events
- photo essays
- analysis of journalists' performances
- expert opinions
- reports of threats and attacks on journalists
- renowned columnists
- updates on trials and convictions
- book reviews
- technology updates



# IPI GLOBAL JOURNALIST

Individuals may subscribe at an introductory rate of US \$19.99.

Mail orders to: IPI Global Journalist ■ 132A Neff Annex ■ Columbia, MO 65211 USA ■ [www.globaljournalist.org](http://www.globaljournalist.org)



Every day, state employees go to work across California, at sites like the state building in San Francisco, and conduct themselves ethically. Bureaucrats struggle to hold the relatively small percentage of bad employees accountable.

Here are some tips for investigating public employee discipline:

- Research specifics of the appropriate public records law before filing a petition. Find and quote in your request specific language from court decisions regarding the release of disciplinary documents.
- Agree beforehand to the redaction of personal information such as Social Security numbers and medical information. It will speed the release.
- Use the appropriate public records law from the start. Relying on informal agreements with bureaucrats to release sensitive information will, at best, result in incomplete data.
- Be ready for employees to blitz you with phone calls and e-mails questioning why you want their records. Remind them of whom they work for and tell them you are simply reporting on the expenditure of taxpayer funds.
- If you find government agencies failing to release records by claiming the employees entered into a confidentiality agreement, challenge the agreements in court. In California, such agreements don't override the public records law.
- Use a spreadsheet to keep easy track of cases. In most appeals, personnel boards can uphold, modify or dismiss the penalties. Keeping fields simple allows for easier sorting of decisions and compiling statistics readers can understand.
- If you sense that the personnel board you're investigating might be sharing information with employees or their unions about your reporting, file a public records petition for all its correspondence concerning you or your news organization. What you find might surprise you.

- appealed a firing; modified in the employee's favor more than 60 percent of penalties involving salary; and modified in the employee's favor half of all cases on which it voted.
- More than 43 percent of disciplinary cases brought in the Department of Corrections were dismissed because the department failed to bring a case within the one-year statute of limitations.
- The state doesn't keep track of disciplinary filings nor their costs. No one could even say with certainty how many disciplinary cases are brought yearly across the 200,000-member workforce.
- Employees fired from one state job can easily end up in another. How? When confronted with paperwork firing them, they agree to resign for personal reasons if the department agrees to rescind the firing. State law then allows job applicants to answer "no" on government job applications when asked if they have ever been fired. The hiring agency fails to delve deeply into the applicants' backgrounds and the employees wind up back on the public payroll.

# UNCIVIL SERVANTS

## Getting records on state employee discipline requires significant test of public records law

BY THOMAS PEELE  
CONTRA COSTA TIMES

As journalists we have all heard the rote response when asking for the records of a specific government employee: "You can't have that," a bureaucrat says. "It's personal."

All we're asking, in essence, is how well taxpayer-funded employees do their jobs. The huge majority of government budgets go to salaries, but it is increasingly difficult to determine how well that money is spent.

If a public employee commits a serious error, or an act that would likely get a private sector worker fired, doesn't the public have a basic right to know about it and how it was handled?

In the past decade, access to individual employee records has grown more restrictive. Even salary information, long the bulwark of any reporting on government employees, is becoming more difficult to obtain. To ask for records about the discipline that a government agency imposed on a wayward worker is met with even a stronger "get lost."

After reporting in the *Contra Costa Times* on a single misconduct case and the resulting discipline in the California Department of Health Services, I intuitively knew I had fallen into a larger story and started to seek records to support it. The health department rebuffed my first public records petition on grounds

of vagueness and personnel privacy.

I refused, though, to take no for an answer.

Twenty-one months later, in December 2003, Knight Ridder's California newspapers published the three-day series "Uncivil Servants." Eight stories took readers inside the state's Byzantine system for disciplining its employees. Records show employees face charges for everything from selling fake driver's licenses and knitting on the job to crude forms of sexual and racial harassment and a prison guard trying to arrange a murder-for-hire on state time.

What was more disturbing was that the state kept no records on discipline. After months of wading through files, I found that the agency to which employees appealed their punishments, the State Personnel Board, softened those penalties in half of the cases that came before it.

Those workers represented only a fraction of the overall government ranks. But with California in a budget crisis and people looking for reforms, the outrage factor was high. Clearly, the system was lax and created a bureaucratic culture where accountability came as a distant afterthought.

Among the findings:

- The State Personnel Board, handling appeals, returned to work 41 percent of employees who

## Delays beneficial

Disciplinary records are difficult but not impossible to obtain. You'll need patience, persistence, keen knowledge of your state's public records law and probably a good lawyer like Karl Olson, the First Amendment attorney in San Francisco who was invaluable in bringing the project to publication.

At first, I went after only the health department's records. To get them, I cited specific court decisions that made disciplinary documents – and their supporting records – public. Department lawyers agreed to release them, but asked for long delays to redact thousands of pages containing personal information.

Then they asked for another delay to notify each of the employees. This was clearly a ploy to derail the story. Within days, five employee unions sued the state to block the release of the records. We joined in arguing for the records' release.

The months of delays turned out to be beneficial. While Olson argued in court, I looked for a way for the story to encompass all of California state government. With the records completely decentralized, filing petitions with dozens of state agencies seemed out of the question. It would only result in more lawsuits and delays.

I settled on the State Personnel Board. The health department records would serve as a detailed look inside one large agency. The personnel board records would show the spectrum.

We won the health department records easily. The unions argued that confidentiality agreements should be kept private. They also claimed that the supporting documents – witness statements and investigative notes – also were private.

Judge Talmadge R. Jones ruled against the unions. In fact, he ordered the unions and the state to pay all of the *Times'* legal bills – more than \$40,000.

## Compiling statistics

Records began arriving in file boxes. At the same time, I was trying to acquire all of the personnel board's votes on disciplinary appeals in 2002.

Lawyers for the board were less than cooperative. They repeatedly claimed difficulty in locating files and one accused me of harassment for filing repeated public records petitions. (I eventually got most electronically, although some existed only on paper).

The key to these records was the findings and recommendations of the board's administrative law judges, who hear the employee appeals and recommend how the board should vote. The judges write a fairly thorough narrative of the case, including details of the charges.

In California, these reports offer the only public access into the discipline of law enforcement officers, whose records are otherwise restricted. I used more than 100 appeals from employees of the state's youth and adult prisons to devote the second day of the series to discipline in the state correctional system.

The most harrowing case involved a youth prison guard fired for using concentrated tear gas punitively on wards. Even though a judge found seven instances

Karl Mondon | Contra Costa Times



A correctional officer wears a protective vest in a high-security section of the California Youth Authority's Paso Robles facility. It is one place where a state worker sprayed tear gas as punishment.

in which wards were sprayed as punishment, he gave the guard his job back. (After being returned to the public payroll, the guard went on medical leave).

I entered information from every appeal into a spreadsheet and compiled statistics on votes. Photographer Karl Mondon and I then crisscrossed the state, turning documents into stories. Even the rogue youth prison guard gave us interview. I had no luck, though, interviewing his victims.

Several were in adult prison but didn't answer letters asking them to phone me. I found one of their

mothers in Compton. She called the gassing of her son and others outrageous. Her son, she said, was out of youth prison and living on the streets, the California Youth Authority's stated mission of rehabilitation having failed him.

*Thomas Peele has been the investigative reporter for the Contra Costa Times since 2000. Prior to that, he was the city hall reporter for the Press of Atlantic City for more than six years. He is the winner of numerous journalism awards in California and New Jersey.*

### The Rosalynn Carter Fellowships for Mental Health Journalism

The Mental Health Program of The Carter Center in Atlanta, Ga., announces six one-year journalism fellowships. Designed to enhance public understanding of mental health issues and combat stigma and discrimination against people with mental illnesses, the fellowships begin in September 2004.

- The program is open to print and broadcast journalists with a minimum of two years of professional experience.
- Each fellow will be awarded a \$10,000 grant and two expense-paid trips to The Carter Center to meet with program staff and advisers.
- Projects will be tailored to the experience and interests of the fellows, who will consult with the program's distinguished advisory board.
- Fellows will not be required to leave their current employment.

*"This program is an exciting component of our efforts to reduce stigma and discrimination against those with mental illnesses. I look forward to working with each of our fellows to promote awareness of these important issues."*

—Rosalynn Carter

The application deadline is May 3, 2004. To apply, write or e-mail:



Thomas Bornemann, Ed.D.  
The Carter Center  
Mental Health Program  
One Copenhill  
453 Freedom Parkway  
Atlanta, GA 30307  
ccmhp@emory.edu  
www.cartercenter.org

## War crime

CONTINUED FROM PAGE 10

increased awareness by journalists that research into alleged atrocities can yield memorable stories.

In October 1999, the CBS Evening News with Dan Rather aired two stories about alleged atrocities during 1951, as the Korean War sucked in increasing numbers of American soldiers.

Separately, in the January-February 2000 issue of *The IRE Journal*, Martha Mendoza explained how she and her colleagues at the Associated Press tracked down information about the alleged mass murder of civilians in the summer of 1950, during the early weeks of the Korean War. Allegations of that atrocity had circulated inside South Korea for decades. But apparently U.S. journalists had published nothing until spurred by petitions from survivors delivered to the U.S. embassy and the South Korean government during 1997. Some of the research techniques used by the AP team and Seymour Hersh are similar, but the differences outweigh the similarities.

The book “The Education of Lieutenant Kerrey” by investigative reporter Gregory L. Vistica started with a tip to the author from a Navy captain that U.S. Sen. Bob Kerrey led a 1969 covert combat mission during the Vietnam War ending with the death of civilians but never exposed. Vistica’s chief source for the book? A member of Kerrey’s combat unit with a guilty conscience. (The March-April 2003 issue of *The IRE Journal* contains a review of Vistica’s book.)

### Valuable lessons

A recent story published in *The (Toledo) Blade* (see page 11) suggests vital questions and useful answers simply through a close read.

■ What to do when the military personnel involved in the alleged atrocity produce “a maze of conflicting stories”? That is a normal occurrence because none of those involved could see everything amidst the chaos, because memories cloud and lies harden as time passes, because those interviewed might be worrying about prison time or dishonorable discharge.

For openers, Hersh says, “I interviewed as many

members of the company as possible to find those facts and incidents that were generally agreed upon.” Next, Hersh requested and secured transcripts of interrogations conducted by two Army agencies, the Office of Inspector General and the Criminal Investigating Division. Third, Hersh exercised responsible skepticism by censoring some statements from interview subjects “either because they were obviously contradictory or could not be verified by other witnesses.”

■ Why does it take so long for the stories of specific war crimes to emerge? Frequently, because journalists are not paying attention or are not asking the appropriate questions. As Hersh notes about My Lai, “Dozens of Charlie Company GIs had transferred to other units in South Vietnam, and presumably told many of their new buddies about the day’s events at My Lai 4.”

“GIs talk and brag; the 250 men in the other two companies of Task Force Barker learned within days about what had happened in My Lai 4. A number of officers in the brigade had listened with fascination to a tape recording of the events at My Lai 4. At least 60 Army men in a dozen helicopters – gunships assigned by the Americal Division to help Charlie Company overcome the expected Viet Cong resistance – saw first-hand. And there were the survivors, unknown in number, of My Lai 4 itself.”

Portions of the story emerged by the summer of 1968. But because U.S. journalists generally knew no language other than English and tended to ignore the foreign language press, they missed the details in the May 15, 1968, edition of French-language periodical *Sud Vietnam en Lutte*. They also apparently missed an account in *Bulletin du Vietnam*, disseminated by the North Vietnamese delegation to the Paris Peace Talks. Later in the summer of 1968, allegations of a massacre appeared in a report presented at the World Conference of Jurists for Vietnam, meeting in Grenoble, France.

Within the boundaries of the United States, military photographer Ron Haerberle settled in Ohio after his tour of Vietnam. Upset by what he had seen of the civilian deaths at My Lai 4, Haerberle showed slide photographs to Rotary Club luncheons and the like. Apparently nobody in Haerberle’s audiences contacted

journalists who might be interested in writing about an alarming event. The rationales for silence are many, such as “the other side” (in this instance, the Viet Cong) kills civilians; it is difficult or impossible to distinguish civilians from soldiers, especially as part of a guerilla war; mistakes in judgment during battle should not be punished and are not news; why are soldiers given bullets, other than to shoot those giving aid and comfort to the enemy; and the all-purpose “war is hell.”

Approximately one year after the My Lai 4 killings, somebody finally reached out to military authorities, and eventually to journalists. Ron Ridenhour returned to Phoenix after his military duty in Vietnam. He had flown over the My Lai site a few days after the killings. The desolation haunted him. Before Ridenhour’s discharge at the end of 1968, he heard accounts of the massacre from eyewitnesses. Although Ridenhour had never considered himself a crusader, he decided something should be done. He wrote a detailed letter, then mailed copies to the White House, Pentagon, State Department, Joint Chiefs of Staff plus about two dozen U.S. senators and representatives. The letter achieved its goal – the Army opened an investigation, 13 months after the killings.

■ Why are journalists almost always reactive to allegations of war crimes, rather than proactive? Today, My Lai 4 is generally acknowledged to be the most highly publicized war crime ever committed by U.S. military personnel. But it was not the first, nor did it turn out to be the last. Almost every year since the U.S. military became involved in the Vietnam War, journalists have heard about alleged war crimes, sometimes alternately labeled atrocities.

After Hersh’s account of My Lai filtered its way into newsrooms, “suddenly reporters were finding out that their newspapers were eager to print stories about the shooting of [other] civilians in Vietnam,” as Hersh phrased it. On Dec. 5, 1969, an AP reporter wrote about a killing spree he had witnessed four years earlier. On Dec. 8, a separate AP account told about the withdrawal from Vietnam of the U.S. Army 9<sup>th</sup> Infantry Division because some of its troops indiscriminately killed civilians, then bragged about shooting at least 100 Viet Cong every day.

## RESOURCES

CONTINUED FROM PAGE 10

The National Personnel Records Center links to some of them.

- The U.S. Senate ([www.senate.gov](http://www.senate.gov)) and the U.S. House of Representatives ([www.house.gov](http://www.house.gov)). Congressional hearings and reports can supply names of sources as well as details of specific incidents. For example, nearly two years before My Lai occurred, a U.S. Senate Judiciary subcommittee held hearings and published a report titled “Civilian Casualty, Social Welfare and Refugee Problems in South Vietnam.” Any of the 100 U.S. senators, 435 U.S. representatives, their personal staff members and committee staff members might help in locating a past or current member of the military, might have heard allegations or compiled information about a war crime. The senators and representatives who sit on the military authorization and appropriations committees are especially likely to be attuned to such matters.
- Civilian and military lawyers representing current and former U.S. warriors. For starts, sources knowledgeable about military law in general, as well as

specific cases, can be located through the Judge Advocate General’s office of each military service and the U.S. Court of Appeals for the Armed Forces ([www.armfor.uscourts.gov](http://www.armfor.uscourts.gov)).

- The 1998 book “War Crimes: Brutality, Genocide, Terror and the Struggle for Justice” by civil libertarian Aryeh Neier.
- The 2001 book “Law and War: An American Story” by Columbia University professor Peter Maguire is a helpful history of battlefield standards, ethics and crimes through World War II.
- The 1999 reference volume “Crimes of War: What the Public Should Know,” edited by journalists Roy Gutman and David Rieff. The compilers of the book publish a magazine and related materials ([www.crimesofwar.org](http://www.crimesofwar.org)).
- The 1999 best-selling book “Black Hawk Down” by Mark Bowden of *The Philadelphia Inquirer* is a narrative account of modern warfare (the U.S. military incursion into Somalia during 1993) that illustrates how the military realm has changed even since Vietnam.

## Higher ed

CONTINUED FROM PAGE 9

better had I moved more quickly to connect the dots. I was still trying to understand the big picture when there was news to be broken.

So, another lesson: if you've got good stuff, run with it.

I learned in July from an internal crisis-management plan that the university was trying to keep the public in the dark.

Written in March, the plan's first strategy was: "Minimize ongoing media exposure."

Another document, dated April 3 and called the "30-day plan," outlined a series of events leading to a Hoover resignation in late April or early May. A third document raised the prospect that Hoover quit sooner than scheduled because he thought we were ready to publish.

After the resignation, I returned to the first batch of documents and incorporated more documents from other public sources, including the governor's office. At the suggestion of Managing Editor Cherrill Crosby, I summarized everything I thought vital. That chronology was 276 pages long and took 10 days to compile. But it was worth it; I was able to retrieve documents scattered over three desks in the newsroom with a key-word search.

I kept talking to my original source, as well as contacts at the university, Boise State, the Legislature and elsewhere in state government. In early June, I finally started interviewing officials on the record, using a tape recorder. I transcribed every interview, listening for detail. It became clear that Kempthorne and others had skirted the state bidding process to allow the university to proceed with the project.

We finally published the first big story June 29, at 6,000 words. Designer Tim Jones did a marvelous job, as did Washburn, Crosby, the copy desk and our lawyer, polishing and asking tough questions. On Aug. 3, after reviewing a second records request that produced another 2,000 pages, we followed up with a 3,000-word account of the foundation's woes, including the revelation they were forced to consider Chapter 11 bankruptcy.

Readers have responded favorably, welcoming the insight into how our government really works. That included powerful people who didn't understand the depth of deception. In April, the state board of education hired a lawyer to conduct an inquiry. The report isn't done, but the board is contemplating keeping it secret.

*Dan Popkey has been with The Idaho Statesman since 1984 and has written a column since 1994. He also has covered police, City Hall, state government and followed 14 sessions of the Legislature. Continuing coverage of the University of Idaho building boondoggle in Boise won the 2003 Ted M. Natt First Amendment Award.*

## Knowledge of scientific results now endangered by OMB plan



CHARLES DAVIS

What you think about the politicization of science might depend to some extent on your political ideology. Regardless, what once was an esoteric science story has morphed into a story of global importance to us all. Reporters looking for a national story to localize are being handed a beauty of a White House proposal that could limit the access of reporters and the public to scientific information about environmental health risks. It is beginning to attract the nation's attention.

In August 2003, the White House Office of Management and Budget floated a proposal to centralize under OMB the "peer review" of science by almost all government agencies. Read carefully, it is clear that the proposal allows for limiting disclosure of scientific results if OMB raises objections.

The OMB Bulletin, which carries the force of law for executive branch agencies like the Environmental Protection Agency, Food and Drug Administration, and the Interior Department, is an interpretation of authority claimed by the White House under the Data Quality Act. The Society of Environmental Journalists, which has been sounding the alarm in its excellent e-mail newsletter, reports that OMB, joined by the usual assortment of conservative and business groups, has claimed the Data Quality Act gives them authority to prevent "dissemination" of inaccurate information, although SEJ quite rightly points out that the law, still untested in the courts, does not define this term.

Beneath this seemingly arcane law lie some real power politics. Industry groups long frustrated with the science underlying many of the regulations they so despise support the OMB bulletin. Opposing them are virtually the entire gamut of public interest-minded scientists, scientific groups, environmental groups and right-to-know groups, who read the OMB Bulletin as a how-to on manipulating scientific findings to industry's specifications.

A somewhat bipartisan group of 20 former top federal regulators, including former EPA Administrators Carol Browner and Russell Train, called on OMB to withdraw the proposal and let the National Academy of Sciences handle the issue. As they pointed out, the National Academies long have handled the peer review process, and are less

moved by competitive or industry pressures.

Still, many industry chieftains and congressional Republicans favor even more intrusive controls on peer review. The battle lines are drawn; what is missing is the public's knowledge and reaction to what would be a massive, unprecedented change in the way government uses and disseminates information about science seemingly produced in the public interest.

White House control of such information bothers critics who remember the saga of government pronouncements on Lower Manhattan air quality after the 9/11 attacks. In the days immediately afterward, according to a report by EPA's Inspector General, the agency issued public reassurances that the air was safe to breathe – when in fact it lacked evidence that this was so. Moreover, the IG revealed, the White House Council on Environmental Quality had reviewed, censored and doctored EPA statements, to "add reassuring statements and delete cautionary ones."

In a column on peer review in the Jan. 6 edition of the *Christian Science Monitor*, Barton Reppert, a former AP science writer, provides much-needed perspective:

"Playing politics with science is nothing new in Washington, of course. President Nixon shut down his White House science office because he didn't like the advice he was getting on arms control and the supersonic transport. Nevertheless, several science-policy experts argue that no presidency has been more calculating and ideological than the Bush administration in setting political parameters for science. President Bush's blunt rejection of the Kyoto Protocol on global warming and his decision restricting stem-cell research are only the most obvious and widely publicized examples of what has become a broader pattern across the administration."

And there is more, much more. Rep. Henry Waxman of California cites 21 separate acts of scientific manipulation, interference or distortion in a House Government Reform Committee report, available at [www.house.gov/reform/min/politicsandscience](http://www.house.gov/reform/min/politicsandscience).

CONTINUED ON PAGE 35 >

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

# **PRESCRIPTION** *for Abuse*

**Investigating the pharmaceutical pipeline**

**The prescription drug business  
is very big business.**

**Billions of dollars are being spent on  
everything from anti-depressants to  
cancer medication to Viagra.**

**And as costs and demand continue  
to skyrocket, Americans search for  
cheaper drugs from foreign  
countries, or through the Internet, or  
through unknown third-party  
dealers. Unethical doctors and  
pharmacies aid in prescription drug  
abuse, the Internet introduces  
consumers to tainted medications,  
and law enforcement struggles to  
control the growing problems.**

**It is, indeed, risky RX.**



# OVERDOSES

*Medicaid records reveal link between drug deaths and doctors, pharmacies*

BY FRED SCHULTE  
(SOUTH FLORIDA) SUN-SENTINEL

Two days after his third visit to a doctor in Miami, Drew Parkinson died from an overdose of narcotics ordered by the doctor.

Parkinson was 25, and five credits shy of a college degree. In 57 days, the doctor prescribed him 1,455 pills, without any medical evidence he needed them, according to state investigators.

Family members found him face down on a mattress in his apartment Easter Monday of 2002. Near his body sat three vials of pills from the doctor: the painkiller methadone, the sedative alprazolam (Xanax) and carisopradol (Soma), a muscle relaxant. These drugs killed him, an autopsy found.

More than two dozen times a week someone dies in Florida from abuse of prescription drugs, which have overtaken heroin and cocaine as killers. Some buy pills on a thriving street market, but many are drug abusers who hook up with a small number of doctors willing to hand out huge amounts of narcotics, our investigation found.

**CONTINUED ON PAGE 20**

# ROGUE MARKET

*Shadow distribution system calls into question safety, origin of diverted drugs*

BY GILBERT M. GAUL & MARY PAT FLAHERTY  
THE WASHINGTON POST

Think you know where your prescription medicines come from?

Think again.

In October, *The Washington Post* revealed how a vast, corrupt network of criminals and profiteers has infiltrated the nation's drug supply chain, buying, stealing, selling and counterfeiting many of the lifesaving medications that wind up in Americans' medicine chests. The five-part series, "Pharmaceutical Roulette," documented the rise of a new form of organized crime that threatens public health, and quickly prompted calls for reforms from regulators, Congress and trade groups representing drug wholesalers and legitimate online pharmacies.

**CONTINUED ON PAGE 22**

# OFF-LABEL RX

*High percentage of drugs prescribed for uses not approved by FDA*

BY CHRIS ADAMS AND ALISON YOUNG  
KNIGHT-RIDDER NEWSPAPERS

An asthma drug for preterm labor? A powerful anti-psychotic as a sleep aid?

Such uses may strike consumers as odd, but for the medical community, they are an everyday thing: So-called "off-label" drug prescribing is an integral part of medicine, strongly defended by doctors. But, as a recent investigation by Knight Ridder Newspapers found, it's also growing rapidly and subjecting patients to unnecessary risks.

Doctors are using drugs approved by the Food and Drug Administration as safe and effective for epilepsy, but instead prescribing them for depression, schizophrenia and hot flashes. They're using asthma and cardiac drugs in an attempt to prevent preterm labor. They are prescribing antipsychotics for attention deficit disorder.

**CONTINUED ON PAGE 25**

Taimy Alvarez | Sun Sentinel



Mary Richmon can't hold back the tears as she looks at a picture of her daughter, Bette Louise Moody, 39, of Vero Beach who died from an accidental overdose of fentanyl cyclobenzaprine. On the table are the stacks of prescriptions and bottles of pills her daughter was taking at the time of her death.

## OVERDOSES

CONTINUED FROM PAGE 19

### Fitting the pattern

We first documented this trend in May 2002 with a series called "Rx for Death," in which senior writer Nancy McVicar and I used autopsy and police records to expose more than 400 pill deaths in South Florida over two years. We traced dozens of deaths to abuse of the controversial painkiller OxyContin, as well as other narcotic medications, such as fentanyl

pain patches, methadone and morphine pills.

Since then, I've hand searched more than 2,000 other drug overdose case files from two dozen morgues across the state, tracking both the drugs that kill and the doctors who supply them.

State officials lack a system to do this, even though they admit that a pattern of deaths may warrant disciplinary action against a doctor. Investigators don't always write down the name of doctors who prescribed pills found at death scenes. Sometimes there are no pills, especially when people die



outside their homes. And even medical examiners' offices that keep good records can't search their files electronically to identify doctors with multiple deaths.

I did it by wading through each drug death file to find the names of doctors and drugs, which I later typed into an Access database. Some morgues filled out "medication logs" listing the pills, dosage, pharmacy that dispensed them, date filled and the doctor's name. In other cases, the investigator talked to the doctor and verified the victim was a patient and the medications prescribed.

In each community, a few doctors stood out for the sheer number of patient deaths, the quantities and variety of pills they gave out, or for the fact that the person died just a day or two after filling the prescriptions.

The Miami doctor fit the pattern. Parkinson was one of six patients under his care who overdosed in a two-year period. The files on a Broward County pain doctor showed pills he prescribed were implicated in 16 overdose deaths in a little more than three years, according to morgue records.

Florida officials barred both doctors from prescribing narcotics after we exposed the death tolls in their medical practices.

I used this technique to uncover more than 40 Florida doctors from all over the state with four or more overdose deaths among their patients over two years, and 16 doctors with eight or more deaths. Few of the doctors had any documented training in pain management using narcotics.

### An astonishing finding

We added a totally new dimension to this reporting project last spring, after I cornered newly elected state Attorney General Charlie Crist at a newspaper editorial board meeting. I asked him to give us a complete accounting of Medicaid payments for narcotics and other controlled drugs, something the state had never made public before. To my surprise, he readily agreed. The previous attorney general's Medicaid fraud staff had flat out denied my request for the billing data and once it arrived I understood why.

Medicaid spends more than \$11 billion a year in Florida and the program to treat the poor and disabled has been a source of diversion of prescription drugs, especially narcotics and AIDS/HIV drugs, into the black market for years.

Crist's people sent an Access database containing 8.8 million drug claims for more than \$346 million paid by Medicaid to Florida pharmacies in 2000, 2001 and 2002. It had the name and license number of more than 50,000 prescribing doctors, the pharmacies that dispensed them, and the amount paid for each of 844 controlled drugs, from painkillers to tranquilizers.

Doing a query that grouped by drug, dollar amount and prescriber yielded an astonishing finding.

While most doctors ordered these drugs sparingly, a small number wrote enormous amounts.

Eight doctors ordered more than \$1 million worth of OxyContin for patients in the three-year period, for instance. One, an eye specialist by training, prescribed more than \$2.3 million worth, even though he later told me he would never take the drug himself or give it to anybody in his family because of its danger of addiction and overdose.

I spent more than two months (in between trips to morgues) querying and sorting the Medicaid data as many ways as I could think of to find possible patterns of fraud and abuse. One that emerged: Some doctors were referring enormous amounts of prescriptions to one or two pharmacies, a situation state officials later said led them to suspect a kick-back scheme. Other doctors generating bills were dead. Some stores dispensed whopping doses of drugs to certain patients.

But the most critical findings came into focus after I joined the Medicaid billing data with the drug overdose death files I had put together from all those trips to morgues. This confirmed that many of Medicaid's top prescribers of narcotics were the same doctors experiencing abnormally high numbers of patient deaths, a fact that led key state officials to promise immediate reforms.

The result was "Drugging the Poor," published Nov. 30-Dec. 2, 2003. Some of the other key findings:

■ As doctors switch patients off OxyContin because of safety concerns, substitute drugs are killing with alarming frequency. Perhaps most surprising: the growing number of overdoses involving abuse of the fentanyl pain patch called Duragesic, or morphine pills. One woman had six patches on her body, even though one is supposed to be put on at a time. Methadone, which now is handed out by hundreds of pain clinics in Florida, is another

drug that kills often. It was present in 82 of 170 drug overdose cases I reviewed at the morgue in Jacksonville.

■ Doctors who prescribe the costliest volumes of narcotics for Medicaid patients have some of the shakiest practice records. Checking them against state medical licensing files, I found dozens of doctors with histories of arrests, trading drugs for sex and other serious misconduct.

■ No standards exist for conducting drug death investigations. As a result, almost nobody but the victim is held accountable. This is true even though supplying drugs that cause a death can be considered murder under state law and doctors who prescribe drugs recklessly can have their medical licenses revoked.

Florida's worsening problems with pill abuse are by no means unique, judging from a quick Nexis search of clips from other states. And this type of investigation can be conducted in many states that provide at least some access to police and medical examiner files.

Getting Medicaid billing data could prove trickier, since letting the public know how much they are paying for drugs might not only embarrass doctors but also the state agencies charged with monitoring their conduct.

*Fred Schulte, investigative editor at the Sun-Sentinel newspaper in Fort Lauderdale, has received the George Polk Award, the Investigative Reporters and Editors Award, the Gerald Loeb Award, the Worth Bingham Prize for Investigative Reporting and the American Bar Association's Silver Gavel Award. He has been a Pulitzer Prize finalist three times. He is the author of "Fleeced! Telemarketing Ripoffs and How to Avoid Them."*

## Investigating DRUG DEATHS

There's no substitute for heading to the morgue and reading as much of each file as you will be allowed to see. Sometimes the best information is in notes of interviews, rather than in highly technical autopsy findings. Look for toxicology reports showing the drugs that killed and any log of medications found at the death scene.

Don't be shy about contacting family members, whose names and phone numbers should be in medical examiner or police files. For everyone who is angered by your call, there are several others eager to help, including supplying you with critical records such as pharmacy receipts showing how many drugs the victims took and over what period of time.

Talk to pharmacists. They know the doctors in town whose prescriptions they are reluctant to fill because so many of their patients are obvious drug addicts. Many pharmacists flat out refuse to fill prescriptions from certain doctors and they might tell you who they are.

Interview legitimate pain management specialists and let them take you around to show you how they practice plus the standards they impose to keep patients from abusing their medicines. Many specialists in the field want to see the "pill mills" shut down because they give others a bad name.

Finally, keep in mind that these pills can do an immense amount of good when properly used. Many accident victims will tell you that without painkillers they would be bedridden and unable to hold down a job or live anything like a normal life. They fear that too many stories about abuses in pain management medicine will scare doctors into cutting back on legitimate prescriptions.

Taimy Alvarez | Sun-Sentinel



The "Cage" at the Miami-Dade Medical Examiner's Office is where large black bags of prescription pills – taken for evidence when someone dies – wait to be destroyed after an investigation ends.

## ROGUE MARKET

CONTINUED FROM PAGE 19

Far more than collecting random anecdotes, the stories identified and exposed the interlocking pieces that form a multibillion-dollar enterprise of such breadth, depth and sophistication that it has eluded federal regulators and harmed and killed unsuspecting patients from coast to coast.

We called this illicit enterprise the shadow market because it operates in the shadows of the legitimate drug distribution chain and constitutes a largely unrecognized and lethally dangerous marketplace for prescription drugs. It includes felons who illegally obtain and trade steeply discounted medications, rogue Internet pharmacies that sell tens of millions of doses of narcotics, domestic and foreign counterfeiters and the growing cross-border trafficking in medicines, especially from Mexico and Canada.

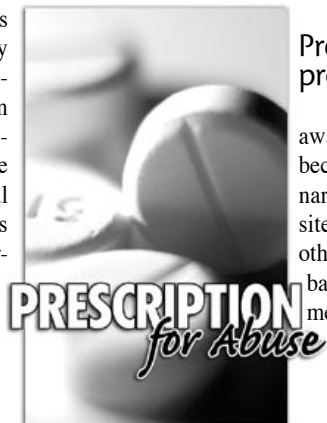
### No guarantee of safety

Like many investigative projects, ours started out to be one thing and ended up being something quite different.

In the summer of 2002, we were looking at drug pricing in private and public insurance programs. But after several months, the subject began to feel a little too familiar and we started branching out. Earlier we had stumbled across several felons who had managed to acquire tens of millions of dollars worth of prescription drugs. This begged several interesting questions: Where did they get the drugs and what did they do with them? Who were their customers? What did the pharmaceutical industry and regulators know? What were the risks to patients?

By the fall we had shifted gears. Using many of the traditional tools of investigative journalists – civil and criminal court filings, business records, regulatory documents and interviews with state and federal investigators – we were able to identify and develop backgrounds on some of the most notorious felons trading in prescription drugs. With this knowledge and our newfound vocabulary, we were able to establish credibility with the handful of investigators and prosecutors familiar with drug diverters, gaining information and leads that might otherwise have been out of reach.

One of our most difficult tasks was unraveling how the felons operate. Many have dozens of small, interlocking companies and use false fronts. They obtain the drugs from entities known as “closed-door pharmacies” that exclusively serve nursing homes and other institutional patients, and benefit from steep discounts of up to 80 percent from drug manufacturers. The felons set up fake pharmacies or bribe existing closed-door pharmacies



### Prescription abuse problems

By this time, we had become aware that the Internet was fast becoming a sprawling pipeline for narcotics. Dozens of rogue Web sites were hawking Vicodin and other highly addictive painkillers based on little more than a short medical questionnaire or a five-

Gilbert M. Gaul | The Washington Post



In July 2001, Prescriptions Online, an Internet pharmacy based in a Las Vegas business park, began filling thousands of orders for powerful narcotics. State and federal regulators ordered the site shut down last year and filed charges against the operators for processing orders without valid prescriptions.

to obtain these discounted drugs. Then they mark up the drugs and resell them to other middlemen, pharmacies and drug wholesalers, earning millions in profits.

The problem is once the medicines get outside the normal channels of distribution, there is no guaranteeing their safety. We uncovered evidence of expensive AIDS medicines stored in a car trunk, drugs left in U-Haul trailers in blazing heat and medicines requiring refrigeration left on warehouse floors.

Tracking the felons is no easy task. Most states don't distinguish between retail pharmacies and closed-door pharmacies in their licensing requirements, so paper trails are sparse. Several pharmacy board investigators helped us to identify suspect operators. We also found long lists of closed-door pharmacies contained in civil suits in Santa Ana, Calif., and White Plains, N.Y. Those lawsuits, as well as hundreds of other records, also helped us show that some of the largest drug wholesalers in the nation were buying prescription medicine from illicit middlemen and brokers.

minute telephone call with a contract physician.

We spent weeks online identifying these sites and attempting to track the owners, doctors and pharmacies. While that sounds simple enough, we can report without embarrassment that it isn't. Many of the Web sites are fronts for other sites; in some instances, we found dozens of sites that collapsed back into a single site. Many state pharmacy boards don't license online pharmacies or require that they disclose such basic information as location and telephone numbers.

We overcame this hurdle by concentrating on Internet pharmacies operating in the United States. We cross-matched incorporation records with domain name filings, pharmacy board records where they existed and court filings. Fortunately, for us, the Nevada State Board of Pharmacy kept a fairly detailed public file on a Las Vegas Web site that peddled more than five million doses of narcotics in 18 months. From a license application, we were able to determine that the owner was a 23-year-old woman with no pharmacy background, whose previous work history was as a restaurant hostess. We discovered that she was fronting for her father, who had been convicted of a felony in 1992 and had a long history of working with closed-door pharmacies. Disciplinary records revealed that two of the three pharmacists working for the Internet operation had been cited for drug abuse. The third had quit the business.

Some pharmacy boards collect detailed breakouts of every prescription filled by pharmacies, organized by the prescribing physician. In Nevada, we were able to obtain files in a spreadsheet format

## TRACKING DRUGS AND SELLERS

The record gathering for "Pharmaceutical Roulette" involved a basic hurdle: We wanted to report on private business dealings among companies that were only minimally regulated. In other words: few public records.

Sources were abundantly helpful, but there were some public documents to be mined:

- State licensing and inspection records for pharmaceutical wholesalers and closed-door pharmacies. These vary state by state as to which agency maintains them and they can be in unlikely places, such as the Department of Agriculture in North Carolina.

Ask for initial applications and information on who paid the licensing fee. That's how we determined who actually was behind some of the false-front operations when the names, phones and addresses on the filing fee checks differed from the official business addresses, or when the addresses were in one state but the phones for those addresses were for another state. Obviously, inspection reports are useful, but be certain to ask for accompanying exhibits, which is where we found duplicates of actual sales records, including invoice numbers and lot numbers for products that we then could trace in subsequent sales.

- Correspondence related to any fines against wholesalers. Again, you likely need to ask for this in addition to the inspection documents. Those records contained explanations that several major wholesalers offered about how often and why they did business with very small operations – explanations that confirmed the links between those companies.

- To get a start on who may be behind an Internet site try [www.betterwhois.com](http://www.betterwhois.com) or [www.allwhois.com](http://www.allwhois.com). These don't always offer absolute proof of who stands behind the curtain, but they can start you looking in the right direction and sometimes really are the true registrants.

- The FDA's Office of Criminal Investigations keeps inspection reports and interview summaries for its closed cases which can be sought through a Freedom of Information Act request. The problem: the cases are dated. The upside: If you're looking for a pattern or a certain type of case – say, "pill mills" off the streets of Miami or New Jersey – you can find some leads on these. That may point you to state investigators who had a hand in the initial federal case and have current cases they're pursuing. Also, while the FDA declined to make criminal inspectors available, we found a number who were only too willing to speak with us on a background basis.

- "Dear Health Professional" letters posted at [www.fda.gov](http://www.fda.gov) site flag counterfeit lots by number – a way to get those lot numbers if you are pursuing individual cases of suspected harm. That list is not comprehensive.

- U.S. Customs has done a number of pilot projects and targeted surveys at various international mail facilities (Los Angeles, Miami and Carson City, Nev., included) and at border crossings (both Mexican and Canadian sides) to gauge what medications are coming into the country. These are spotty and not conclusive on their own but for now are the basis for the best estimates of the extent to which Americans are looking outside the country for their pharmaceuticals. They also pinpoint regional variations in what is being ordered and what the shipping countries are. Use FOIA.

- The University of Utah Health Services maintains running lists of pharmaceuticals that are in short supply, both regionally and nationally, how long they've been scarce and the manufacturer's stated reason for the shortage (everything from production problems to unpredicted demand to a phase-out of the drug). Useful for any story on entrepreneurs exploiting shortages, obviously, but also useful to know if you hear of your local hospital having to cancel or heavily schedule certain procedures. We found hospitals having to schedule around shortages.

- About 15 state boards of pharmacy, including Nevada, collect detailed prescribing data organized by prescribing physicians. Patient information is excluded under privacy provisions, but lots of other useful data can be obtained under FOIA. Ask for data by ZIP codes and towns to show patterns of narcotics flowing to small towns. Also, obtain pharmacy board inspection reports, disciplinary actions, findings of fact and hearings transcripts under state FOIAs. These provided great details and leads on the owners and doctors writing for rogue Internet pharmacies. We then cross-matched these records with disciplinary actions involving the doctors, obtained from state medical boards using state FOIAs.



Maxine Blount, 61, of St. Charles, Mo., received a diluted version of her cancer treatment drug in the endstages of her breast cancer. She had bought the drug from her local pharmacy, but the ultimate source of the counterfeit has yet to be found. The diluted drug was discovered after she failed to respond to treatment. Blount died in October 2002.

covering prescriptions for more than 3.5 million doses of narcotics sold by [prescriptiononline.com](http://prescriptiononline.com) – or two-thirds of its book of business. The files included the date of the prescription, prescribing physician, generic and brand name of the drug, dose, town, ZIP code and other data.

We spent weeks sorting and manipulating the data, identifying the prescribing patterns by physicians, type of drug, dose, town and ZIP code. With some enterprise, we were able to identify addresses and customers in some cases and tracked multiple orders for narcotics originating on the same date at the same address by as many as five different customers. With the help of database editor Sarah Cohen, we mapped more than 30,000 prescriptions by ZIP code and town, revealing that 40 percent of all the sales went to small towns with widely known prescription abuse problems in four Southern states. Some small towns such as Mountain Home, Tenn., were saturated with more pills than there were residents. When we showed these data to a doctor who had written 14,000 of the prescriptions, he expressed shock and said he had no idea where the drugs were going.

A federal prosecutor in Knoxville, Tenn., close to many of the small towns, said the government had been trying unsuccessfully for months to map Internet purchases. "You guys did it. This is stunning," she said.

Our experience is that the performance of pharmacy boards is uneven at best. But it never hurts to become friendly with the executives and investigators or to ask if they collect physician prescribing profiles and pharmacy-specific data that are public.

## Online Databases

IRE and NICAR administer a Database Library ([www.ire.org/datalibrary](http://www.ire.org/datalibrary)) that contains government data available for cost on health-related topics. Here are a few databases that could be helpful for investigating prescription drugs, the pharmaceutical industry, doctors who have faced medical liability suits, and patient deaths.

### • FDA Adverse Event Reporting System

The FDA relies on the Adverse Event Reporting System to flag safety issues and identify pharmaceuticals or therapeutic biological products (such as blood products), for further epidemiological study. The agency requires product manufacturers and distributors to report adverse events regularly in accordance with 21 CFR 310.305 and 314.80.

### • Manufacturer and User Facility Device Experience Database (MAUDE)

MAUDE lists medical devices that have failed, how they failed and the manufacturer information. The database also includes information about "problems" (i.e., injuries, deaths, and/or product malfunctions) that occurred with medical devices. MAUDE aids investigations of consumer safety as well as broader healthcare issues such as FDA oversight or the prevalence of medical errors.

### • Mortality Multiple Cause-of-Death Database

The Mortality Multiple Cause-of-Death database contains detailed information found in U.S. standard death certificate records from the United States and its territories. While reporters cannot use this data to discover how one particular person died, reporters can uncover many trends of death in the United States. Detailed demographics for each deceased person can offer insight into patterns of death for certain groups.

### • National Practitioner Databank

This database contains information about doctors and other health care practitioners who have had medical malpractice suits filed or adverse action taken against them. Although names are not included, some news organizations have been able to use this database with other public records to determine the identity of individual practitioners.

## Tipsheets from the RESOURCE CENTER

At the IRE Resource Center, you'll find a variety of tipsheets written by journalists who have successfully covered pharmaceutical-related stories. IRE members can access tipsheets and stories from the Resource Center at [www.ire.org/resourcecenter](http://www.ire.org/resourcecenter). Here is a selection of available tipsheets:

- **No. 1072:** "Seven Must-Have Nutritional Supplements Sources." Doug Podolsky offers sources, contact persons, phone numbers and Web pages of many different nutritional supplement sources. (1999)
- **No. 1073:** "An Approach to Testing Herbal Products." Terence Monmaney provides reports from his investigation on the dietary supplement industry, including such products as St. John's wort and other top-selling herbs. (1999)
- **No. 1440:** "Investigating Health Care Professionals through the National Practitioner Data Bank." Jack Dolan offers suggestions on using the The National Practitioner Data Bank, a federal repository for adverse actions taken against health care professionals and maintained by the Division of Quality Assurance of the Department of Health and Human Services. (2001)
- **No. 1455:** "Internet Resources and Public Records." Duff Wilson, Deb Nelson, and David Willman provide a listing of Web sites for information about drug trials and sites to help track money, survivors and doctors. (2001)
- **No. 1586:** "Tips on Anti-Competitive Practices in the Rx Industry." Bob Young explains the strategies used by pharmaceutical companies to extend their patents for prescription drugs, including the corporations' legislative maneuvers. (2002)
- **No. 1659:** "Abuse of Legal Drugs." Fred Schulte provides six Web site addresses that can be helpful for stories about prescription drug abuse along with several stories about pain management, overdosing and legal drug abuse. (2002)
- **No. 1823:** "Investigating Legal Drugs." Mark Skertic offers suggestions on consulting the database he used for a story on the abuse of Ritalin to treat ADD children. He also outlines problems you could encounter while using the data. (2003)
- **No. 1896:** "Examining the Pharmaceutical Industry." Anne Lea Landsted explains how she investigated the Danish pharmaceutical industry and includes the methodology she used for writing the story. (2003)
- **No. 1899:** "Covering Biotech, Pharmas and Licensing Issues." Mike McGraw provides a list of seven useful Web sites for reporters to consult while working on pharmaceutical related stories with brief descriptions of each site. (2003)
- **No. 1910:** "Inside Track: Health Issues." David Willman offers Web sites that would be helpful for any reporter covering health issues, including FDA sites, drug company Web sites, and international equivalents of the same. (2003)
- **No. 1957:** "Prescription Drug Web Sites." Fred Schulte, who reported the "Rx for Death" series, offers a few Web sites on prescription drug abuse, pain management and addiction medicine that can help reporters working on similar stories. (2003)

Disciplinary records and closed files of investigations also are public. And if you have the names of doctors writing for Internet pharmacies, you can run them through Medical Licensing Boards for disciplinary actions.

We were able to identify about three dozen doctors writing for Web sites. Most of them had at least one disciplinary action. Five had been cited for alcohol and drug abuse. Two were under care for bipolar disorder. A half-dozen suffered from depression. One was addicted to Demerol and hydrocodone. Several had filed for bankruptcy or had severe financial problems. In short, probably not the kind of doctors with unclouded vision one hopes for when getting a script.

Investigating counterfeiters requires dogged attention to detail and patching together information from widely disparate paper records, com-

puterized data and interviews. In order to prove a single case we had to track sales records across six states from middlemen in Florida to a small-town pharmacy in Missouri. Maxine Blount, who died of breast cancer, received a diluted, repackaged cancer drug.

"You're very angry," Blount told us one month before she died. "Now whenever I get my medicine I wonder where it's coming from. But what can I do? I need it. I have to have it. And I'm scared of it, every time."

*Gilbert M. Gaul and Mary Pat Flaherty are project reporters at the Washington Post. Gaul is a two-time Pulitzer winner, including for his writing about safety problems in the blood supply. Flaherty won a Pulitzer for writing about abuses in organ donations and transplants.*

## OFF-LABEL RX

CONTINUED FROM PAGE 19

Such uses are “off-label” because they’re nowhere to be found on the official, FDA approved instructions – or label – for a drug. When the FDA approves a drug, it does so for certain medical conditions at certain doses, and drugmakers can only advertise for those approved conditions. In granting approval, the FDA weighs the risks of side effects inherent when taking any drug against the benefits that drug might offer.

But while the FDA regulates drugs and drug-company marketing, it doesn’t regulate the practice of medicine. Despite the FDA’s careful risk-benefit calculation, doctors are free to prescribe an approved drug for any reason they see fit.

Doctors say they need that flexibility as part of the art of practicing medicine: taking the known properties of a drug when treating one condition and extrapolating these to other ailments. Done right by skilled doctors who have thoroughly researched the medical literature, patients can benefit from treatments that for various reasons – often economic – have never been submitted to the FDA for approval.

But in the wrong hands, off-label prescribing subjects patients to unnecessary risks. After all, if patients take a drug for its FDA-approved purpose, they have an assurance that it is both safe and effective, making the risk of side effects reasonable. But when taking a drug for an off-label condition, patients assume all of the side-effect risks with far less assurance the treatment will do them any good.

And what we found is that much of off-label prescribing is driven by sloppy medicine and drug-company marketing. The result is a system in which drugmakers know they can skip the time and expense of going through the FDA approval process but still make money from off-label drug sales.

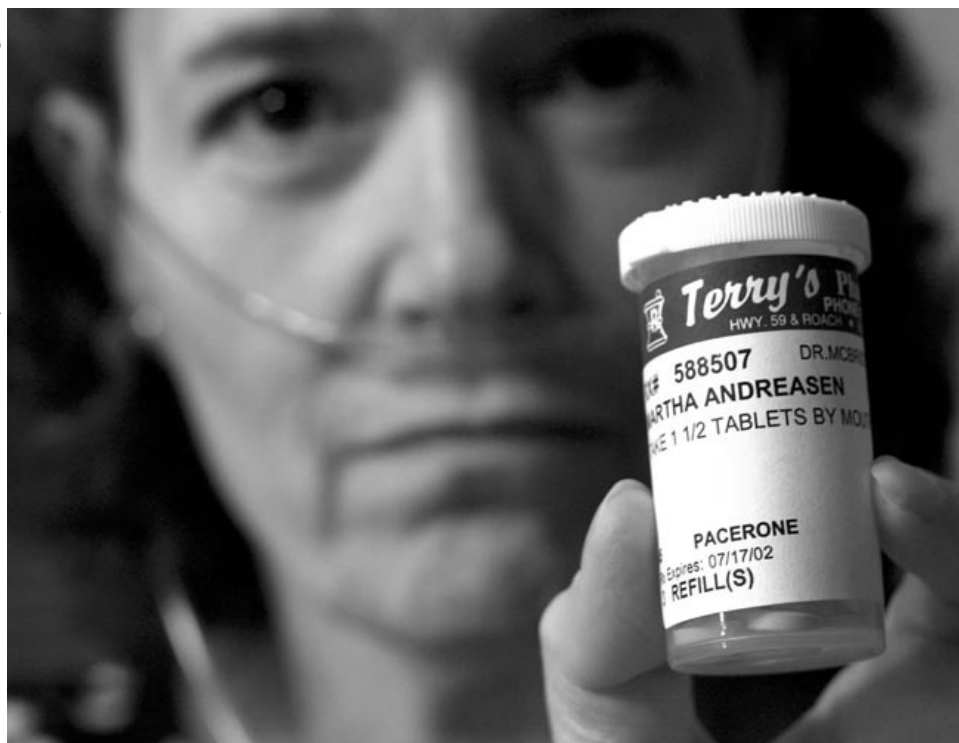
Some drugs, the investigation found, are sold mostly for these unapproved uses. For instance, 79 percent of the retail sales of the epilepsy drug Topamax are for conditions other than epilepsy. One of the biggest off-label uses of Topamax, accounting for 586,000 prescriptions last year, is as a treatment for bipolar disorder. Yet studies – including by the drug’s manufacturer – have found it is no better than a placebo.

### Prescribing patterns

The Knight Ridder series “Risky Rx” took about six months to report and write. It began while researching another story and coming across references to a drug approved for river blindness – rare in the United States – being used increasingly to treat scabies outbreaks in U.S. nursing homes.

Around the same time, information started emerging in a Boston court case suggesting the corporate owners of the epilepsy drug Neurontin had overtly pushed off-label uses of the drug. Court records showed that 90 percent of the prescriptions were

Joyce Marshall | Fort Worth Star-Telegram



Martha Andraesen, of Bowie, Texas, lives with badly damaged lungs after taking the drug Pacerone. The drug, also called amiodarone, wasn’t FDA-approved for her heart condition.

off-label. Was this just an aberration?

Unfortunately, nobody really knew how widespread off-label prescribing was. One number, quoted over the years in newspapers, put off-label prescriptions at 50 percent of all prescriptions. The origin of that number was the American Medical Association, a seemingly reliable source. But when contacted, the AMA disavowed that number, saying it was a misinterpretation of something an official had said years before.

Luckily, there were surveys of doctors’ prescribing patterns that could help answer the questions. An annual federal survey of physicians’ practices collects some data about the prescriptions they wrote during office visits. The National Ambulatory Medical Care Survey, available from the Centers for Disease Control and Prevention Web site, details doctors’ diagnoses and prescriptions issued during about 30,000 office visits a year; we downloaded 12 years of data and analyzed it with Microsoft’s SQL Server relational database manager.

But for the series, it turned out to be of limited help because the survey’s questionnaire was worded in such a way we couldn’t say with certainty that a drug ordered on a particular day was for a particular diagnosis. Still it helped us answer some other questions, such as the percentage of prescriptions for the antidepressant Prozac that had been written by non-psychiatrists.

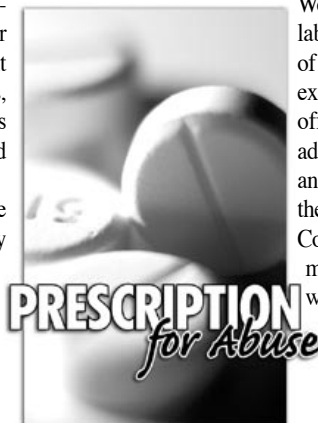
We eventually went to the same private health data companies used by the pharmaceutical industry. We purchased prescribing and sales data for 60

drugs, representing a sample of top-sellers in several categories, from a company called Verispan Inc. They delivered the information in Excel spreadsheets, which detailed each drug and the number of times it was prescribed for each and every separate diagnosis. Our task then was to look at each diagnosis (for an individual drug, there might be 200 or 300 diagnoses, each signified by a separate code from the commonly used “ICD-9” diagnosis book) and determine whether it represented an approved use.

It was an arduous process, given the sheer number of diagnoses, some of which don’t match up exactly to the diagnosis language in the drug’s FDA-approved label. If a drug was approved for “chronic obstructive pulmonary disease,” but was prescribed for “chronic bronchitis,” we had to determine whether that should be counted as being on-label or off-label. To code each diagnosis as either on- or off-label, we used medical texts, called physicians and pharmacists, and used Web-based health resources such as those from the National Institutes of Health.

We always erred on putting something on-label, so we wouldn’t be accused of goosing the numbers.

We checked our analysis against off-label estimates available for a handful of individual drugs; our analysis, for example, had Neurontin at 90 percent off-label – just as the company had admitted in court. We also faxed our analysis of individual drugs to each of their makers in advance of publication. Company officials either had no comment or said our numbers were in line with their own internal analyses.



**PRESCRIPTION**  
*for Abuse*



In a family photo, Tammie Snyder holds one of her newborn twin daughters and reacts to the news that she has congestive heart failure and may need a heart transplant. For three and a half months during her pregnancy, Snyder was prescribed terbutaline to prevent premature labor. It is approved for the treatment of asthma.

Overall, for the drugs we studied, doctors wrote 115 million off-label prescriptions last year, nearly double the number five years ago.

But the numbers were just part of the story.

### Personal experiences

Many doctors we spoke with at the start of the series said they weren't aware of any safety problems with the practice of off-label prescribing. We wanted to assess whether this was true.

We analyzed the FDA's database of adverse drug events and found it included several hundred cases of people being harmed after taking the drugs in our analysis for an off-label purpose. Given the acknowledged underreporting of such events, the true number harmed by off-label use of this sample of drugs was clearly in the thousands.

We then needed to identify patients who had been harmed. But that takes some creativity. You can't do a simple search of lawsuits because patients who have been harmed by the practice usually sue individual doctors – whose names you won't know – rather than suing drug companies.

Even so, we identified some lawsuits by using the full-text search feature on Nexis' "combined case law" database looking for the words "off-label" and "prescription." Unfortunately, most of these cases, because they were in the federal appeals process, were too old to use. But they were useful in identifying court files to search and providing background information and

contacts. By getting national and state trial lawyers' groups to send out messages to members on their listservs, we were able to identify some more recent cases.

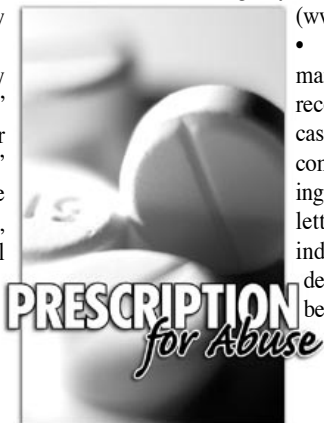
The Internet provided some leads. For example, by doing broad searches with Google.com and Alltheweb.com we found a handful of Web sites where individuals had posted their own personal experience with a particular drug and these people were willing to put us in contact with others who had e-mailed them in recent years. Searches of Internet discussion groups (such as Google groups, or disease-specific groups at About.com) were particularly helpful in identifying people who had posted experiences with medicines prescribed off-label.

Health advocacy groups also were helpful. We found Tammie Snyder, a Michigan woman who suffered heart failure after she was prescribed an asthma drug as a treatment for preterm labor, through the National Women's Health Network in Washington, D.C. Snyder's husband had contacted the network while researching what had happened to his wife. We found Michael Fielder, a Kansas City man, while researching off-label treatments for sickle cell anemia and calling patient support groups across the country. Over the years, Fielder has been prescribed antidepressants and more recently epilepsy drugs in ineffective attempts to control the pain of his disease because doctors were trying to avoid giving him morphine.

Other sources of valuable information:

- To find scientific articles about off-label uses – as well as the influence of drug company sales practices on doctors' prescribing decisions – we searched Pubmed ([www.ncbi.nih.gov/entrez/query.fcgi](http://www.ncbi.nih.gov/entrez/query.fcgi)). What we found by reading hundreds of medical studies was that doctors were commonly prescribing drugs for uses in which there was no evidence – or even contradictory evidence – that a drug would work for an off-label purpose. Often, doctors had started prescribing a drug off-label based only on a small preliminary study that happened to be favorable (and that happened to be publicized by the drugmaker). When bigger studies followed that were negative, doctors didn't change their practices.
- To judge the effectiveness of particular therapies, we used Pubmed as well as evidence-based medicine assessments by the Cochrane Collaboration ([www.cochranelibrary.com/cochrane/abstract.htm](http://www.cochranelibrary.com/cochrane/abstract.htm)) and the Agency for Healthcare Quality and Research ([www.ahrq.gov](http://www.ahrq.gov)).

To detail drug-company marketing efforts, we used court records, particularly Lanham Act cases, in which a company sues a competitor over improper marketing efforts, and FDA enforcement letters ([www.fda.gov/cder/warn/index.htm](http://www.fda.gov/cder/warn/index.htm)), which were used to detail all the companies that had been cited for inappropriate off-



## LOBBYING ANGLE

Prize-winning journalists Donald Barlett and James Steele explore yet another angle in the area of pharmaceutical investigations. Their Feb. 2 report in *Time*, "Why Your Drugs Cost So Much," is the first in a series they are tackling.

Unlike the Canadian government, Congress refuses to regulate the pharmaceutical industry. Barlett and Steele find this is largely because of powerful drug-industry lobbyists who adamantly say no to price controls. Barlett and Steele find there is more than one industry lobbyist for each member of Congress. They also examine the language of the \$400 billion Medicare bill passed by Congress in November and investigate ways the FDA seeks to shut down the Canadian pipeline for good.

label promotions over the years. We also attended medical conferences, where we personally watched drug company sales reps cross the line.

One place we didn't get much information was the FDA's Freedom of Information Office. While the agency is among the best at posting a lot of information on its Web site, it's painfully slow in fulfilling FOIA requests. As of December, we hadn't received any documents in response to FOIA requests we filed in June seeking correspondence and other regulatory documents about specific drugs. The agency did release paper copies of adverse event reports in a timely manner, because they are handled through a separate process from other FOIA requests.

As a result of the series' findings about the widespread off-label use of a dangerous heart drug, amiodarone, the FDA has announced it is taking the rare action of requiring all prescriptions for it to be dispensed with a FDA-approved patient insert detailing for patients its dangers and its approved uses. Walgreens, the nation's largest pharmacy chain, also has announced it will be including more information in the amiodarone leaflets it hands out to patients.

The series, which was published in November in dozens of *Knight Ridder* and other papers, brought hundreds of messages or calls from readers, who had their own stories to tell of injuries and deaths caused by off-label prescriptions. Others called to say their doctors had never told them the prescriptions they were currently taking weren't approved for their illnesses and that they now knew to ask some questions. The only negative reaction was from doctors, a couple dozen who called or wrote to say we had been unduly harsh on their profession's prescribing practices.

*Chris Adams and Alison Young are members of Knight Ridder's investigative team, based in Washington. Adams previously worked for The Wall Street Journal and The Times-Picayune in New Orleans. Young previously worked for the Detroit Free Press, where she was a consumer affairs reporter, enterprise editor and deputy metro editor.*



## Related stories from the RESOURCE CENTER

Interested in investigating the pharmaceutical industry or concerned about its dealings with health care providers? Check out the IRE Resource Center ([www.ire.org/resourcecenter](http://www.ire.org/resourcecenter)) for story ideas that include:

- **Story No. 15259.** "Fake Doctors, Real Dangers," by Drew Griffin, Eleanore Vega, Dolores Lopez, and Rob Macey of CBS-2 News-Los Angeles. This investigation "deals with the growing problem of underground clinics and pharmacies (preying) on people seeking medical treatment from lower income neighborhoods in Los Angeles. During a nine-month investigation, CBS-2 uncovered many of these fraudulent clinics where employees posing as unlicensed doctors and pharmacists would prescribe dangerous drugs and shots to unsuspecting patients." (1998)
- **Story No. 17261.** "Second-class Medicine," by Trudy Lieberman, *Consumer Reports*. Investigation of the kind of health care "the uninsured get or don't get." The story "illustrates a two-tiered system of care that exists for chronically ill: the top tier for those who have the means to buy the state-of-the-art medication and technology and the bottom tier for those who do not." Among the issues analyzed is "the patchwork of programs put in place by federal and state governments, and by private organizations." (2000)
- **Story No. 20287.** "Pitch to Switch: Bristol-Myers Fights to Lock-in Patients Before Generics Hit," by Gardiner Harris, *The Wall Street Journal*. The investigation looks at Bristol-Myers' fight to woo patients to a new diabetes medication that isn't substantially different, but is shielded from generic competition. "If the aggressive marketing campaign succeeds, it could mean that tens of thousands of elderly and poor patients – groups for which diabetes has reached epidemic proportions – will keep using the high-priced alternatives from Bristol-Myers." (2001)
- **Story No. 20431.** "Medicare Monitor: How a Whistle-Blower Spurred Pricing Case Involving Drug Makers," by David Cloud, *The Wall Street Journal*. According to the article, "Today, federal and state investigators are threatening civil litigation against pharmaceutical makers that authorities believe have induced Medicare and Medicaid to overpay for prescription drugs by \$1 billion or more a year." This article talks about that controversy. (2000)
- **Story No. 20533.** "Rx Relief," by John Buntin, *Governing* magazine. With prescription drug costs soaring, states are taking bold steps to bring them down. "This includes measures such as some states using their purchasing power to buy drugs in bulk. But there are even more drastic measures being taken to prevent the cost of prescription drugs from spiraling out of control. In the state of Maine, 'the attorney general now has the authority to prosecute drug companies under an old anti-profiteering law,' and if all else fails, the state commissioner of health and human services may 'impose a maximum price schedule.'" (2000)
- **Story No. 17501.** "Prescription Roulette," by Bob Reynolds of WNEP-Moosic, Pa.. This story examines how prescription drugs can be bought over the Internet, "bypassing an in-person examination by a doctor." An experiment by the reporter shows that online pharmacies approve orders and write prescriptions, even if the patients state they don't need the drug. The report details how "by filling out an online health form doctors in two states wrote prescriptions for sex and diet prescription drugs." The story also reveals that in Pennsylvania "there is confusion if a doctor violates the law by writing online prescriptions without even seeing the patient," as different state regulatory agencies are in disagreement on whether the law has been broken. (2000)
- **Story No. 18536.** "Prescription for Trouble," by Tod Marks and Leslie Ware, *Consumer Reports*. This story reveals the ease and potential dangers of ordering prescription drugs off the Internet. The reporters were able to order growth hormones, weight loss medicine, osteoporosis medicine, antibiotics, anti-depressants and medicine to stop smoking online. (2001)
- **Story No. 17627.** "Primetime Pushers," by Lisa Belkin, *Mother Jones*. The investigation looks at the implications of the aggressive advertising of prescription drugs. The report poses the question, "What does it mean for our health care when serious medicine is marketed like soap." The story reveals that "pharmaceutical companies spent \$1.7 billion on TV advertising in 2000, 50 percent more than they spent in 1999." It finds that "direct-to-consumers advertising has paid off ... often turning solid earners into blockbuster drugs." The investigation also exposes major pharmaceutical companies that have failed to comply with the federal regulations on direct-to-consumer ads. (2001)
- **Story No. 18054.** "Doctors on the Run Can 'Dine 'n' Dash' In-Style in New Orleans," by Chris Adams, *The Wall Street Journal*. The story examines how the drug companies' marketing events for doctors can impact the prescriptions' objectivity. The story reveals that in 2000, pharmaceutical firms have spent on this type of direct marketing \$4.04 billion, while drug advertising to consumers was estimated at \$2.5 billion. The reporter describes how at Christmas time in New Orleans drug makers have gained access to the doctors by inviting them to opulent dinners and letting them win free Christmas trees. (2001)
- **Story No. 18481.** "Inside the Happiness Business," by David Kirkpatrick, *New York* magazine. The story reports on the aggressive marketing of drugs, anti-depressants in particular. The story looks at the techniques used by drug sales representatives to attract doctors' attention to the new medications available on the market. The promotion strategies – including free lunches, vacations and gifts – have convinced many doctors to start prescribing a new drug despite some evidence of potential side effects, the investigation reveals. The article focuses on the sales of the newest antidepressant in the United States, Celexa, originally developed by a small Danish company in 1972. (2000)
- **Story No. 19238.** "Prescription Fraud: Abusing the System," by Dan Weikel, *The Los Angeles Times*. Every year, hundreds of millions of prescription pills flow into the nation's illicit drug market, creating a giant cornucopia of painkillers, stimulants and tranquilizers. Authorities from local, state and federal law enforcement agencies are investigating more than a dozen doctors suspected of unlawfully supplying prescription drugs. Weikel explains how millions of pills are being illegally resold on the streets and how some see a double standard in leniency toward doctors and the rich and powerful who overuse drugs. (1996)
- **Story No. 20062.** "Off the Label: Staffers of Drug Maker Say It Pushed Product for Unapproved Use," by Ellyse Tanouye, *The Wall Street Journal*. Report on how doctors, paid by pharmaceutical companies, promote medicines before they are approved by the Food and Drug Administration or for off-label uses. The story focuses on the marketing practices of Rhone-Poulenc Rorer, known as RPR, producer of a new kind of drug for blood clots called Lovenox. (1997)
- **Story No. 20482.** "Use of Samples in Drug Industry Raises Concern," by Scott Hensley and Shailagh Murray, *The Wall Street Journal*. This article reveals how pharmaceutical companies are raising the costs of prescription drugs, but also giving away more free samples in an attempt to entice doctors to prescribe their medication. (2000)
- **Story No. 15184.** "Bitter Pills: Inside the Hazardous World of Legal Drugs," by Stephen Fried, Bantam Books. This book is the result of a five-year investigation of the entire pharmaceutical-industrial complex, focusing on issues of international drug safety while exposing the inner workings of the Food and Drug Administration, the pharmaceutical industry, physicians, nurses, pharmacists, consumer advocates and the medical press. (1998)

# HOME FLIPPING

## Speculators, loan schemes cause housing foreclosures

BY KEN ALLTUCKER  
THE CINCINNATI ENQUIRER

The signs are everywhere in Cincinnati's poor and working-class neighborhoods. "Cash for Homes." "Quick Closing." "No down payment needed."

These signs sprouted throughout Cincinnati as the city struggled with a record foreclosure rate over the past four years. When I set out to investigate the impact of these loan defaults, I uncovered a handful of questionable housing practices that many community leaders cited for the rapid decline of some working-class neighborhoods. The result was a two-day series in *The Cincinnati Enquirer*, "Home Schemes, Broken Dreams."

I focused on Hamilton County because it's the region's core with more than 800,000 residents and has a foreclosure rate far surpassing suburban counties. It also shares many of the urban woes of aging cities in the East and Midwest – population loss, diminishing tax base and, in some neighborhoods, deteriorating housing.

My original plan: analyze home forfeitures by community to determine which areas were hit hardest. The data was easy enough to get. The Hamilton County Clerk of Courts provided a spreadsheet of more than 11,000 foreclosure case filings from 1999 through 2002.

The data included the lender, the property owner and date of foreclosure. Yet one key piece of information – property address – was absent in nearly 1,000 cases. So I set off on the laborious task of pulling each foreclosure case file via the court clerk's Web site to compile a complete list of property addresses. That was the only major glitch in assembling a useful database.

From there, I imported the data into a mapping software program and began tracking trends by community. While wealthier, predominately white communities were largely untouched by the foreclosure spike,

many city neighborhoods and older suburbs ringing the city were decimated. During a period of unprecedented prosperity, African-American communities had the highest loan default rates with up to eight foreclosed homes per block in some areas.

### Real estate speculators

With the help of CAR reporter John Byczkowski, we were able to determine that about one of every five defaults came from loans written by subprime lenders. These lenders specialize in loans to people with weak credit or low income.

The data provided the foundation, but the real story came from knocking on doors and talking to homeowners struggling to keep their property. Many

owners cited conventional reasons for foreclosure – job loss, divorce, health problems. And the trend of high-interest rate subprime loans with difficult-

to-meet terms, such as balloon payment loans, led to many property forfeitures, too.

But it quickly became apparent that a handful of real estate speculators using neighborhoods as their own personal Monopoly boards helped accelerate the foreclosure rate. Ramshackle homes sold at prices two to three times the value of neighboring properties due to inflated appraisals. Unwary buyers signed mortgage applications that included false information such as exaggerated income and assets. This combination – called flipping – resulted in loans that far exceeded property values.

Investors working with friendly title companies and mortgage lenders targeted rookie homebuyers unfamiliar with the process. One buyer bought a home for \$55,000 from her former elementary school gym teacher. The ex-teacher, a major investor in poor city neighborhoods, purchased the home just six months earlier for \$10,300. Shortly after moving in, the buyer discovered the gutters didn't work, a clogged bathroom sink, blocked plumbing lines and stained ceiling tiles. Like dozens of others, the buyer never thought to ask for an inspection by a certified home inspector. The repair bills and mortgage payments proved too much of a burden. The buyer lost the house to foreclosure within months.

She wasn't alone. I compiled a small database on the ex-teacher with dozens of records from foreclosure cases, property sales and lawsuits. It turned out this investor had a well-established pattern of buying rundown homes on the cheap, making minor repairs and selling the properties at inflated prices. Virtually every sale resulted in foreclosure – and those homes often were snapped up in auction by other investors who started the process over. This probe led to other investors also engaged

“One buyer bought a home for \$55,000 from her former elementary school gym teacher. The ex-teacher, a major investor in poor city neighborhoods, purchased the home just six months earlier for \$10,300.”

Ernest Coleman | The Cincinnati Enquirer



An agent for Midwest Properties works from a portable desk set up along Glenway Avenue in Cincinnati.

Gary Landers | The Cincinnati Enquirer



The Hamilton County Sheriff's Office property auction in a hallway of the Hamilton County Courthouse.

in the ultimate buy-low, sell-high gambit.

Other techniques used by investors, including one operating from a card table set up in a fast-food restaurant's parking lot, involved enticing those with credit problems to sign rent-to-own contracts. These contracts require renters to pay an up-front fee ranging from \$1,000 to \$5,000 (depending on the price of the home) and make above-market rental payments for a couple of years before purchasing a home. Some contracts make the renter pay property taxes and complete maintenance. Renters often forfeit the up-front fees and are evicted within months of signing such contracts.

After a month of research, I knew I had some good information on these real estate practices. Yet I wanted to report the story beyond isolated tales of slick operators, jilted buyers and spurned lenders. The biggest impact was the toll on communities. On the very same blocks where this activity was most prevalent, long-time homeowners were leaving in droves. They told stories of trash-filled streets, empty homes and petty crime. Some of Cincinnati's bedrock, middle-class communities were fast becoming unstable.

This led to more opportunity for speculators. A favorite investor technique was to persuade long-time homeowners to sell homes at below-market prices. They did this by calling homes, circulating flyers and posting signs in yards and on street corners. The idea was to stir fear among middle-class homeowners who already noticed problems, trying to get them to sell at low prices in a move reminiscent of blockbusting of yore.

### Class-action lawsuit

We collected data to show how the collective

impact of this activity triggered changes on neighborhoods. Census figures documented declining home ownership and a rapid increase in vacant buildings in many of these communities. Meanwhile, crime was up. The second day of the series zeroed in on one particular neighborhood with widespread flipping and rent-to-own deals.

After the stories ran, reaction from community leaders was swift. The Cincinnati City Council immediately formed a new blight task force to investigate housing and other complaints in neighborhoods with the most foreclosures. A lawyer filed a class-action lawsuit on behalf of some unsophisticated buyers who fell victim to the scheme. And the FBI has continued its investigation into the practice. The feds served five search warrants on title companies and lenders connected to this investment activity. No criminal charges have been filed yet.

State lawmakers, too, are looking to introduce legislative fixes to curb some real estate practices. A representative on the west side of Cincinnati wants to better regulate the rent-to-own contracts and change the way foreclosed properties are sold at sheriff's auctions. The idea is to give more than a handful of investors a legitimate shot at purchasing these auction properties.

Meanwhile, we're working on several follow-up stories such as the impact that inflated sales have on property taxes for long-time homeowners.

*Ken Alltucker covers growth, development and the census for The Cincinnati Enquirer. He joined the Enquirer in 2000 and previously worked as a reporter for the Reno Gazette-Journal and The Sun in Bremerton, Wash.*

“Renters often forfeit the up-front fees and are evicted within months of signing such contracts.”

## Computer - Assisted Reporting

# BOOT CAMPS

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

- March 21-26
- May 16-21
- Aug. 1-6

### Editor Boot Camp

Special three-day workshop tailored to the needs of newsroom managers in both print and broadcast.

- April 16-18

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

# New investigative authors echo themes of original muckrakers

BY STEVE WEINBERG  
THE IRE JOURNAL

American journalism and history courses taught on today's university campuses usually devote at least a few minutes to a group of authors who wrote about 100 years ago and collectively became known as the "muckrakers." The best-known of the bunch, then and now, are Lincoln Steffens, Ida Tarbell, David Graham Phillips and Ray Stannard Baker.

As Cecelia Tichi, a Vanderbilt University English professor, perused new investigative books at the opening of the 21<sup>st</sup> century, she realized that quite a few seemed to echo the old muckrakers' techniques and themes. Unable to excise that thought from her mind, Tichi decided to write a book comparing those books to the more distant muckrakers' exposes. Tichi eventually decided to concentrate on five books published during the opening years of this century: "Fast Food Nation: The Dark Side of the All-American Meal" by Eric Schlosser, "Nickel and Dime: On (Not) Getting By in America" by Barbara Ehrenreich, "No Logo: Taking Aim at the Brand Bullies" by Naomi Klein, "Betrayal of Trust: The Collapse of Global Public Health" by Laurie Garrett, and "Going Up the River: Travels in a Prison Nation" by Joseph T. Hallinan.

Portions of Tichi's book, *Exposés and Excess*, might yield little interest among readers of *The IRE Journal*. Her political views, her personal crises and her academic theorizing can be heavy going. That said, Tichi's thinking about the crusading branch of investigative journalism is filled with insights worthy of any journalist's attention. A wonderful bonus derives from Tichi's extended question-answer formats with each of the five authors.

One provocative thread of Tichi's thinking revolves around the individual nature of each contemporary investigative book contrasted with the possibility of a larger connect-edness.

"Each narrative is individualized by the style and structure of its writer," Tichi concedes. But as she delved deeply into each of the books, Tichi noticed "interlocking relationships," such as the connections between meat processing/fast food in Schlosser's book, inadequate living wages in Ehrenreich's book and public health dangers in Garrett's book.

"Cross-connections multiply into a web of related issues," Tichi says. "To read these books together is to be reminded once again of Edward Said's remark on 'independent intellectuals who actually form an incipient community.'"

As Tichi analyzed each book as an independent entity and as part of a larger reality, she formulated questions for each of the five authors. Here are especially relevant excerpts from some of those five interviews for an audience of investigative journalists:

**Barbara Ehrenreich.** Most of her reporting for "Nickel and Dime" is grounded in her own participation in the world of low-wage work, as a restaurant server, a house cleaner, a Wal-Mart clerk. Ehrenreich had to determine how to keep track of her day-to-day experiences. In answer to Tichi's question about documenting her experiences, Ehrenreich replies, "When I started this, I didn't know what I was going to write. I mean, my first assignment with *Harper's* was just to see if I could make enough money on a minimum-wage job to pay one month's rent, then see if I could make the next month's rent within a month. And I said, 'What am I going to write?' I'll keep records and expenses, but what else? I didn't even know about the content, what was going to be interesting... So, naturally, keeping a diary, I mean a journal, that's what I had

to do. Where did I look for apartments? Where did I interview for jobs? What was I told? How easy was it to get the job? And I thought, well, I should write about the work itself, too, which was surprisingly hard in every case. And it was a little revelation, in that first month in Florida, when I realized that what I was feeling was maybe some data, too. You know, my responses to things were data also, and I should take careful note if I felt feelings of incompetence and the really terrible feeling when you begin a job, and you are the stupid one."

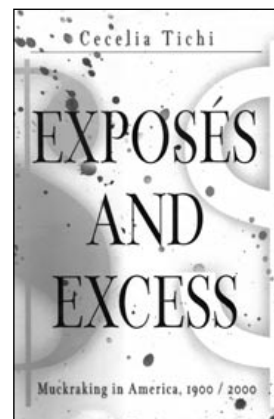
**Eric Schlosser.** Talking about studying writing with John McPhee, Schlosser emphasized the importance of thinking about a book's structure, not just its words. "However you go about it, whether you start

with a structure and work around it, or whether you write and write and write and then impose the structure on what you've done, you have to be aware of the structure of your writing." Painstaking reporting provides the material for building the structure. Total immersion is part of that painstaking reporting, Schlosser says. "Total immersion not so that you can show everyone how much you know about it, but total immersion so that your work is the tip of the iceberg of what you know. Everything that you don't put in the piece, everything you leave out, informs everything you leave in. It's the idea of not doing an interview with anyone until you already know the subject and you already know about them and have the opportunity to nurture a conversa-

tion, as opposed to just showing up, not knowing the subject, not knowing anything..."

**Naomi Klein.** Discussing memorable phrases such as activists subjecting McDonald's to the "corporate equivalent of a colonoscopy," Klein says she tried to transport the cleverness of her column writing into her book writing. "When I started out to write 'No Logo,' I was looking at all of those books on economics and on culture, and I felt really strongly those books needed a good dose of column writing. Though my problem in 'No Logo' in the first draft was that it was too much like column writing. There were too many lines like 'corporate colonoscopy.' And my editor said, you know it's one thing to be smart-assed in an 800-word column, but it's another to — She wrote a note to me, 'Remember that they know that they have a fearsome 400 more pages left with you... My editor Louise Denny's really taught me that a book shouldn't be like one long column, and that you have to use those lines sparingly. But it was definitely the discipline of column writing that gave me a sense of the zinger.'"

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



**EXPOSÉS AND EXCESS: Muckraking in America, 1900/2000, by Cecelia Tichi, University of Pennsylvania Press, 234 pages, \$29.95**

## Nuts and bolts information for computer-assisted reporters.



Uplink is a bimonthly newsletter covering every facet of computer-assisted reporting. It's written by the nation's top reporters for the National Institute for Computer-Assisted Reporting.

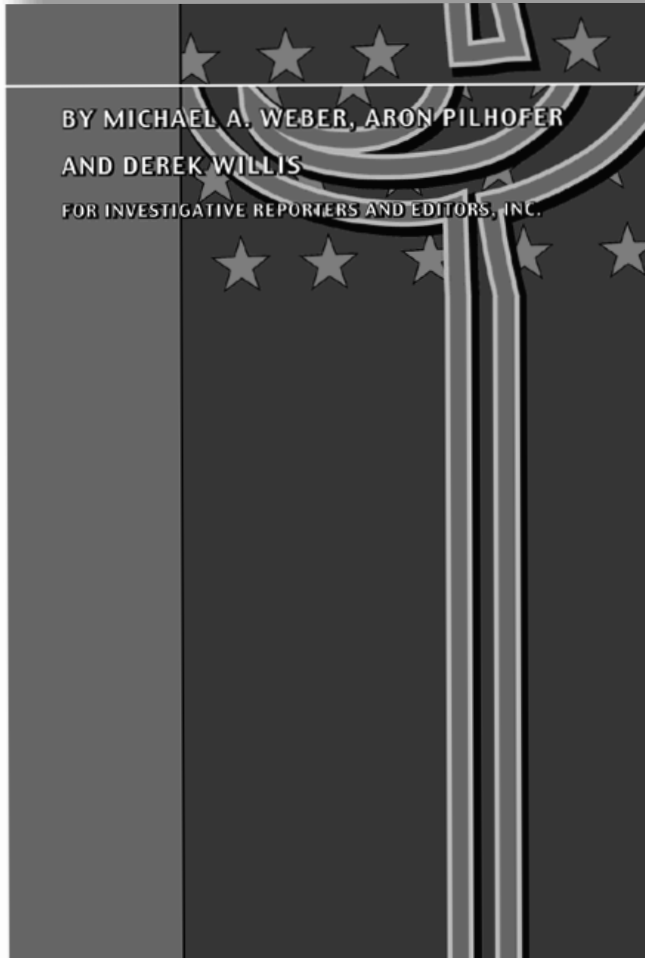
Articles include valuable information for journalists, educators and students on uses of databases, spreadsheets, Internet resources, mapping and statistical software. Investigative reporters explain how they developed significant stories through these techniques. Technical tips and Q&As serve beginners and advanced journalists.

**To subscribe, go to [www.ire.org/store](http://www.ire.org/store) or call 573-882-2042.**

NICAR is a program of Investigative Reporters and Editors, Inc. and the Missouri School of Journalism.

# Unstacking the Deck:

## A Reporter's Guide To Campaign Finance



The latest Beat Book from Investigative Reporters and Editors, Inc., is a guide to navigating the language and practices of campaign finance.

Journalists will find it invaluable for pursuing stories about the impact of money on elections, political parties and candidates at the federal, state and local levels.

- Understand the loopholes in soft money restrictions.
- Learn about the increased use of nonprofits to funnel money.
- Find out how to track where candidates spend their money.
- Learn how to find and read useful documents and data.
- Packed with resources, Web sites and story tips!

## ORDER NOW!

### By phone

Call 573-882-3364 with  
your VISA  
or MasterCard.

### By mail

Send your check to IRE  
138 Neff Annex  
Missouri School of Journalism  
Columbia, MO 65211

### By Web

Visit [www.ire.org/store](http://www.ire.org/store)  
to order online or download  
an order form.

**IRE Members: \$15 each • Nonmembers: \$25 each**

Plus postage: Media rate – \$4 for the first book, \$2 for each additional book

# MILITARY ASSAULTS

## Few sex offenders, abusers face justice in military ranks or service academies

BY MILES MOFFEIT AND AMY HERDY  
THE DENVER POST

It took only a couple of weeks for a hunch to turn into a full-blown investigative project.

A cluster of five spousal homicides at Fort Bragg last year suggested big problems with how the U.S. military handles domestic violence. We decided in January 2002 to dig into the issues for a possible project.

Almost as soon as we had obtained a Pentagon memo indicating only a small fraction of batterers faced prosecution within the armed services, suddenly, another cluster of military violence emerged. Dozens of female cadets at the U.S. Air Force Academy went public with stories about being sexually assaulted and watching their attackers go unprosecuted.

We nailed a pattern. After huddling with editors, our three-part project, "Betrayal in the Ranks," was born.

We spent the next nine months crisscrossing the country, interviewing victims and reviewing thousands of documents to discover that the military's

unique justice system often protects abusers while punishing victims of domestic and sexual violence. To show the human toll, we printed 16 pages showcasing pictures of dozens of victims.

The impact was powerful. A day after the series wrapped up, Congress announced it would investigate the problems we found. A week after it ran, 70 victims who read the series broke their silence and reached out to shelters and national advocacy organizations for help. Our reporting also reopened a murder investigation at Fort Bragg in North Carolina by uncovering additional evidence.

It was a painful journey. We navigated the most secretive institution we ever encountered and entered a dark emotional landscape inhabited by women deeply scarred by attacks that reportedly were ignored or dismissed by military superiors.

By early last year, we had found sexual and domestic violence to be widespread in the armed services. We found extraordinary leniency toward

“We navigated the most secretive institution we ever encountered and entered a dark emotional landscape inhabited by women deeply scarred by attacks ...”

offenders, made possible by a system that allows a soldier's boss – not an independent prosecutor – to decide whether he goes to trial. And we found evidence that the military has repeatedly hidden or ignored problems.

### Investigating the academies

Our fast-breaking coverage of the Air Force Academy sexual-assault scandal, a nationally competitive story, produced a strategy we used to track problems at other major academies, as well as U.S. military installations worldwide.

The plan: Work the fringes of military bases, locating civilian experts in sexual and domestic violence who might have knowledge of problems. We also searched out victim advocates who specialize in providing safety and legal advice to victims.

At a Colorado Springs assault-crisis center close to the academy, we made an intriguing discovery: More than 40 cadets had sought refuge at the center during the past 15 years, its counselors said. Some claimed to suffer retribution after reporting crimes. Others never reported because they feared retribution, the therapists told us.

We learned of a cadet allegedly gang-raped by other cadets. We learned of a cadet who said she was raped by a colonel and never received a medical exam to collect evidence. We learned of cadets who were punished with alcohol violations after reporting.

We learned of attackers who received administrative punishments, instead of prosecution.

"The military is like a get-out-of-jail-free card," one of the counselors said of the problem.

The military system, we learned, is worlds apart from civilian justice. Under the Uniform Code of Military Justice, commanders at the academy and other military installations make the calls prosecutors in the civilian world usually make, doling out whatever punishments they see fit for their soldiers. Such discretion had been criticized for years by experts in military law and others who saw it as a blatant conflict of interest. Those alarms were ignored, we found.

By spring of 2002, we were digging into problems at the U.S. Naval Academy and West Point, using additional sources in other victim-advocacy organizations willing to help us.

It was the same story. Punishment for victims. No criminal punishment for attackers.

The data we received from the academies under the Freedom of Information Act supported the anecdotal evidence. Only a handful of cadets had been court-martialed at each school in recent years.

The true story of sex crimes inside the Army and Navy academies, like the larger military itself, had remained largely hidden from public view.

To nail the depth of the problem throughout the military, we sought 10 years worth of data – through FOI requests – from the service branches on how they punished sexual- and domestic-assault offenders.

The Army was the only service branch to

Kathryn Scott Osler | The Denver Post



Marian Hood gets a hug from one of her four children, Gabby. She lives in government-subsidized housing and is too disabled to hold down a job. She is recovering from back surgery resulting from being beaten and raped by her platoon sergeant and four other soldiers. "I was kicked so bad, my spine is like an 'S,'" she said of the beating.

respond with detailed records. Its data – the first time ever compiled, we were told — proved what that Pentagon memo earlier suggested: Leniency was the rule.

Over the past decade, records showed, twice as many soldiers accused of rape and other sex offenses were handled with job-related punishments as were court-martialed. Nearly 5,000 sex offenders escaped prosecution.

Roughly, the same pattern was true for domestic-violence offenders. These trends flew in the face of civilian jurisprudence, where prosecutors usually file criminal charges.

Pentagon officials were consistent in their response to our inquiries about these issues: they refused interviews. Over and over again. So we went back to our source network.

Using the academy strategy, we kept daisy chaining our way through interviews with civilian counselors who had dealt with military victims, only to find the same concerns echoed repeatedly about how the military handles cases.

Their help was crucial. To reach victims and earn their trust, we had to persuade advocates

that we would protect victims' identities if they requested anonymity and take extreme care and sensitivity when interviewing them so as not to traumatize them again.

We had hurdles to overcome. We agreed to conduct interviews over long stretches of time, sometimes days or weeks, to lessen the stress on victim survivors. Some had extreme difficulty recounting their attacks, bursting into long crying spells, and needed to be in the presence of therapists. Some were too fearful to venture out in public and needed to be escorted by counselors or advocates. Many did not trust men and insisted that they be interviewed by a female reporter.



Marian grimaces in pain as Rey, her boyfriend of four years, tries to help her up from the sofa in her apartment, where her doctor has ordered to stay and rest. But Marian has four children to care for, and insists on moving around.

In the end, the vast majority trusted us to tell their stories. They even let us use their names.

A real breakthrough came after we discovered that the Veteran's Administration had set up a

## REPORTING AND INTERVIEWING ADVICE

If you're interested in following up on stories about the military and domestic abuse, here are some things we learned that might be helpful:

1. Target the outside fringes of military bases to find sources. In most cases, the armed forces solely investigate and prosecute crimes that occur on their installations. And because they routinely handle cases secretly, using administrative punishments, records can be impossible to access. Yet, crimes often involve civilian victims or people who live off the installation, making it possible that civilian authorities initially looked into the crime or partnered with military investigators. The only reason we discovered that Fort Bragg commanders let a soldier walk away from a murder trial is because we found a missing person's report filed with the local sheriff's office. That document led us to a concerned family and sources within the military. We also discovered that women's shelters and other crisis centers around military bases have insight into military issues because the women often seek help from civilian agencies..
2. Hunt down former military personnel and others who intimately know the system. Navigating the military's maze of laws and procedures is made easier by consulting with insiders or former insiders. We used a former staff judge advocate (military lawyer) and others with experience in dealing with the armed services to follow paper trails and help interpret documents. Such experts not only help guide reporting, but help evaluate investigative findings prior to publication. One organization we found helpful in understanding the military's justice system was the Washington-based National Institute for Military Justice. The Miles Foundation, a national victim-advocacy group for domestic-violence and sexual-assault victims, also was a vital resource. In addition, we tapped into an "underground" group of advocates we found by word-of-mouth referrals and Google searches. These women also became great referrals.
3. Radically rethink your typical strategy when interviewing victims of sexual assault and domestic violence. These women were often traumatized not only by their assault, but by the mishandling of their cases by commanders and the unique pressures of a military environment. As a result, most of them have post-traumatic stress disorder, which erodes their trust level. We spent

substantial time on the phone before interviews, talking to the victim, their advocates or counselors, supplying them with information about ourselves. We sent them previous articles we had written, and used counselors who knew us as references. Whenever possible, we tried to spend time with the person before the interview to establish rapport, and in the primary cases we featured, the interviews themselves often became long, drawn-out processes over several days. There was a fine line between getting needed details and not causing re-traumatization. It was important to gauge their comfort level, and to insist on taking breaks during crying spells. Body language also is important. Often we sat next to them, instead of across from them. We avoided any posturing that could be perceived as negative, such as folding our arms. We also waited to take out notebooks until a rapport was established. The most important piece of advice is to be compassionate. Many of the women had horrific details to offer. We would say, "You're not going to shock me. It's OK to tell me this." And we would reassure them that many other women have shared similar details with us. It also is very important not to react. The last thing a victim needs is to worry about perception. Lastly, we knew the magnitude of our project meant it would become a national story, and we were very careful to prepare them to expect national exposure. We also tried to prepare them for the fact that we would be calling their commanders or attackers. We felt it was effective to disclose those details in the beginning of the interviews so they understood our roles immediately. And we ended every interview by urging them to call a therapist to talk about any painful feelings or memories the interview may have dredged up.

4. Phrase Freedom of Information Act requests as specifically as possible. The military is a monstrous bureaucracy and the people you expect to know it often do not. If you know where data you are seeking is kept, specify the location in the request. Don't assume the FOIA office knows where to find it. For example, we lost two months' time on one FOIA request because the service branch did not know where to find information that we knew existed. Because we had a memo specifying the name of the database, we were able to get a response after much confusion.

trauma counseling service at its hospitals during the past decade for increasing numbers of veterans reporting rapes.

But soon an order came down from the U.S. Department of Defense: Nix the interviews.

Therapists told us off the record that Washington officials were not happy about what they feared would be negative publicity. We kept arranging interviews, however, off VA property.

### Abusers avoid prosecution

Some women, we learned, could not talk about what happened. We found cases in which commanders knew of death threats or other dangers, yet refused to restrict or confine offenders. Those offenders then went on to kill their wives or girlfriends.

We found that, like in sexual assault cases, commanders could use discretionary powers to steer domestic violence offenders away from prosecution. They might use the job-related punishments, such as reprimands, or counseling. More than a dozen victims we spoke to said they were shunned or ignored when they tried to report beatings to commanders.

Astonishingly, lenient punishments are even handed out in murder cases, according to the data we received from the Army.

Sixteen accused offenders in homicide cases, the Army records showed, were handled with administrative punishments. Army officials declined to provide details beyond the data.

We uncovered details on one Army homicide case by using our strategy of walking the fringes around bases.

Because the military usually solely investigates crimes that occur within its own jurisdiction, many crimes, even murders, can stay secret forever, unless a detail or two spills out into a public report. This is especially true if a case is handled administratively, because the details are protected by the privacy act.

During a review of missing-person records at the Cumberland County Sheriff's Department next to the Fort Bragg Army base in North Carolina, we found one such case. The report told of the 1999 disappearance of young civilian woman named Tabitha Croom who had been dating a Fort Bragg psychological operations soldier. We pressed sheriff's detectives for more information about the report and learned that Fort Bragg had found her body on the base and that they had launched a murder investigation that never became public.

Within weeks, we found sources close to the Army investigation who passed on some incredible information: a three-inch-thick homicide file stating there was "probable cause" to believe a sergeant had killed his girlfriend. The case file showed that two military prosecutors wanted to take him to trial, but his commanders let him leave the military and walk away from a trial.

Months after we began raising questions about the handling of the case and found new evidence—an

ex-wife of the sergeant who claimed he shot her in the stomach 10 years ago—Fort Bragg reopened the murder investigation.

While it could be months before we learn whether the story will trigger any changes by Congress in how the military handles domestic and sexual violence, the letters, phone calls and e-mails we've received indicate it has changed some lives.

Women have written us to say they want to speak out. Survivors of violence say they are seeking help now that they realize they aren't alone.

Advocates say they are now empowered to do more to try to press Congress to change the system.

Meanwhile, Pentagon officials still refuse to grant us interviews.

*Miles Moffeit is a reporter on The Denver Post investigative team. He has worked at the paper for a year, covering business and military issues. Amy Herdy is an investigative reporter on criminal justice issues for the paper's enterprise team. She has covered military and local police issues.*

*Editor's note: As The IRE Journal was going to press, Secretary of Defense Donald Rumsfeld announced that he was ordering an investigation into the military's handling of sexual assault cases. He said he was especially concerned about recent reports of female troops in the Iraq war being attacked by fellow soldiers.*

## RELATED STORIES

The sexual abuse and domestic violence stories in the military are investigated in a number of stories available from the IRE Resource Center. To order, check out [www.ire.org/resourcecenter](http://www.ire.org/resourcecenter):

- **No. 9020.** "Male-run Military Is Unsympathetic to Rape," Gary Warner, *The Orange County Register*. This series reveals that U.S. military authorities, when investigating a rape, operate in secret and report the crimes to no one. More than 400 women are raped on military bases every year, with 500 being raped in the Army in the past five years—50 percent above the rate for civilians. Navy rape reports have tripled and few rapists are convicted; the military investigative and judicial procedures are built to debunk rape claims. (1992)
- **No. 12014.** "Her Own Private Tailhook," Laura Palmer, *The New York Times Magazine*. This story reveals that "after the Gulf War, the Air Force Academy beefed up cadet training with a mock rape 'scenario.'" (1995)
- **No. 13802.** "Rape in the Military," Karen Burnes, Kathleen Hendry, and Meredith White, ABC News 20/20. An investigation finds that women who serve in the military face dangers from the very system they fight for. An estimated 25 percent of all women in the military have been raped at one time or another. The report reveals that women who come forward and report the offense face severe humiliation and retribution. (1996)
- **No. 13794.** "The Silent March," Dave Moniz and Douglas Pardue, *The State* (Columbia, S.C.). In the last three years, more than 5,000 women veterans, most of whom never reported the incidents, have come forward at Department of Veterans Affairs outreach centers to be treated for harassment, rape and sexual assault that occurred in the military. *The State* investigates how an ill-prepared military began recruiting women

for its new, all-volunteer force. In many cases, the results were tragic for women thrust into an institution that didn't want them and was for years oblivious to their plight. (1996)

- **No. 13317.** "The Military—A School for Scandal," by Evan Thomas and Gregory Vistica, *Newsweek* magazine. Buffeted by crime and cover-ups, the Naval Academy is way off course, the investigation finds. The article focuses on the crime and sex scandals involving the Naval Academy midshipmen and the attempted cover-ups. (1996)
- **No. 14043.** "Offensive Maneuvers," Mark Thompson, *Time* magazine. *Time* investigates problems of sexual harassment between Army recruiters and female recruits. Recruiters have been cited on numerous occasions for making improper sexual overtures to young girls and pressuring young women into affairs. Army officials rarely discipline recruiters and other officers often lie to protect their fellow recruiters. (1997)
- **No. 19885.** "DNA Protects Men of Dishonor," by Stephen Dean, Glenn Garcia, and Mark Muller, KPRC-Houston. The investigation revealed the most crucial evidence that would convict rapists on U.S. military bases "in the civilian world" was being kept from police if the criminals happened to be in the armed services. Military criminal investigators told a Fort Hood victim that they had all the evidence they need to secure a conviction on her attacker, but they would not be using that evidence because of Pentagon policy. That policy spelled out that DNA on file for every soldier was off limits for solving crimes, even violent attacks committed by soldiers, against soldiers. This victim and some rape crisis counselors said they feared someone would have to die before the military would finally use this DNA to catch the rapist. (2002)



## Member news

CONTINUED FROM PAGE 5

editor at *The Honolulu Advertiser*. He was assistant managing editor for news at the paper. ■ **Barbara Serrano** has joined the *Los Angeles Times* as the deputy political editor on the national desk where she is helping to coordinate coverage of the 2004 presidential campaign. She is a former political editor and reporter at *The Seattle Times*. ■ **Liz Szabo** has moved from *The Virginian-Pilot* to *USA Today*, where she will cover cancer research and other health news as a member of the newspaper's medical reporting team. ■ **James Wilkerson** has joined *The New York Times* as database editor. He will help develop Intranet applications for the newspaper. Wilkerson was previously the computer-assisted reporting editor at *The (Allentown, Pa.) Morning Call*. ■ **Aaron Wische** joined WFTS-Tampa as the executive producer of investigations and special projects. He previously served as the investigative producer at WEWS-Cleveland.

## FOI report

CONTINUED FROM PAGE 17

As Dr. Anthony Robbins, professor of Public Health at Tufts University School of Medicine, wrote in a Dec. 7, 2003, editorial in *The Boston Globe*:

"The Bush administration seems to have rejected an accepted tenet of American democracy – 'government of the people, by the people, and for the people' – and recast government as a special interest entity that needs to be balanced against other groups in our society. For those of us who have worked in government for most of our scientific lives and who did so to serve the people, it is particularly distressing to learn that the Bush administration sees us a threat to America."

Thus far at least, one of the most radical departures in science in the history of the republic remains a conversation between experts. Much reporting remains to be done. What do scientists, industrialists, educators and other citizens think? What influence peddling is winning the day? What local groups in your community have a stake?

Policy with such huge implications for all of us demands no less than our best work.

## 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: David Donald, ddonald@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:

**ADVERTISING** – Pia Christensen, pia@ire.org, 573-884-2175

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

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

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

### Mailing Address:

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

# JUNE 17-20, 2004

The best in the business will gather for 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. Visit [www.ire.org/training/atlanta04](http://www.ire.org/training/atlanta04) for more information and updates.



#### Conference Location and Hotel:

Atlanta Marriott Marquis  
265 Peachtree Center Ave.  
Atlanta, GA 30303

To make a hotel room reservation, call 404-521-0000 or 800-228-9290 and ask for the "IRE 2004" room block. If you'd like to make your reservation online, go to [www.marriott.com/DPP/propertyPage.asp?marshacode=ATLMQ](http://www.marriott.com/DPP/propertyPage.asp?marshacode=ATLMQ) and use online code IREIREA. By using one of these methods, you should receive the following discounted rate:  
• \$119 single/double occupancy plus tax

The room block expires May 21.

**Local Host:** *The Atlanta Journal-Constitution*  
**Sponsor:** *The Wall Street Journal*

## REGISTRATION FORM.

To register, please complete this form. Visit our Web site regularly at [www.ire.org](http://www.ire.org) or call 573-882-2042 for the latest details. *Please write carefully! This information will be used to make your nametag.*

Name: \_\_\_\_\_

Employer/Affiliation/School: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

City, State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

E-mail (required): \_\_\_\_\_

Home Phone: \_\_\_\_\_ Office Phone (required): \_\_\_\_\_

To register, mail this form and a check to IRE, 138 Neff Annex, Missouri School of Journalism, Columbia, MO, 65211. To register by credit card, you must have a VISA or MasterCard. We cannot accept American Express. You may fax your credit card registration to 573-882-5431 or register online at [www.ire.org/training/atlanta04](http://www.ire.org/training/atlanta04).

Cancellations need to be sent via e-mail to [jgreen@ire.org](mailto:jgreen@ire.org). There is a \$50 processing fee for all cancellations until June 16, 2004. Refunds will not be given for cancellations after June 16.

Card Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Card Holder Name: \_\_\_\_\_

Card Holder Signature: \_\_\_\_\_

To attend this conference, you must be an IRE member through July 1, 2004. Memberships are nonrefundable.

#### MEMBERSHIP

\_\_\_\_ I am a current member of IRE through July 1.  
\_\_\_\_ \$50 I need to join/renew my U.S. or international  
 Professional  Academic  Associate or  
 Retiree membership.  
\_\_\_\_ \$25 I need to join/renew my student membership.

#### REGISTRATION

\_\_\_\_ \$150 I would like to register for the main conference days as a  Professional  Academic  Associate or  Retiree member.  
\_\_\_\_ \$100 I would like to register for the main conference days as a student.  
\_\_\_\_ \$25 Late fee for registrations postmarked or faxed after May 15.

#### CAR DAY - optional

Thursday, June 17 (requires additional fee)  
\_\_\_\_ \$50 Professional/Academic/Associate members  
\_\_\_\_ \$35 Student members

#### BLUES BASH

Thursday, June 17 at 7 p.m.  
\_\_\_\_ \$15 Advance tickets (specify how many tickets)  
Tickets at the conference will be \$20.  
Additional information is available at [www.ire.org/training/atlanta04](http://www.ire.org/training/atlanta04)

**TOTAL \$** \_\_\_\_\_