

# THE IRE JOURNAL

## TABLE OF CONTENTS MAY/JUNE 2004

- 4** Media insurers may push strong journalism training to manage risks, costs  
By Brant Houston  
*The IRE Journal*
- 10** Top investigative work named in 2003 IRE Awards  
By *The IRE Journal*
- 14** 2004 IRE Conference to feature best in business  
By *The IRE Journal*
- 16** BUDGET PROPOSAL  
Organization maintains steady, conservative course in light of tight training, data budgets in newsrooms  
By Brant Houston  
*The IRE Journal*
- 18** PUBLIC RECORDS  
Florida fails access test in joint newspaper audit  
By Chris Davis and Matthew Doig  
*Sarasota Herald-Tribune*
- 19** FOI REPORT  
Privacy exemptions may prove higher hurdle than national security  
By Jennifer LaFleur  
*The Dallas Morning News*

### 20 - 29 TRACKING SEX OFFENDERS

**OFFENDER SCREENING**  
Likely predators released despite red-flag testing  
By John Stefany  
(Minneapolis) *Star Tribune*

**STATE REGISTRY**  
System fails to keep tabs on released sex offenders  
By Frank Gluck  
*The (Cedar Rapids, Iowa) Gazette*

**COACHING THREAT**  
Abuse of female athletes often covered up, ignored  
By Christine Willmsen  
*The Seattle Times*



**30** IMMIGRANT PROFILING  
Arabs face scrutiny in Detroit area in two years following 9/11 terrorist attacks  
By John Bebow  
for *The IRE Journal*

**32** Irreverent approach to freelancing explains the need to break the rules  
By Steve Weinberg  
*The IRE Journal*

**33** Checking criminal backgrounds  
By Carolyn Edds  
*The IRE Journal*

**34** UNAUDITED STATE SPENDING  
Yes, writing about state budgets can sometimes be fun  
By John M.R. Bull  
*The (Allentown, Pa.) Morning Call*

**35** LEGAL CORNER  
Evolving guidelines, risks: Electronic storage of reporters' notes  
By David B. Smallman  
Piper Rudnick LLP

**36** WELFARE WRECKS  
Badly managed car leasing program takes state's taxpayers, needy for a ride  
By Scott Finn and Eric Eyre  
*Charleston (W.Va.) Gazette*



**ABOUT THE COVER**  
Law enforcement has a tough time keeping track of sexual predators – often until they re-offend and find themselves back in custody.

**Cover Story**  
Pages 20-29.

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Len Bruzzese, *The IRE Journal*

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## FROM THE IRE OFFICES

# Media insurers may push strong journalism training to manage risks, costs



BRANT HOUSTON

It's been another year of limited support for training of journalists, but there might be help coming from an unexpected source: the media insurance industry.

The idea of dealing with, or covering, the insurance industry is a bane to most journalists. Just thinking about insurance and its obtuse language drives most journalists to distraction.

But the time is coming that our profession will need to think a little more about insurance and better insuring itself against daily errors, diminishing reputations and loss of credibility. If not, the insurance industry and media lawyers may do it for us. Indeed, the insurance industry already has significantly raised media coverage rates as it becomes more concerned about news coverage and its own coverage of the news industry.

In the past year we have read about and heard the case files on such journalists as Jayson Blair, Stephen Glass and Jack Kelley.

These have been distressing stories, but we also know every profession will have these cases. And in truth, our profession, unlike some, has reacted candidly and aggressively.

More important, however, are the cases in our everyday work in which we can do the most widespread damage and incur the most losses. It's the daily story – when reporters are overburdened and managers overtaxed – where we hurt ourselves and put ourselves at risk.

That is where IRE can and does make a difference.

As we do our workshops in the United States and internationally, we find time and again journalists seldom have received training in most basic newsgathering and story-writing techniques. It's these basic techniques that keep us in good public standing, that provide context and understanding, that ensure accuracy, and that help keep us focused not on the sensational, but on the profound. Law firms do seminars on legal issues in newsgathering, access to meetings and records, and libel, but don't offer the basic training provided by professional journalists.

Because IRE encourages in-depth and thorough reporting, we, by nature, teach each other the techniques that improve daily and beat coverage – training that journalists don't often receive.

Consider how many journalists are taught:

- the nuances of sensitive cultivation and managing of sources?
- line-by-line, fact-checking so thorough that they could provide a footnote for every fact?
- how to use open records laws to find documents that support or contradict interviews?
- how to use databases to look at all the records – not just a handful – to ensure anecdotes reflect the trends, not just the unusual or bizarre?
- how to edit a story by asking tough questions while still supporting the reporter?

In the continual discussion of improving “the product” – our news coverage – it's surprising that this training is not mandated.

In other professions, insurers and attorneys would strongly encourage the type of training provided by IRE – if only to prevent losses. For other businesses, insurers provide financial incentives, such as premium reductions, for professional training because it is good “risk management.” In fact, media lawyers and insurers are starting to direct their attention more pointedly toward these issues; recently they held a national conference in Kansas City on the issue of “reporting misconduct,” risk and risk management in the media.

We expect, as they study the issues more closely, the lawyers and insurers are going to see that our kind of nuts-and-bolts training will go a long way toward preventing errors and sloppy omissions in reporting and editing.

As a profession, we will need to work closely with these groups to assure that probing, aggressive journalism – not diluted and weak reportage – will be encouraged and will prevail.

Good journalism involves risks. We should not avoid those risks, but we should manage them better through regular and meaningful training.

*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.*

## Cincinnati tipsheets available via Web site

The tipsheets from the 2004 Annual Computer-Assisted Reporting Conference are now available on the IRE Web site.

You can access the Cincinnati tipsheets at [www.ire.org/training/cincy04](http://www.ire.org/training/cincy04) and follow the link under "Tipsheets." To search all of IRE's tipsheets, go to [www.ire.org/resourcecenter/initial-search-tipsheets.html](http://www.ire.org/resourcecenter/initial-search-tipsheets.html).

Cincinnati tipsheets are available on topics ranging from databases good for investigating city hall to measuring change within a community. If you have any questions about tipsheets, please e-mail the Resource Center at [rescntr@ire.org](mailto:rescntr@ire.org) or call 573-882-3364.

## IRE releases book on interviewing skills

In "Interviewing the Interviewers," the latest addition to The IRE Collection, some of the most renowned interviewers in investigative journalism share their experiences, techniques and advice.

The book includes chapters on dealing with sensitive issues, cross-cultural interviewing, confrontational interviews, handling whistleblowers, technical interviews and more. Each chapter includes "Tips from the Pros," and the book includes a list of tipsheets and tapes taken from IRE conferences.

To order the book (\$12 for IRE members, \$18 for nonmembers) visit IRE's Web site, [www.ire.org/store](http://www.ire.org/store) or call 573-882-3364.

## MEMBER NEWS

**L**ex Alexander has been named enterprise/investigative team leader at the (Greensboro, N.C.) *News & Record*. He was the assistant features editor and previously worked as an investigative projects reporter and computer-assisted reporting specialist at the newspaper.

■ **Brad Branan**, formerly a regional affairs reporter at the *Arkansas Democrat-Gazette*, joins the *Tucson Citizen* as a news projects reporter.

■ **Brian Covert** has returned to Japan where he is an independent print journalist. A former newspaper reporter and UPI stringer based in Japan, he was most recently the co-producer of a live radio talk show on KHSU-FM (Arcata, Calif.).

■ **Aaron Deslatte** has moved to the *Arkansas Democrat-Gazette's* Northwest bureau where he is general assignment reporter/assistant city editor for Sundays. He was the Jefferson City bureau chief at the *Springfield (Mo.) News-Leader*.

■ **Randy Diamond** has moved to *The Tampa Tribune* where he will cover the tourism industry as a member of the business news staff. He was a reporter at *The (Bergen, N.J.) Record's* Trenton bureau.

■ **Elisabeth Donovan**, research editor at *The Miami Herald*, won the Agnes Henebry Roll of Honor from the Special Libraries Association News Division. The award honors her service to the organization's programs and projects.

■ **Sewell Chan** and **Scott Higham** of *The Washington Post* won a Maryland-Delaware-D.C. Press Association Award in Local Government (dailies over 75,000 circulation) for "Homes of Last Resort." ■ **Mariana De Maio** has been named editor of *Nuestra Comunidad*, a new Spanish language weekly and sister newspaper to the *Daily Journal* (Vineland, N.J.). She previously worked at the IRE Resource Center and was a graduate student at the Missouri School of Journalism.

■ **Courtney Dentch** has been named the 2003 Suburban Journalist of the Year for non-dailies by the Suburban Newspapers of America. She is a reporter for the *Times Ledger Newspapers*, a chain of weeklies covering the borough of Queens in New York City. ■ **Jim Donovan** has joined KYW-

CONTINUED ON PAGE 38 >

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

## IRE members receive top industry honors

This year, various organizations saluted the work of IRE members with journalism awards. Several winners are spotlighted here. Members' names are in bold:

### Pulitzer Prizes Winners

- **David Barstow** and **Lowell Bergman** of *The New York Times* won the Pulitzer in Public Service for their exposure of American employers that broke safety regulations leading to on-the-job deaths and injuries of workers.
- **Daniel Golden** of *The Wall Street Journal* won the Pulitzer in Beat Reporting for his series chronicling "white affirmative action." His stories revealed through interviews and documentary evidence how children of alumni and major donors receive preferential treatment by college admission committees.
- **Michael D. Sallah**, Mitch Weiss and Joe Mahr of *The (Toledo, Ohio) Blade* won the Pulitzer in Investigative Reporting for "Buried Secrets, Brutal Truths." The series exposed war atrocities committed by the elite platoon Tiger Force during Vietnam.

### Finalists

- **David Barstow** and **Lowell Bergman** of *The New York Times* were also finalists in Investigative Reporting for their series on the rampant workplace injuries and deaths that won the Pulitzer in Public Service.
- **Maureen O'Hagan** and Christine Willmsen of *The Seattle Times* were finalists in Public Service for "Coaches Who Prey: The Abuse of Girls and the System that Allows It." The series exposed the prevalence of male coaches who commit acts of sexual misconduct against female athletes and escape punishment.
- **David Ottaway** and **Joe Stephens** of *The Washington Post* were finalists in Investigative Reporting for

stories that revealed questionable practices of the environmental group Nature Conservancy. Their story provoked an independent panel of experts to investigate and later issue a report calling for major reform.

- **Bernard Wolfson**, **William Heisel** and **Chris Knap** of *The Orange County Register* were finalists in Explanatory Reporting for their examination of the quality of primary care at 26 local hospitals and the creation of a report card to show consumers "Price Doesn't Equal Quality."

### Taylor Family Award for Fairness in Newspapers

- **Michael D. Sallah**, Mitch Weiss, Joe Mahr, and photographer Andy Morrison of *The (Toledo, Ohio) Blade* won the prize from the Nieman Foundation for Journalism at Harvard University for "Buried Secrets, Brutal Truths." The investigative series revealed Vietnam war crimes committed by an elite Army fighting unit.

### Associated Press Sports Editors

- **Maureen O'Hagan** and Christine Willmsen of *The Seattle Times* won in Investigative for "Coaches Who Prey: The Abuse of Girls and the System that Allows It."
- **Janet Patton** of the *Lexington (Ky.) Herald-Leader* won in Features (circulation 100,000-250,000) for "Slew's Last Love: Longtime Groom Remembers the Champ."

### Heywood Broun Award

- **Maureen O'Hagan** and Christine Willmsen of *The Seattle Times* won the award from the Newspaper Guild-Communication Workers of America for "Coaches Who Prey: The Abuse of Girls and the System that Allows It."

CONTINUED ON PAGE 6 >

Goldsmith Prize

• **David Barstow**, **Lowell Bergman** and **David Rummel** of *The New York Times* were among the journalists who won the Goldsmith Prize for Investigative Reporting from the Joan Shorenstein Center on the Press, Politics and Public Policy at Harvard University's John F. Kennedy School of Government. The winning report "Dangerous Business" was a joint project with *The Times* and the PBS series "Frontline."

Selden Ring Award for Investigative Reporting

• **Paul D'Ambrosio**, investigations editor at the *Asbury Park Press* (Neptune, N.J.), led the team of Gannett New Jersey newspaper reporters who won the \$35,000 annual prize from the University of Southern California Annenberg School of Journalism. The winning series "Profiting from Public Service" exposed state legislators who used their positions toward private gain. The team included **Jason Method** and **James W. Prado Roberts** of the *Press*, **Colleen O'Dea** of the (Morris County, N.J.) *Daily Record*, and **Erik Schwartz** of the (Cherry Hill, N.J.) *Courier-Post*.

National Headliner Awards Print

• **Chris Adams** and **Alison Young** of Knight-Ridder Newspapers won in Health/Science Writing for "Prescription for Trouble."

- **Paul D'Ambrosio**, investigations editor at the *Asbury Park Press* (Neptune, N.J.), led the team of Gannett New Jersey newspaper reporters who won in Public Service for "Profiting from Public Service." The team included **Jason Method** and **James W. Prado Roberts** of the *Press*, **Colleen O'Dea** of the (Morris County, N.J.) *Daily Record*, and **Erik Schwartz** of the (Cherry Hill, N.J.) *Courier-Post*.
- **Russell Carollo** and **Mei-Ling Hopgood** of the *Dayton* (Ohio) *Daily News* won in Investigative Reporting and Best in Show for "Casualties of Peace."
- **Michael Mansur** of *The Kansas City* (Mo.) *Star* won in News Beat Coverage.

Broadcast

• **Andrea Parquet-Taylor**, **Tisha Thompson**, **Debra Schindler** and **Lamont Williams** of WMAR-Baltimore won in Public Service for "Broken Trust."

Education Writers Association

- **Karen Ayres** of *The* (Trenton, N.J.) *Times* won in Investigative Reporting (under 100,000 circulation) for "Most N.J. School Buses Fail Inspection."
- **Daniel Golden**, June Kronholz, Robert Tomsho, Robert S. Greenberger, Sholnn Freeman, Matt Murray, and Charles Forelle of *The Wall Street Journal* won in Breaking or Hard News (over 100,000 circulation) for "Race Matters."
- **Daniel Golden** of *The Wall Street Journal* won in Series or Group of Articles (over 100,000 circulation) for "White Affirmative Action."

- **Doug Most** of *Boston Magazine* won in Regional or Local Circulation (magazine) for "Teachers' Dirty Looks."
- **Tisha Thompson** of WMAR-Baltimore won in Hard News and Investigative (television) for "Filthy Schools."

American Society of Newspaper Editors

- **Thomas Farragher** of *The Boston Globe* won the Jesse Laventhol Prize for Deadline Reporting by a Team for coverage of the West Warwick, R.I., nightclub fire that killed 100 people and injured others. He shares the award with a team of reporters.
- **Cathy Frye** of the *Arkansas Democrat-Gazette* won in non-deadline writing for her account of a young girl's fateful journey into Internet chat rooms.
- **David Halbfinger** of *The New York Times* won the Jesse Laventhol Prize for Deadline Reporting by a Team for coverage of the Columbia space shuttle disaster. He shares the award with a team of reporters.


Scripps Howard Foundation

- **David B. Ottaway** and **Joe Stephens** of *The Washington Post* won in Environmental Reporting (over 100,000 circulation) for the series "Big Green" that brought to light questionable practices of the Nature Conservancy, the world's largest, nonprofit environmental group.
- **Clint Riley** of *The* (Hackensack, N.J.) *Record* won in Business/Economics Reporting for his series "Banking on Your Money," which detailed how a New Jersey bank used political connections with state government officials toward furthering its own gain.
- **Maureen O'Hagan** and **Christine Willmsen** of *The Seattle Times* won in Public Service Reporting (over 100,000 circulation) for "Coaches Who Prey: The Abuse of Girls and the System that Allows it." The series exposed the pattern of coaches in Washington and Idaho preying on young female athletes and getting away with it.

George Polk Awards

- **David Barstow**, **David Rummel**, **Lowell Bergman**, **Neil Docherty** and **Linden MacIntyre** won in Labor Reporting for "A Dangerous Business." A joint investigation of *The New York Times*, the PBS series "Frontline" and the Canadian Broadcast Corporation, the story revealed how the slipshod enforcement of safety rules at McWane, Inc. led to work-related injuries and deaths.
- **Aaron Bernstein**, **Peter Engardio** and **Manjeet Kripalani** of *Business Week* won in Business Reporting for "Is Your Job Next?" Their investigation revealed how some American corporations are moving white-collar jobs to other developed countries.
- **Daniel Golden** of *The Wall Street Journal* won in Education Reporting for a series of articles demonstrating the practice of favoritism toward white children of alumni and prospective donors used in admitting students to selective colleges and universities.

# AAAS Science Journalism Awards



The AAAS Science Journalism Awards represent the pinnacle of achievement for professional journalists in the science writing field. The awards recognize outstanding reporting for a general audience and honor individuals (rather than institutions, publishers or employers) for their coverage of the sciences, engineering and mathematics.



**CATEGORIES:** Six awards will be presented in the following categories:

|                    |              |
|--------------------|--------------|
| ☆ Large newspapers | ☆ Radio      |
| ☆ Small newspapers | ☆ Television |
| ☆ Magazines        | ☆ Online     |

**DEADLINE: August 1**

**DETAILS: [www.aaas.org/SJAwards](http://www.aaas.org/SJAwards)**

SPONSORED BY:

- **Michael Hudson, Taylor Loyal and Stephanie Mencimer** won in Magazine Reporting as part of *Southern Exposure's* investigative reporting team for "Banking on Misery." The series exposed predatory lending practices at leading financial institutions.
- **Charles Lewis and Maud Beelman** were on a team of more than 20 journalists at The Center for Public Integrity who received the first award given for Internet Reporting. The winning report: "Windfalls of War: U.S. Contractors in Iraq and Afghanistan." The team included: **Aron Pilhofer, Andre Verloy, Laura Peterson, Daniel Politi, Teo Furtado, Alex Knott, Susan Schaab, Brooke Williams.**
- **Flynn McRoberts, Cam Simpson and Liz Sly** of the *Chicago Tribune* won in National Reporting for "Tossed Out of America." The series revealed how the U.S. government abused federal ethnic and racial profiling practices to target Muslim men living in the United States for deportation – though the men posed no threat to national security.
- **Duff Wilson, Brian Joseph** and Sheila Farr of *The Seattle Times* won in Local Reporting for "The Art of Deception," an investigation into forged Asian art that spurred federal and state inquiries and ended in the closing of a gallery. Joseph, a former intern at *The Seattle Times*, has now joined *The* (Palm Beach, Calif.) *Desert Sun*.

### Society of American Business Editors and Writers: Best in Business

- **Chris Adams, Alison Young** and Jim Asher of Knight-Ridder Newspapers won in Special Projects (Real Time) for "Risky Rx."
- **Trebtor Banstetter** of the *Fort Worth Star-Telegram* won in Breaking News (Large Newspapers) for "American Dodges Bankruptcy Filing."
- **Adam Bell** and Tony Mecia of *The Charlotte (N.C.) Observer* won in Breaking News (Medium Newspapers) for "Pillowtex Fold: 7,650 Go Jobless."
- **Jennifer Dixon** and **Jeff Taylor** of the *Detroit Free Press* won in Special Projects (Large Newspapers) for "The Ford Crown Victoria: A Free Press Investigation."
- **Theo Francis**, Kate Kelly, Susanne Craig and Ianthe Jeanne Dugan of *The Wall Street Journal* won Breaking News (Giant Newspapers) for "The Day that Grasso Quit."
- **Lucretia Lagnado** of *The Wall Street Journal* won in Special Projects (Giant Newspapers) for "The Hidden Injustices of Hospital Bills."
- **Dion Lefler** and Molly McMillin of *The Wichita (Kan.) Eagle* won in Special Projects (Small Newspapers) for "Shifting Winds: Boeing's Global Push."
- **Edward Mason** of the *Boston Business Journal* won in Breaking News (Weekly Newspapers) for "Fleet Aftermath."

- **Susan Moeller** and **Alicia Blaisdell-Bannon** of the *Cape Cod (Mass.) Times* won in Special Projects (Small Newspapers) for "Streets of Serro."
- **Chris Roberts** and R. Kevin Dietrich of *The (Columbia, S.C.) State* won in Spot Enterprise (Medium Newspapers) for "Regulators Knew Problems of Carolina Investors in '99."
- **Luke Timmerman, Drew DeSilver, Kyung Song, David Bowermaster, Tom Boyer, Dominic Gates, Stephen H. Dunphy and Shirleen Holt** of *The Seattle Times* won in Breaking News (Large Newspapers) for "Boeing Shakeup."
- **Dan Tracy** and **Bob Shaw** of the *Orlando (Fla.) Sentinel* won in Special Projects (Large Newspapers) for "Building Homes: Building Problems."
- **Christian Wihtol** of *The (Eugene, Ore.) Register-Guard* won in Spot Enterprise (Small Newspapers) for "Company Made Millions in Profits from Land Deals."
- **Christian Wihtol** and **Sherri Buri McDonald** of *The (Eugene, Ore.) Register-Guard* won in Special Projects (Small Newspapers) for "Unlucky Breaks."
- **Bernard Wolfson, Chris Knap, William Heisel, Mark Katches, Cathy Lawhon, and Kate Butler** of *The Orange County (Calif.) Register* won in Special Projects (Large Newspapers) for "Hospital Report Card."

## Commentary, resources and training for those who write about business

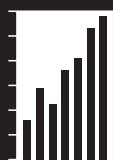
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Business journalism training for *all* journalists



Donald W. Reynolds  
**National Center**  
for **Business Journalism**  
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Reston, VA 20191

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703-715-3329

Funded by a grant from the Las Vegas, Nevada-based Donald W. Reynolds Foundation.

# THE TIME IS NOW!

## PLEDGE TO IRE'S BREAKTHROUGHS DRIVE

**Hundreds of IRE members have risen to the occasion and pledged to IRE's endowment. Have you?**

**Why pledge now?** IRE has a great, one-time opportunity to achieve financial security and permanent support – support for IRE's critical mission of teaching and promoting excellence and superior credibility in watchdog journalism.

But we need your immediate help to do this.

The Knight Foundation has given a \$1 million matching grant to IRE. For every two dollars we raise, we get \$1 from the grant. If we fully match the Knight grant by the end of the 2005 fiscal year, we will reach our goal of \$5 million endowment as we celebrate our 30th anniversary.

**How can an endowment fund IRE's future?** The endowment's investment income – joined with our membership and training fees – will ensure that IRE's core activities will have solid financial support every year. It also means we can continue to improve our programs that help every journalist – print, broadcast or online – to do a better job every day.

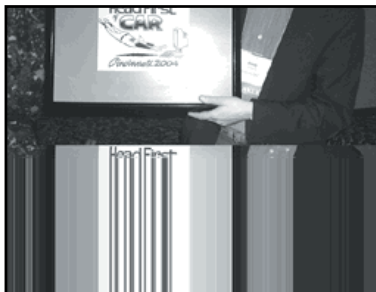
Over the past decade, IRE has provided affordable training to tens of thousands of journalists, many of whom have become the best in the business and gone on to win awards and to become our top teachers.

We want to be there for all journalists in the coming years and further our tradition of improving their skills and abilities to conceive and execute the most important stories. The need for well-trained and well-grounded journalists is greater than ever as they confront more complex stories and face more challenges in keeping government and businesses open and accountable for their actions.

**What can you do?** Please consider making a meaningful pledge to IRE's endowment. It's simple: Fill out the donation form on the right and send it to IRE. Remember that every dollar you give will be matched and increased by 50 cents.

## ENDOWMENT NEWS

We are pleased to report that more than 80 individual IRE members responded to our end-of-year endowment appeal and donated or pledged more than \$100,000. Thanks for supporting IRE! Of those members, nearly half were making their first pledges to the Breakthroughs drive.



At the Cincinnati CAR Conference, March 12-14, we raised more than \$400 for the IRE endowment through a raffle for the original working sketch of the CAR conference logo by *The Cincinnati Enquirer's* Pulitzer Prize-winning cartoonist Jim Borgman.

After 20 lucky winners claimed coveted IRE tote bags, Andy Lehren's name was drawn as the grand-prize winner. Congratulations to Andy and IRE's endowment!

Our Advisory Board is growing. We are pleased to announce some exciting recent additions:

- **Ruth Ann Harnisch**, former journalist, current IRE member and philanthropist.
- **Roberta Baskin**, award-winning investigative broadcaster.
- **David Cay Johnston**, Pulitzer Prize-winning reporter for *The New York Times*.
- **Geneva Overholser**, Curtis B. Hurley Chair in Public Affairs Reporting at the Missouri School of Journalism.

**Q:**

*I want to help IRE now, while the Knight matching program is still in effect, but I can't donate a large sum today. What are my options?"*

**A:**

Make a multiyear pledge: fill out the pledge form on the right, and indicate that you would like to pay toward your pledge over three, four or five years. The Knight match will apply to the full amount donated!

# BREAKTHROUGHS

Please make your annual contribution to IRE!

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

Neal Shapiro, Campaign Co-Chair  
President, NBC News

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

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

## FUNDING IRE'S FUTURE

### CELEBRATE IRE'S 30TH ANNIVERSARY! PLEDGE IN THE YEAR OF WATCHDOG JOURNALISM

Your support is vital to the future of IRE and helps ensure IRE will remain a vibrant journalism organization. Please make a gift to IRE's endowment fund today!

Begun in year 2000 to provide a long-term source of funding for IRE's programs, the endowment drive has grown to nearly \$2 million. With a goal of \$5 million, the second phase of the drive, "Breakthroughs," is aimed at reaching that goal during the celebration of IRE's 30th anniversary.

The endowment fund will support IRE's extensive training programs, the resource center, database library, publications, the ever-expanding IRE Web site and underwrite IRE's initiatives for investigative journalism. The fund is already starting to generate significant

monetary support for IRE from the endowment investment income.

Current and former leaders of IRE already have pledged a total of more than \$100,000 and they hope you will join them in this crucial endeavor.

Donations from IRE members show strong internal support for IRE and encourage media corporations, foundations and other philanthropists to give.

Furthermore, under a \$1 million partial matching program, the John S. and James L. Knight Foundation has pledged to give \$1 for every \$2 you give.

IRE stands for – and promotes – the best in journalism. Help us make sure IRE will always be here to help you.

To make a contribution, please use the form below, visit [www.ire.org/endowment](http://www.ire.org/endowment) or phone

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# Top investigative work named in 2003 IRE Awards

BY THE IRE JOURNAL

An astonishing story of brutal war crimes by *The* (Toledo, Ohio) *Blade* and a book on the American tax system by David Cay Johnston took top honors in the 2003 IRE Awards.

The *Blade* team uncovered the story of an elite U.S. unit called Tiger Force that went on a seven-month rampage in Vietnam in 1967 killing hundreds of unarmed civilians. Reporters Michael Sallah, Mitch Weiss and Joe Mahr tracked down 43 former Tiger Force soldiers, many of whom are haunted by the atrocities they committed or watched. (The story was detailed in the March-April edition of *The IRE Journal*.)

The book by Johnston, "Perfectly Legal: The Covert Campaign to Rig Our Tax System to Benefit the Super Rich – and Cheat Everybody Else" (Penguin Group USA), combined compelling anecdotes with exhaustive big-picture research to convey vital information about arcane tax policy in a way that can be understood by general readers. The contest judges noted Johnston's tenure as a reporter with *The New York Times*.

"His years of covering the intricacies of America's loophole-ridden tax system and the wealthy who take advantage of it have paid off in a book that should anger every citizen," they said.

The annual awards of IRE recognize outstanding investigative work in 15 categories, most of them based on market or circulation size. The categories are separated into print, broadcast, online media and work that demonstrates superior use of freedom of information and open records laws.

IRE judges recognized a wide range of work that included investigations into a major nonprofit environmental organization, a decrepit and unsafe school system, the perils of overseas volunteer work, flaws in U.S. energy policy and international water policy, workplace dangers, sexual assaults at the Air Force Academy, and hotels for the homeless.

The IRE Awards program is unique in its efforts to avoid conflicts of interest. Work that includes any significant role by a member of the IRE Board of Directors or an IRE contest judge may not be entered in the contest. This often represents a significant sacrifice on the part of the individual – and often an entire newsroom – who may have done outstanding investigative work. For example, this year *The Seattle Times*, *The Atlanta Journal-Constitution*, the *Wisconsin State*

*Journal*, *WCNC-Charlotte* and *WEWS-Cleveland* were unable to enter the contest.

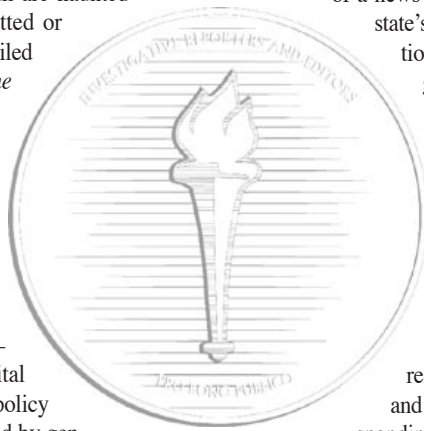
IRE's Freedom of Information Award went to a team from the (Sioux Falls, S.D.) *Argus Leader* for exposing a massive secret pardons program rife with questions and conflicts for the governor. The team included David Kranz, Stu Whitney, Terry Woster, Jon Walker and Patrick Lalley.

"The *Argus Leader's* work is a sterling example of a news organization working around a state's inadequate freedom of information law to monitor the affairs of a government's executive branch," the judges said.

For a second straight year, an IRE Certificate was awarded to Phil Williams and Bryan Staples of *WTVF-Nashville* for investigating state government. Despite ethics reforms, the team documented continued cozy relationships between politicians and lobbyists as well as questionable spending practices by the University of Tennessee president.

## Other certificate winners:

- Joe Stephens and David B. Ottaway of *The Washington Post* for "Big Green," a report on the Nature Conservancy that found sweetheart land deals for insiders, drilling for oil in sensitive habitats, and a board of directors with executives from corporations known more for causing environmental problems than curing them behind the environmental icon.
- Debbie Cenziper and Jason Grotto of *The Miami Herald* for "Crumbling Schools," an exposé of decrepit, unsafe conditions in Miami school classroom buildings that led to the resignation of the superintendent and top building officials and state scrutiny.
- Russell Carollo and Mei-Ling Hopgood of the *Dayton Daily News* for "Casualties of Peace," a gripping examination of thousands of assaults, robberies, rapes and even murders since 1990 that turned Peace Corps volunteers into victims around the world.
- Phoebe Zerwick and Les Gura of the *Winston-Salem Journal* for "Murder, Race, Justice: The State vs. Darryl Hunt," the story of a man who was sent to prison for 19 years for a crime he did not commit and the racial attitudes and scientific evidence involved in the case.



- Julie Jargon of *Westword* for "The War Within" about sexual abuse and rape at the U.S. Air Force Academy, and its honor system.
- A team including David Barstow, David Rummel, Neil Docherty, Lowell Bergman, Linden MacIntyre, Robin Stein, James Sandler, Nelli Kheyfets, Remy Weber, Jason Maloney, Lynda Baril, Louis Wiley Jr., David Fanning, Ann Derry and Lawrie Mifflin from PBS Frontline, New York Times Television and the Canadian Broadcasting Corporation for "A Dangerous Business," a disturbing investigation into how the McWane Corporation has amassed more safety violations than all of its major industry competitors combined, leaving employees maimed and killed. The investigation also exposed how ineffective OSHA policies have failed to protect employees.
- Jeff Harris, John Ferrugia, Kurt Silver, Jason Foster and Byron Grandy of *KMGH-Denver* for "Honor and Betrayal: Scandal at the Academy," a look at the rapes and coverups at the U.S. Air Force Academy that helped prompt changes.
- Donald L. Barlett and James B. Steele of *Time* for a series of stories about "U.S. Energy Policy," that used exhaustive research and clear, real-life examples to show how America's failure to stick to a consistent energy policy and its special-interest legislation for energy firms amount to an unnecessary hidden tax on Americans.
- Andrea Bernstein and Amy Eddings of *WNYC-New York Public Radio* for "Handshake Hotels," an absorbing report inside the ramshackle world of New York City's "Hotels for the Homeless Program" and the lax regulations and poor communication that allowed administrators to spend \$180 million a year on dangerous, dirty and derelict housing for the city's needy population.
- William Marsden, Maud Beelman, Bill Allison, Erika Hobbs, Daniel Politi, Aron Pilhofer, Andre Verloy, Laura Peterson and Samiya Edwards of the Center for Public Integrity for "The Water Barons," a sweeping, worldwide look at outbreaks of disease, unaffordable drinking water and lack of oversight as a result of water policies gone awry.
- John Frank, Jamie Dougher, Matt Hanson, Joe Rauch and Lynne Shallcross of *The Daily Tar Heel* for "Raising the Cap," a six-part series examining the University of North Carolina's plans to increase enrollment of out-of-state students.

This year the judges chose again to give a special citation for international work. The citation went to Gerald Ryle and Brian Robins of *The Sydney Morning Herald* in Australia. The reporters uncovered how public property across the country was being leased to corporations, wealthy individuals and political donors at rates far below market value.

The IRE Awards will be presented during the June 19 luncheon at the IRE Annual Conference in Atlanta. The conference, scheduled for June 17-20 at the Atlanta Marriott Marquis, will feature many of the winners speaking about the techniques they used to develop their stories.



# 2003 IRE AWARDS WINNERS AND FINALISTS

## NEWSPAPERS

### LARGEST NEWSPAPERS (MORE THAN 500,000) OR WIRE SERVICE

**CERTIFICATE**  
**“Big Green,”** *The Washington Post*, Joe Stephens and David B. Ottaway

**JUDGES’ COMMENTS:**  
*The Post* set out to profile an icon of environmentalism, the nonprofit Nature Conservancy, and uncovered a scandal. Joe Stephens and David Ottaway dug beneath the nonprofit’s white-knight public image to find sweetheart land deals for insiders, drilling for oil in sensitive habitats, and a board of directors with executives from corporations known more for causing environmental problems than curing them.

- FINALISTS**
- **“Twenty Years and Still Paying,”** *The Wall Street Journal*, Lucette Lagnado
  - **“Pharmaceutical Roulette,”** *The Washington Post*, Mary Pat Flaherty and Gilbert M. Gaul
  - **“Stealth Merger: Drug Companies and Government Medical Research,”** *Los Angeles Times*, David Willman and Janet Lundblad
  - **“Betrayal in the Ranks,”** *The Denver Post*, Amy Herdy and Miles Moffeit

### LARGE NEWSPAPERS (250,000-500,000)

**CERTIFICATE**  
**“Crumbling Schools,”** *The Miami Herald*, Debbie Cenziper and Jason Grotto

**JUDGES’ COMMENTS:**  
 Reporters Jason Grotto and Debbie Cenziper exposed decrepit, unsafe conditions in Miami school classroom buildings, hampering the education of thousands of students. The conditions persisted, even though the school district had spent \$6 billion on construction and repairs in recent years. The reporters documented horrendous delays, fire and safety hazards, conflicts of interest and bad business deals. Their findings led to the resignation of the superintendent and top building officials and state scrutiny.



## FINALISTS

- **“U.S. Olympians had failed drug tests,”** *The Orange County Register*, Scott M. Reid, William Heisel and Tony Saavedra
- **“Damaged Lives: Lead’s Toxic Toll,”** *Detroit Free Press*, Emilia Askari, Tina Lam, Megan Christensen, Marsha Low, Hugh McDiarmid Jr., Dan Shine, Shawn Windsor and Wendy Wendland-Bowyer
- **“Shell Game,”** *The Times-Picayune*, Aaron Kuriloff and Jeffrey Meitrodt
- **“Silent Alarm,”** *The Kansas City Star*, Karen Dillon and Mike McGraw

## Elite unit savaged civilians in Vietnam

**DAY ONE OF A FOUR-DAY SERIES**

|                                                                                                                                                                                                                                  |                                                                                                                                                                               |                                                                                                                                                                                |                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>TODAY</b></p> <p>The history of the elite Tiger Force unit in Vietnam is traced in the opening article, and by the end of the day, the unit's role in the military and its impact on the civilian population is clear.</p> | <p><b>MONDAY</b></p> <p>The story of the elite Tiger Force unit is continued, focusing on the unit's operations and the impact of its actions on the civilian population.</p> | <p><b>TUESDAY</b></p> <p>The story of the elite Tiger Force unit is continued, focusing on the unit's operations and the impact of its actions on the civilian population.</p> | <p><b>WEDNESDAY</b></p> <p>The story of the elite Tiger Force unit is concluded, focusing on the unit's operations and the impact of its actions on the civilian population.</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

STORIES BY MICHAEL D. SALLAH, MITCH WEISS, AND JOE MAHR • ILLUSTRATION BY BLAINE FEIST

### MEDIUM NEWSPAPERS (100,000 - 250,000)

**MEDAL**  
**“Buried Secrets, Brutal Truths,”** *The Toledo, Ohio Blade*, Michael D. Sallah, Mitch Weiss and Joe Mahr

**JUDGES’ COMMENTS:**  
 An astonishing story of brutal war crimes that stayed hidden for more than 35 years. Starting with a handful of memos found among old Army records, the *Blade* team uncovered the story of an elite unit called Tiger Force that went on a seven-month rampage in Vietnam in 1967 that killed hundreds of unarmed civilians, including women and children. Reporters Michael Sallah, Mitch Weiss and Joe Mahr tracked down 43 former Tiger Force soldiers, many of whom are haunted by the atrocities they committed or watched.

**CERTIFICATE**  
**“Casualties of Peace,”** *Dayton Daily News*, Russell Carollo and Mei-Ling Hopgood

**JUDGES’ COMMENTS:**  
 A gripping examination of what can happen when young, inexperienced Peace Corps volunteers are sent to dangerous places with little training or supervision. Reporters Russell Carollo and Mei-Ling Hopgood uncovered stories of the thousands of assaults, robberies, rapes and even murders since 1990 that turned Peace Corps volunteers into victims around the world.

## Copies of Entries

Copies of all contest entries are available from the IRE Resource Center ([www.ire.org/resourcecenter](http://www.ire.org/resourcecenter)). The center can be reached at [rescenter@ire.org](mailto:rescenter@ire.org) or 573-882-3364.

## FINALISTS

- **“Profiting from Public Service,”** *Asbury Park Press*; Tom Baldwin; Bill Bowman; Alan Guenther; John Hazard; Rick Hepp; Pamela Kropf; Sandy McClure; Jason Method; Jean Mikle; Colleen O’Dea; James W. Prado Roberts; Richard Quinn; Erik Schwartz; Joseph P. Smith; Fred Snowflake; Lilo H. Stainton; Michael Symons; Jonathan Tamari and Paul D’Ambrosio
- **“The Station Fire,”** *The Providence Journal*; Paul Parker, Mark Arsenault, Tracy Breton, Michael Corkery, Cathleen F. Crowley, Edward Fitzpatrick, Jennifer Levitz, Michael P. McKinney, Zachary R. Mider, Tom Mooney and Jessica Resnick-Ault

### SMALL NEWSPAPERS (UNDER 100,000)

**CERTIFICATE**  
**“Murder, Race, Justice: The State vs. Darryl Hunt,”** *Winston-Salem Journal*, Phoebe Zerwick and Les Gura

**JUDGES’ COMMENTS:**  
 On the surface, the trial of Darryl Hunt was a simple case of rape and murder. But it became much more – a mirror of racial attitudes and a test of scientific evidence that shook a North Carolina city for nearly two decades. The stories – and the well-done supplemental material on the paper’s Web site – masterfully describe how Hunt went to prison for 19 years for a crime he did not commit. This is a fascinating story that works both as an investigation of a flawed case and a peel-the-onion profile of the people who tried, and failed, to make the system work.

## FINALISTS

- **“Radioactive water flowed to thousands of homes,”** *Pensacola News Journal*, Scott Streater
- **“Deep Trouble: The Gulf in Peril,”** *Naples Daily News*; Cathy Zollo, Eric Staats, Janine Zeitlin, Jeremy Cox, Alan Scher Zagier, Chad Gillis, Dianna Smith, Gina Edwards, Michael Peltier, Eric Strachan and Kori Rumore
- **“Deadly Force,”** *The Virgin Islands Daily News*, Lee Williams
- **“Taken For A Ride,”** *The Charleston Gazette*, Eric Eyre and Scott Finn

### LOCAL CIRCULATION WEEKLIES

**CERTIFICATE**  
**“The War Within,”** *Westword*, Julie Jargon

**JUDGES’ COMMENTS:**  
 “The War Within” is a great example of tackling a sensitive story at a powerful institution. Using an e-mail tip sent to all the local media, *Westword* beat all its competitors into print with the story of sexual abuse and rape at the Air Force Academy. While parts of this story were reported piecemeal over the years, the paper brought it all together. *Westword* followed its original story with a hard-hitting look at the Air Force Academy’s honor system.

## FINALISTS

- **“Don’t Drink the Water,”** *New Times Broward-Palm Beach*, Bob Norman
- **“Prescription For Profit and A Tale of Two Hospitals,”** *Metro Times*, Curt Guyette
- **“Dearth & Taxes,”** *Metro Times*, Lisa Collins
- **“Death, Maiming, Money and Muni,”** *SF Weekly*; Peter Byrne

TELEVISION

NETWORK/SYNDICATED

CERTIFICATE

**“A Dangerous Business,”** PBS Frontline/New York Times Television/Canadian Broadcasting Corporation; David Barstow, David Rummel, Neil Docherty, Lowell Bergman, Linden MacIntyre, Robin Stein, James Sandler, Nelli Kheyfets, Remy Weber, Jason Maloney, Lynda Baril, Louis Wiley Jr., David Fanning, Ann Derry and Lawrie Mifflin

JUDGES’ COMMENTS:

A disturbing investigation into what is considered one of the most dangerous companies in America. Frontline showed how the McWane Corporation has amassed more safety violations than all of its major industry competitors combined, leaving employees maimed and killed. Frontline’s investigation led to criminal charges against McWane managers and forced OSHA to implement tougher enforcement policies.



**FRONTLINE®**

FINALISTS

**“Chasing the Sleeper Cell,”** PBS Frontline/New York Times Television; David Rummel, Lowell Bergman, Matthew Purdy, Remy Weber, James Sandler, Jason Maloney, Erika Trautman, Louis Wiley Jr., David Fanning, Ann Derry and Lawrie Mifflin

**“Nuclear Smuggling Project,”** Primetime Thursday, ABC News; Brian Ross, Rhonda Schwartz, David Scott, Yoruba Richen and Gerilyn Curtin

**“Weapons of Mass Destruction,”** CBS News/60 Minutes; Christiane Amanpour, Andrew Tkach, Alissa Krinsky, Lucy Fox, Mila Taubkina, Chris Everson, Ian Robbie, Anton van der Merwe, Stephen Milne and Diana Calvert

TOP 20 MARKETS

CERTIFICATE

**“Honor and Betrayal: Scandal at the Academy,”** KMGH-Denver; Jeff Harris, John Ferrugia, Kurt Silver, Jason Foster and Byron Grandy

JUDGES’ COMMENTS:

KMGH committed substantial resources and effort to lead the way on what is one of the biggest investigative stories of the year: the rapes and cover-ups at the United States Air Force Academy. From the first allegations of sexual assault to the massive shake-up of academy administration, this local news station owned the story – prompting changes throughout the military.

FINALISTS

**“State of Denial,”** WFAA-Dallas; Brett Shipp, Mark Smith and Kraig Kirchem

**“Housing Investigations,”** WESH-Orlando; Stephen Stock, Michelle Meredith, Shannon Hori, Dave McDaniel, Kathy Marsh, Travis J. Sherwin, Jim Payne, Peter A. Deli, Mark Rice and Jason Morrow

Video Excerpts

Video-streamed excerpts of television category winners and finalists can be found at the IRE Web site (<http://notes.ire.org/broadcast/videostream.html>).

BELOW TOP 20 MARKETS

CERTIFICATE

**“Perks of Power,”** WTVF-Nashville, Phil Williams and Bryan Staples

JUDGES’ COMMENTS:

WTVF’s documentary of abuses of power by state legislators and the president of the University of Tennessee is yet another example of this station’s commitment to investigative journalism. In the wake of ethics reforms at the state Capitol, hidden cameras revealed cozy relationships continue between politicians and lobbyists. In a separate exposé, Williams artfully documented how the university president was spending for personal gain, while he was cutting the budget at the expense of students. Both projects changed the face of Tennessee, prompting the resignation of the president and placing new restrictions on lobbyists at the capitol.



FINALISTS

**“Still Drunk, Still Driving,”** WITI-Milwaukee, Bob Segall and Michele Murray

**“Lake Kahola: A City Manager’s Ethical Abyss,”** KAKE-Wichita, Paul Aker and Craig Lee

**“Archdiocese Investigation,”** WCPO-Cincinnati, Laure Quinlivan and Phil Drechsler

OTHER MEDIA

MAGAZINE/SPECIALTY PUBLICATION

CERTIFICATE

**“U.S. Energy Policy,”** Time, James B. Steele and Donald L. Barlett

JUDGES’ COMMENTS:

Exhaustive research and clear, real-life examples show how America’s failure to stick to a consistent energy policy and its special-interest legislation for energy firms amount to an unnecessary hidden tax on Americans. Particularly outrageous were the findings about the synfuels credit – the “spray and pray” process and lack of logic that is costing taxpayers millions of dollars.



FINALISTS

**“Big Money On Campus,”** U.S. News & World Report; Megan Barnett, Julian E. Barnes and Danielle Knight

**“The Texas Clemency Memos,”** Freelance, Alan Berlow and Toby Lester

**“Inside the War on Terrorism,”** U.S. News & World Report; David E. Kaplan, Monica Ekman, Laurie Lande, Aamir Latif, Ilana Ozernoy and Kevin Whitelaw

RADIO

CERTIFICATE

**“Handshake Hotels,”** WNYC New York Public Radio, Andrea Bernstein and Amy Eddings

JUDGES’ COMMENTS:

WNYC provided listeners with an absorbing report inside the ramshackle world of New York City’s “Hotels for the Homeless Program.” Lax regulations and poor communication between city departments allowed administrators to spend \$180 million a year on dangerous, dirty and derelict housing for the city’s needy population. WNYC’s reports forced the mayor to put an end to the handshake deals and begin to bring a measure of control to a rogue program.

ONLINE

CERTIFICATE

**“The Water Barons,”** Center for Public Integrity; William Marsden, Maud Beelman, Bill Allison, Erika Hobbs, Daniel Politi, Aron Pilhofer, Andre Verloy, Laura Peterson and Samiya Edwards

JUDGES’ COMMENTS:

“The Water Barons” is a sweeping, worldwide look at an issue that is rapidly escalating in the United States and elsewhere throughout the world. The graphic findings – outbreaks of disease, unaffordable drinking water, lack of oversight – paints a picture of what can happen when water policies go awry. This series could become a coverage blueprint for years to come.

FINALISTS

**“Suicide,”** Wired News, Julia Scheeres

**“Well Connected: A report on the frequent travels of the FCC and other telecommunications issues,”** Center for Public Integrity; John Dunbar, Bob Williams, Morgan Jindrich and Scott Singleton

**“Two Years Too Late?,”** Indianapolis Eye, Eileen Waldron

Coming Soon!

“The IRE Collection: Winning Investigations – 2004 edition.” A hallmark of the IRE contest is the unique entry form. Entrants provide information on how they completed their work, which techniques proved most valuable, what resources were utilized. This book will include that information and allow fellow members to learn from each other. Keep an eye on the IRE Web site ([www.ire.org](http://www.ire.org)) for publication information.



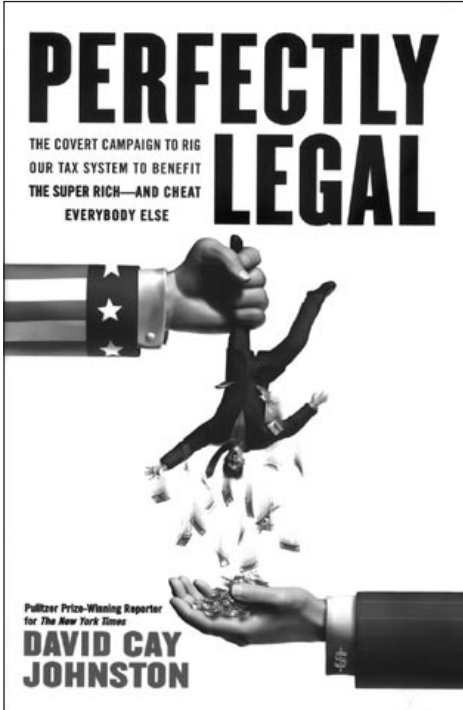
BOOKS

MEDAL

**“Perfectly Legal: The Covert Campaign to Rig Our Tax System to Benefit the Super Rich – and Cheat Everybody Else,”** Penguin Group USA, David Cay Johnston

JUDGES’ COMMENTS:

David Cay Johnston combined compelling anecdotes with exhaustive big-picture research to convey vital information about arcane tax policy in a way that can be understood by general readers. His years of covering the intricacies of America’s loophole-ridden tax system and the wealthy who take advantage of it have paid off in a book that should anger every citizen.



FINALISTS

- **“All the Rage: Rise and Fall of Shawn Fanning’s Napster,”** Crown Business, Joseph Menn
- **“The Flickering Mind,”** Random House, Todd Oppenheimer

SPECIAL CATEGORIES

**TOM RENNER AWARD**  
(No finalists)

FOI AWARD

MEDAL

**“Gov. Bill Janklow’s Pardons and Commutations,”** (Sioux Falls, S.D.) *Argus Leader*, David Kranz, Stu Whitney, Terry Woster, Jon Walker and Patrick Lalley

JUDGES’ COMMENTS:

The *Argus-Leader’s* work is a sterling example of a news organization working around a state’s inadequate freedom of information law to monitor the affairs of a government’s executive branch. What began as a single news story was the tip of the iceberg as the paper relentlessly pursued the existence of a massive secret pardons program rife with questions and conflicts for the governor. The story not only broke news, but changed South Dakota’s freedom of information laws.

FINALISTS

- **“Protecting Our Children,”** *The Kansas City Star*; Donna McGuire, Mark Morris and Grace Hobson
- **“Liberty in the Balance,”** *The Sacramento Bee*, Sam Stanton and Emily Bazar
- **“FOIAs by YDR Staff,”** *York Daily Record*; Sharon Smith, Sean Adkins, Michelle Starr, Shawn Ledington, Caryl Clarke, Jim Lynch and Rob Walters
- **“Detroit Public Schools,”** WXYZ-Detroit; Steve Wilson, Lori Webster, Dan Zacharek, Ramon Rosario and Bill Carey

STUDENT WORK (ALL MEDIA)

CERTIFICATE

**“Raising the Cap,”** *The Daily Tar Heel*, University of North Carolina; John Frank, Jamie Dougher, Matt Hanson, Joe Rauch, Lynne Shallcross and Suzanne Presto

JUDGES’ COMMENTS:

The University of North Carolina’s *Daily Tar Heel* produced “Raising the Cap,” a comprehensive six-part series examining the university’s plans to increase enrollment of out-of-state students. The student staff fought the administration for access to data comparing academic records and other factors involving in-state and out-of-state students. Staff members used a spreadsheet to examine differences and interviews that sometimes debunked arguments of the university administrators. They raised the level of debate on a crucial issue and the university responded by putting the issue on hold indefinitely.

*The Daily Tar Heel*

FINALISTS

- **“Through UT’s Back Door,”** *The Daily Texan*, University of Texas at Austin; Wes Ferguson, Jonathan York and Ben Heath
- **“Solie’s prior DWI conviction in Vermont and Sun Star lawsuit draws donations,”** *Sun Star*, University of Alaska Fairbanks; Tom Delaune and Sharice Walker
- **“Hotel Workers Held in IRS Sweep,”** *Adelante*, University of Missouri, Olivia Doerge and Ann Friedman
- **“Effluent Escalation,”** Capital News Service, University of Maryland, Dan Wilcock

SPECIAL ACKNOWLEDGMENTS

SPECIAL CITATION

FOR AN INTERNATIONAL ENTRY

**“Public Land, Private Profit,”** *The Sydney Morning Herald*, Gerard Ryle and Brian Robins

JUDGES’ COMMENTS:

A tip about a road closure led reporter Gerard Ryle of Australia’s *Sydney Morning Herald* to a well-researched series of stories that uncovered how public property across the country was being leased to corporations, wealthy individuals and political donors at rates far below market value.



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## 2004 IRE Conference to feature best in business

BY THE IRE JOURNAL

A keynote address by the editor of the *Los Angeles Times* on investigative journalism and showcase panels on investigating civil rights, bringing an investigative culture to the newsroom and deeper coverage of infectious diseases will be highlights of the IRE Annual Conference June 17-20.

The *Times'* John Carroll will offer the address at the Atlanta Marriott Marquis during the conference's annual awards luncheon on Saturday, June 19. Under Carroll's leadership, the *Times* has won numerous

awards, including a Pulitzer Prize for investigative reporting and an IRE Award last year.

Conference organizers have planned more than 80 panels over the four-day gathering with more than 200 top journalists and other experts speaking on how to improve coverage of every beat and topic at every size and medium of news organization.

Organizers especially have focused on issues that will present new challenges to journalists. The first showcase panel, "Emerging infectious diseases:

Are we missing the story of the new millennium?" is scheduled for Friday, June 18, and will be moderated by Marilyn Thompson, newly named editor of the *Lexington (Ky.) Herald-Leader* and author of "The Killer Strain: Anthrax and A Government Exposed." Other panelists will include Dr. Sanjay Gupta of CNN and Maryn McKenna, a science and medicine writer at *The Atlanta Journal-Constitution*.

Another special panel will be "Covering mental health and trauma issues" on Friday evening at the Carter Presidential Center, with support from the Dart Center for Journalism & Trauma. A reception at the center will follow the panel.

Always-popular speakers Donald Barlett and James Steele, of Time Inc., will talk about how they conceive and carry out their ground-breaking investigations on Saturday, June 19, just before the Awards Luncheon.

Immediately following the Saturday luncheon, journalism leaders from around the country will provide their blueprints on "How to create an investigative culture in your newsroom." Julia Wallace, editor of *The Atlanta Journal-Constitution*, will moderate this session. Other speakers will include Greg Moore, editor of *The Denver Post*, Frank Blethen, publisher and CEO of *The Seattle Times*, and Mike Devlin, news director at KHOU-Houston.

"Investigating civil rights, then and now" will be moderated by Hank Klibanoff, managing editor for news at *The Atlanta Journal-Constitution*, and will include Rep. John Lewis, D-Georgia, and Laura Washington, *Chicago Sun-Times* columnist and former publisher of *The Chicago Reporter*, on Saturday afternoon.

On Sunday morning, Cynthia Tucker, editorial page editor of *The Atlanta Journal-Constitution*, will moderate a panel that looks at "Investigating history: What authors and documentarians can teach us." Steve Oney, author of "And the Dead Shall Rise: The Murder of Mary Phagan and the Lynching of Leo Frank," will be among the panelists.

### Optional Day offerings

The Thursday, June 17, "Optional Day" will feature panels that focus on using computer-assisted reporting techniques to give investigative stories more depth and context. Topics to be addressed will include using data to cover education, racial disparity, workplace dangers, census, environment, justice issues, military and national security, health care, mapping, campaign finance, and local and state government. Other panels will offer tips on using the Internet to background people and businesses, as well as what you're missing on the "invisible Web."

One special track this year will feature using CAR techniques to cover a story from start to finish, including choosing the story, fighting for the data, what to do with the data and how to put it all together. Another special track is one broadcasters won't want to miss. The track will address blending CAR into television reporting, finding CAR story ideas, managing a tipline, and writing, shooting and editing the CAR story.

In addition, there will be a special skills track for broadcasters, concentrating on the nuts and bolts of shooting and presenting investigative stories.

A bonus Criminal Justice Track, co-sponsored by Criminal Justice Journalists and the National Center for Courts and Media of National Judicial College will be offered Thursday afternoon with panels that include "How to cover the federal justice system," "Prisons and sentencing: How are



### KEYNOTE

Keynote speaker John Carroll, was named editor of the *Los Angeles Times* in April 2000. The paper has won eight Pulitzer Prizes since then. He came to the *Times* from *The (Baltimore) Sun*, where he served as editor from 1991 to 2000.

budget-strapped states coping?" and "DNA: Getting the facts about the science and the law."

## Special events

Other special events or offerings include tours – or mobile panels – to the National Centers for Disease Control and Prevention, the Martin Luther King Jr. historical site and a reception at the Carter Presidential Center and its museum for those attending the mental health panel at the center.

The broadcast Show & Tell, a traditional favorite for television journalists, will be back, as will the Poynter Institute's one-on-one mentoring for TV reporters.

Hands-on computer-assisted reporting training will be offered throughout the weekend on using spreadsheets and database managers. A CAR demo room will provide small workshops by journalism CAR experts on tools and techniques reporters can put to use every day. The IRE staff will be available to answer questions and review databases included in the expanding data library of IRE and the National Institute for Computer-Assisted Reporting.

Make sure you plan to stay at the conference through midday Sunday. A special program has been planned for the last day of the conference that will feature not only the special history panel, but also sessions on career-building sessions for print and broadcast journalists and better writing.

And speaking of building careers, the conference will offer an opportunity of in-depth, one-on-one coaching on investigative reporting. Along with the Poynter sessions for broadcasters, those registering will have a chance to sign up for mentoring sessions with accomplished print reporters and editors who have significant experience. These private sessions will allow attendees to seek advice on challenging stories or follow-up ideas. Watch the Web site for sign-up information.

The conference also will allow plenty of time for networking and socializing. The annual Blues Bash will be Thursday night at a local venue for live blues and socializing. You may purchase advance tickets for \$15 when you register for the conference. Otherwise, you may purchase tickets at the conference sales table or at the door (if still available) for \$20.

Buses, sponsored by the Dart Center for Journalism & Trauma, will depart the hotel on Friday at 5:30 p.m. to help conference-goers to get to the showcase panel at the Carter Center. The panel and reception are free, but you will need to register in advance.

On Saturday night, the conference host, *The*



*Atlanta Journal-Constitution*, will hold a reception for all attendees on the Skyline Level of the hotel. Don't miss this opportunity for a picturesque view of Atlanta and some good conversation. The reception is free and will include complimentary hors d'oeuvres and a bar.

## IRE business

As noted, the 2003 IRE Awards will be presented during the Saturday luncheon. The awards program allows members to salute the best investigative work of the year. The luncheon will include John Carroll's keynote.

The annual IRE membership meeting will be held after panels are finished on Saturday. The meeting will include reports by the executive director and

IRE Board treasurer, updates from various board members and new business brought up by members. Attendees also will cast ballots for those running for the IRE Board of Directors. Candidates must announce by 5 p.m. Friday, but will be formally nominated at the meeting and then make short speeches. Immediately following the board elections, there will be a separate election for two of the IRE Awards contest judges.

## LATEST LINEUP

For the latest day-by-day schedule of panels and other events, visit [www.ire.org/training/atlanta04](http://www.ire.org/training/atlanta04).

## SPONSORING ORGANIZATIONS

### Host:

*The Atlanta Journal-Constitution*

### Primary sponsors:

CNN  
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### Sponsors:

Atlanta Press Club  
*The Wall Street Journal*  
American University  
Poynter Institute  
WSB-Atlanta  
Chicago Tribune Foundation  
Dart Center for Journalism & Trauma  
The Carter Presidential Center

## REGISTER

To register for the conference, visit [www.ire.org/training/atlanta04](http://www.ire.org/training/atlanta04) or copy the form on the back of this issue of *The IRE Journal*, fill it out and fax it to 573-882-5431.

## HOTEL

This year's conference hotel is the Atlanta Marriott Marquis at 265 Peachtree Center Ave. Call 404-521-0000 or 800-228-9290 and ask for the "IRE 2004" room block.



## Congratulations to the winners of the 2004 Mongerson Prize for Investigative Reporting on the News

### *\$10,000 Mongerson Prize*

**Howard Kurtz, *The Washington Post***  
"Scandal at *The New York Times*"

### *\$1,000 Awards of Distinction*

**Jim Avila, *NBC Nightly News***  
"Jessica Lynch: Fact and Fiction"

**Michael Getler, *The Washington Post***  
for his columns questioning the coverage of the war in Iraq

### *Citation of Excellence*

**Staff, *San Antonio Express-News***  
for its work in exposing the plagiarism of Jayson Blair

The Medill School of Journalism sponsors the Mongerson Prize, honoring journalists who uncover and correct incomplete, inaccurate or misleading news stories.

The prize is the only one that recognizes journalists for serving the public interest by being watchdogs of news coverage.

Submissions for the 2005 Mongerson Prize are welcome throughout the year. Stories must have been written in the calendar year 2004. Entries are welcome from U.S.-based newspapers, magazines, radio, television, wire services or online news outlets readily available to the American public.

Applications are available on our Web site: [www.medill.northwestern.edu/awards/mongerson\\_site/index.htm](http://www.medill.northwestern.edu/awards/mongerson_site/index.htm)

**Medill** 1325 G St. NW, Suite 730  
Washington, DC, 20005



# BUDGET PROPOSAL

Organization maintains steady, conservative course in light of tight training, data budgets in newsrooms

## Proposed IRE Budget for Fiscal Year 2005 (July 1, 2004 to June 30, 2005) Combined All Programs

| Year                                         | Proposed<br>FY 2004 | Estimated<br>FY 2004 | Proposed<br>FY 2005 |
|----------------------------------------------|---------------------|----------------------|---------------------|
| <b>Membership</b>                            |                     |                      |                     |
| <b>Revenue</b>                               |                     |                      |                     |
| New Membership                               | \$60,000            | \$50,000             | \$55,000            |
| Membership-student                           | \$4,000             | \$10,000             | \$10,000            |
| Membership-international                     | \$2,000             | \$2,000              | \$2,000             |
| Membership Renewals                          | \$110,000           | \$125,000            | \$130,000           |
| Renewals-student                             | \$2,000             | \$4,000              | \$4,000             |
| Renewals-international                       | \$1,000             | \$500                | \$1,000             |
| <b>Subtotal membership</b>                   | <b>\$179,000</b>    | <b>\$191,500</b>     | <b>\$202,000</b>    |
| Journal subscriptions                        | \$7,000             | \$7,000              | \$8,000             |
| Journal ads                                  | \$55,000            | \$44,000             | \$50,000            |
| <b>Total membership revenue</b>              | <b>\$241,000</b>    | <b>\$242,500</b>     | <b>\$260,000</b>    |
| <b>Membership Service Expenses</b>           |                     |                      |                     |
| IRE Journal                                  | \$90,000            | \$80,000             | \$80,000            |
| Staff costs (membership)                     | \$75,000            | \$77,000             | \$79,000            |
| Postage and shipping                         | \$7,000             | \$6,000              | \$6,000             |
| <b>Total membership service expense</b>      | <b>\$172,000</b>    | <b>\$163,000</b>     | <b>\$165,000</b>    |
| <b>Net membership activity</b>               | <b>\$69,000</b>     | <b>\$79,500</b>      | <b>\$95,000</b>     |
| <b>Sales and Services</b>                    |                     |                      |                     |
| Book sales                                   | \$50,000            | \$48,000             | \$55,000            |
| Book costs                                   | \$35,000            | \$34,000             | \$35,000            |
| <b>Net book activity</b>                     | <b>\$15,000</b>     | <b>\$14,000</b>      | <b>\$20,000</b>     |
| Resource Center sales                        | \$20,000            | \$6,000              | \$10,000            |
| Prior/current year contributions             | \$40,000            | \$55,000             | \$50,000            |
| Resource Center salaries and expenses        | \$75,000            | \$75,000             | \$75,000            |
| <b>Net Resource Center activity</b>          | <b>\$(15,000)</b>   | <b>\$(14,000)</b>    | <b>\$(15,000)</b>   |
| Web services revenue                         | \$12,000            | \$6,000              | \$10,000            |
| Prior/current year contributions released    | \$40,000            | \$40,000             | \$40,000            |
| Web services expenses                        | \$45,000            | \$50,000             | \$50,000            |
| <b>Net Web services activity</b>             | <b>\$7,000</b>      | <b>\$(4,000)</b>     | <b>-</b>            |
| Database library revenue                     | \$100,000           | \$55,000             | \$80,000            |
| Prior/current year contributions released    | -                   | \$40,000             | \$20,000            |
| Database library salaries and expenses       | \$78,000            | \$91,000             | \$90,000            |
| <b>Net database library activity</b>         | <b>\$22,000</b>     | <b>\$4,000</b>       | <b>\$10,000</b>     |
| Uplink subscription revenue                  | \$20,000            | \$22,000             | \$25,000            |
| Uplink ads                                   | \$3,000             | -                    | -                   |
| Uplink expenses                              | \$8,000             | \$7,000              | \$8,000             |
| <b>Net Uplink activity</b>                   | <b>\$15,000</b>     | <b>\$15,000</b>      | <b>\$17,000</b>     |
| <b>Royalty revenue</b>                       | <b>\$5,000</b>      | <b>\$8,000</b>       | <b>\$8,000</b>      |
| Other sales and services revenue             | \$5,000             | \$2,000              | \$2,000             |
| Other sales and services expenses            | \$3,000             | \$6,000              | \$6,000             |
| <b>Net other sales and services activity</b> | <b>\$2,000</b>      | <b>\$(4,000)</b>     | <b>\$(4,000)</b>    |
| <b>Net sales and services activity</b>       | <b>\$51,000</b>     | <b>\$19,000</b>      | <b>\$36,000</b>     |
| <b>Conferences and Seminars</b>              |                     |                      |                     |
| <b>Annual Conferences</b>                    |                     |                      |                     |
| Registrations and fees (IRE and NICAR)       | \$150,000           | \$160,000            | \$150,000           |
| Optional CAR day                             | \$10,000            | \$15,000             | \$15,000            |
| Other revenues                               | \$20,000            | \$30,000             | \$30,000            |
| Prior/current year contributions released    | \$140,000           | \$130,000            | \$140,000           |
| <b>Total annual conferences revenues</b>     | <b>\$320,000</b>    | <b>\$335,000</b>     | <b>\$335,000</b>    |
| Conference expenses                          | \$140,000           | \$140,000            | \$140,000           |
| <b>Net annual conferences activity</b>       | <b>\$180,000</b>    | <b>\$195,000</b>     | <b>\$195,000</b>    |

BY BRANT HOUSTON  
THE IRE JOURNAL

While training and data purchasing budgets at newsrooms have not rebounded in the past year – in fact, some underwent more cuts – IRE has continued to be financially stable and steadily increased its endowment.

We met or came close to our goals on membership, books, conferences and grants, but experienced a drop in overall database revenues.

At the same time, the hard work on the endowment over the past four years is paying off.

With endowment investment income that earned more than 10 percent in returns through cautious but wise investing, we were able to fund our endowment and development efforts through our general endowment fund income. We also covered much of our resource center operations through the Pulliam endowment fund income, and helped support our Database Library and Web services in equipment and data purchases with income from the Knight endowment fund income.

The Missouri School of Journalism also remains a key supporter of our operations since it provides office space and utilities, university discounts, three graduate research assistants, and pays a portion of the executive director's and deputy director's salaries in return for teaching classes and working with students.

The Better Watchdog Workshops have continued to thrive and we have conducted more than 28 of the events – many in collaboration with other journalism organizations – for more than 2,500 journalists over the past year and a half. Because of that, the workshops are attracting grant money from foundations, news organizations and press associations for more workshops in the coming year.

On the expenditure side, we continue to run a trim administrative office with a stable staff that gets more efficient each year, holding down expenses and overseeing the most training events of any membership organization. Most members of our board of directors come from news organizations that cover many of their travel expenses when they go to meetings.

For fiscal year 2004-05, we are staying conservative in all our estimates until we see signs that our industry's revenues are definitely improving. We do plan to increase our publications and more aggressively advertise the services the Database Library can provide in analysis and training.

New publications include beat books on covering pollution, nonprofits and mapping, as well as compilation books on award-winning work and other

| Proposed IRE Budget for Fiscal Year 2005 (July 1, 2004 to June 30, 2005)<br>Combined All Programs |                  |                   |                  |
|---------------------------------------------------------------------------------------------------|------------------|-------------------|------------------|
| Year                                                                                              | Proposed FY 2004 | Estimated FY 2004 | Proposed FY 2005 |
| <b>On the road seminars</b>                                                                       |                  |                   |                  |
| Registrations and fees                                                                            | \$90,000         | \$65,000          | \$70,000         |
| Prior/current year contributions released                                                         |                  |                   |                  |
| Seminar expenses                                                                                  | \$73,000         | \$55,000          | \$55,000         |
| <b>Net on the road seminar activity</b>                                                           | <b>\$17,000</b>  | <b>\$10,000</b>   | <b>\$15,000</b>  |
| <b>Boot Camps</b>                                                                                 |                  |                   |                  |
| Registrations and fees                                                                            | \$50,000         | \$45,000          | \$45,000         |
| Prior/current year contributions released                                                         |                  | \$10,000          | \$10,000         |
| Seminar expenses                                                                                  | \$9,000          | \$17,000          | \$10,000         |
| <b>Net Boot Camp activity</b>                                                                     | <b>\$41,000</b>  | <b>\$38,000</b>   | <b>\$45,000</b>  |
| <b>Regional Conferences/Workshops</b>                                                             |                  |                   |                  |
| Registrations and fees                                                                            | \$30,000         | \$35,000          | \$50,000         |
| Prior/current year contributions released                                                         | \$65,000         | \$73,000          | \$50,000         |
| Conference expenses                                                                               | \$45,000         | \$72,000          | \$65,000         |
| <b>Net regional conference activity</b>                                                           | <b>\$50,000</b>  | <b>\$36,000</b>   | <b>\$35,000</b>  |
| Conference Fellowships                                                                            | \$15,000         | \$15,000          | \$15,000         |
| Fellowship expenses                                                                               | \$15,000         | \$15,000          | \$15,000         |
| <b>Net fellowships</b>                                                                            | <b>-</b>         | <b>-</b>          | <b>-</b>         |
| <b>Net conferences and seminar activity</b>                                                       | <b>\$288,000</b> | <b>\$279,000</b>  | <b>\$290,000</b> |
| <b>Grants and contributions</b>                                                                   |                  |                   |                  |
| Temporarily restricted/unrestricted                                                               | \$225,000        | \$250,000         | \$135,000        |
| Permanently restricted                                                                            | \$100,000        | \$300,000         | \$300,000        |
| <b>Total grant and contributions</b>                                                              | <b>\$325,000</b> | <b>\$550,000</b>  | <b>\$435,000</b> |
| <b>Other support and revenues</b>                                                                 |                  |                   |                  |
| Award contest fees                                                                                | \$28,000         | \$28,000          | \$30,000         |
| Award contest expenses                                                                            | \$10,000         | \$13,000          | \$12,000         |
| <b>Net award contest activity</b>                                                                 | <b>\$18,000</b>  | <b>\$15,000</b>   | <b>\$18,000</b>  |
| <b>Investment return</b>                                                                          | <b>\$5,000</b>   | <b>\$500</b>      | <b>\$3,000</b>   |
| <b>General Endowment Return</b>                                                                   | <b>\$40,000</b>  | <b>\$160,000</b>  | <b>\$160,000</b> |
| <b>Net other support and revenue</b>                                                              | <b>\$63,000</b>  | <b>\$15,500</b>   | <b>\$21,000</b>  |
| <b>Net program activity</b>                                                                       | <b>\$796,000</b> | <b>\$943,000</b>  | <b>\$877,000</b> |

| Proposed IRE Budget for Fiscal Year 2005 (July 1, 2004 to June 30, 2005)<br>Combined All Programs |                  |                   |                  |
|---------------------------------------------------------------------------------------------------|------------------|-------------------|------------------|
| Year                                                                                              | Proposed FY 2004 | Estimated FY 2004 | Proposed FY 2005 |
| <b>General and Administrative Expenses</b>                                                        |                  |                   |                  |
| <b>Salary and personnel costs</b>                                                                 | <b>\$363,000</b> | <b>\$369,000</b>  | <b>\$369,000</b> |
| <b>Professional services</b>                                                                      |                  |                   |                  |
| Consulting/Fundraising                                                                            | \$100,000        | \$100,000         | \$25,000         |
| Accounting                                                                                        | \$10,000         | \$12,000          | \$10,000         |
| Legal                                                                                             | \$10,000         | \$3,500           | \$8,000          |
| <b>Total professional services</b>                                                                | <b>\$120,000</b> | <b>\$115,500</b>  | <b>\$43,000</b>  |
| <b>General office expenses</b>                                                                    |                  |                   |                  |
| Telephone and fax                                                                                 | \$7,000          | \$7,000           | \$7,000          |
| Postage                                                                                           | \$3,000          | \$7,000           | \$7,000          |
| Office supplies                                                                                   | \$8,000          | \$11,000          | \$12,000         |
| Photocopying                                                                                      | \$3,000          | \$2,000           | \$2,000          |
| Insurance                                                                                         | \$8,000          | \$13,000          | \$15,000         |
| Computer supplies                                                                                 | \$1,000          | \$2,000           | \$2,000          |
| Equipment expense                                                                                 | \$4,000          | \$6,000           | \$8,000          |
| Other office expense                                                                              | \$5,000          | \$3,000           | \$3,000          |
| <b>Total general office expense</b>                                                               | <b>\$39,000</b>  | <b>\$51,000</b>   | <b>\$56,000</b>  |
| <b>Other expenses</b>                                                                             |                  |                   |                  |
| Publications/Dues                                                                                 | \$3,000          | \$2,000           | \$2,000          |
| Travel costs-board                                                                                | \$5,000          | \$7,000           | \$7,000          |
| Travel costs-staff                                                                                | \$1,000          | \$500             | \$1,000          |
| FOI conferences                                                                                   | \$1,000          | -                 | \$1,000          |
| Equipment purchases                                                                               | \$10,000         | \$14,000          | \$10,000         |
| Staff Training                                                                                    | \$5,000          | \$1,000           | \$3,000          |
| <b>Total other expenses</b>                                                                       | <b>\$25,000</b>  | <b>\$24,500</b>   | <b>\$24,000</b>  |
| <b>Total General and Administration Expenses</b>                                                  | <b>\$547,000</b> | <b>\$560,000</b>  | <b>\$492,000</b> |
| <b>Fund-raising expenses</b>                                                                      |                  |                   |                  |
| Commissions and other expenses                                                                    | \$28,000         | \$36,000          | \$5,000          |
| Promotions                                                                                        | \$2,000          | \$7,000           | \$5,000          |
| <b>Total fund-raising expenses</b>                                                                | <b>\$30,000</b>  | <b>\$43,000</b>   | <b>\$10,000</b>  |
| <b>Depreciation</b>                                                                               | <b>\$30,000</b>  | <b>\$20,000</b>   | <b>\$20,000</b>  |
| <b>Reserves</b>                                                                                   | <b>\$25,000</b>  | <b>\$10,000</b>   | <b>\$25,000</b>  |
| <b>Total Administrative Expenses</b>                                                              | <b>\$632,000</b> | <b>\$633,000</b>  | <b>\$547,000</b> |
| <b>Less Endowment Contributions</b>                                                               | <b>\$100,000</b> | <b>\$300,000</b>  | <b>\$300,000</b> |
| <b>Excess net program activity over expenses</b>                                                  | <b>\$64,000</b>  | <b>\$10,000</b>   | <b>\$30,000</b>  |

IRE resources. We also hope to attract appropriate advertising to Uplink, our newsletter on computer-assisted reporting.

We will have another active year of on-the-road training and Missouri seminars and we also will work to increase our retention of membership.

We not only plan to hold the regular computer-assisted reporting boot camps in Missouri, but also to add more specialized seminars in mapping and statistics and to increase our offerings for editors and managers in both print and broadcast.

In addition, we plan to strengthen our programs in Washington, D.C., both at the National Press Club and local universities. We have several training sessions in the works for New York City at universities there this summer and in the fall.

On the international front, we are in the midst of helping to organize training in Europe, South America and Asia, including a Pacific Rim workshop, a London investigative journalism conference, and the 2005 Global Investigative Journalism Conference in Amsterdam. In most of our training, we collaborate with other journalism organizations, meaning that we can extend our resources and get the maximum use out of every dollar.

In addition to constantly working to improve our normal operations, we will intensify our efforts on the endowment drive this year, which we are designating the year of watchdog journalism. We want to achieve our goal of \$5 million by the end of IRE's 30th anniversary year, which is 2005.

| Salaries and Benefits<br>As of July 1, 2004 |                  |                  |                  |                              |                         |
|---------------------------------------------|------------------|------------------|------------------|------------------------------|-------------------------|
|                                             | Salary           | Benefits         | Total            | Contributions or Allocations |                         |
| Executive Director                          | \$78,000         | \$22,000         | \$100,000        | \$31,000                     | Journalism school       |
| Deputy Director                             | \$72,000         | \$20,000         | \$92,000         | \$16,000                     | Journalism school       |
| Training Director                           | \$52,000         | \$15,000         | \$67,000         | \$67,000                     | Seminars                |
| Database Administrator                      | \$53,000         | \$15,000         | \$68,000         | \$68,000                     | Database Library        |
| Membership Coordinator                      | \$38,000         | \$11,000         | \$49,000         | \$49,000                     | Membership              |
| Admin Asst. Membership                      | \$23,000         | \$6,000          | \$29,000         | \$29,000                     | Membership              |
| System Administrator                        | \$35,000         | \$10,000         | \$45,000         | \$40,000                     | Grant                   |
| Web Coordinator/Advertising                 | \$32,500         | \$9,000          | \$41,500         |                              | Administrative          |
| Web Administrator                           | \$36,000         | \$10,000         | \$46,000         | \$46,000                     | Grant                   |
| Resource Center Director                    | \$41,500         | \$12,000         | \$53,500         | \$54,000                     | Endowed Post            |
| Conference Coordinator                      | \$36,000         | \$10,000         | \$46,000         | \$-                          | Administrative          |
| Campaign Finance Director                   | \$-              | \$-              | \$-              |                              |                         |
| Finance Officer                             | \$31,000         | \$9,000          | \$40,000         | \$-                          | Administrative          |
| Program Designer                            | \$20,000         | \$6,000          | \$26,000         |                              | Administrative          |
| International Admin Asst                    | \$-              | \$-              | \$-              | \$-                          | Administrative          |
| Admin Asst. Office                          | \$-              | \$-              | \$-              | \$-                          |                         |
| Receptionist                                | \$-              | \$-              | \$-              | \$-                          |                         |
| Development Officer                         | \$32,000         | \$9,000          | \$41,000         |                              |                         |
| <b>Subtotal</b>                             | <b>\$580,000</b> | <b>\$164,000</b> | <b>\$744,000</b> | <b>\$400,000</b>             |                         |
| Graduate Assistants                         | \$33,000         |                  | \$33,000         | <b>\$33,000</b>              |                         |
| Part-Time Help                              | \$10,000         |                  | \$10,000         |                              |                         |
| Student Web                                 | \$10,000         |                  | \$10,000         |                              |                         |
| Student Assistants                          | \$5,000          |                  | \$5,000          |                              |                         |
| <b>Subtotal</b>                             | <b>\$58,000</b>  |                  | <b>\$58,000</b>  | <b>\$33,000</b>              |                         |
| <b>Total</b>                                |                  |                  |                  | <b>\$433,000</b>             | Subtotal of allocations |
| <b>Total General/ Administrative</b>        |                  |                  | <b>\$802,000</b> | <b>\$369,000</b>             | Net salaries & benefits |



File clerks Gail Klugerman, left, and Todd Bechtel pull and file criminal public records in the Records Management Division of the Clerk of the Circuit Court in Sarasota.

# PUBLIC RECORDS

## Florida fails access test in joint newspaper audit

BY CHRIS DAVIS AND MATTHEW DOIG  
SARASOTA HERALD-TRIBUNE

Getting a public record in Florida is supposed to be simple.

You walk into a government agency. You ask for the record. You walk out.

No bureaucratic hassles, no questions asked.

It looks good on paper, but we wondered how well government employees were following the law.

So the *Sarasota Herald-Tribune* teamed up with 29 other Florida newspapers to test public access. The effort was the first statewide public records audit performed in the Sunshine State, one of the few in the nation where the right to access is written into the constitution.

The result of the project showed that Florida's citizens aren't treated the way the public records law intended.

Reporters posing as regular citizens were met with suspicion and anger. They were lied to, harassed and in a few cases threatened by the government officials who maintain our public records.

One volunteer was even confronted by sheriff's deputies after he asked to see the school superintendent's cell phone bill.

Overall, 43 percent of the agencies audited failed to comply with the public records law. They made unlawful demands or simply refused to turn over the records.

Reporters and other news media employees visited

234 local agencies in 62 of Florida's 67 counties. They did not identify themselves as reporters because we wanted to test how officials treated regular citizens.

From the start, the *Herald-Tribune* wanted to avoid a project that appealed only to journalists. The idea was to examine how easily real people could get public records. We also wanted to share with our readers how they could use public records to empower themselves.

The result was a two-day series that presented the findings of the audit, but also told the tales of everyday citizens who use records to act as government watchdogs. We compiled sidebars telling readers how to get records and what kind of information they could get from them. One sidebar explained how citizens could have personal information deleted from public records to protect their identities.

We also created an online database so readers around the state could view the results of the audit county by county.

The *Herald-Tribune* provided those stories to the papers that participated in the audit. Some of the papers also wrote their own stories to add to the package.

### Pooling resources

The First Amendment Foundation and the Florida Press Association started organizing the audit last

### Participating Newspapers

*Bradenton Herald, Chiefland Citizen, The Daily Commercial (Leesburg), Daytona Beach News-Journal, News-Leader (Fernandina Beach), The Florida Times-Union (Jacksonville), Florida Today (Melbourne), The Tribune (Fort Pierce), The Gainesville Sun, Herald-Advocate (Wauchula), Hernando Today, Highlands Today, The Key West Citizen, Lake City Reporter, The Ledger (Lakeland), Ocala Star-Banner, The Daily Okeechobee News, Orlando Sentinel, The Palm Beach Post, Pasco News, Press Journal (Vero Beach), Sarasota Herald-Tribune, Seminole Herald, The St. Augustine Record, St. Petersburg Times, The Stuart News, Sumter County Times, Tallahassee Democrat, Tampa Tribune and Wakulla News.*

summer, but there was lukewarm response from many Florida newspapers. By December, two months before the audit was slated to begin, the foundation had enough support to cover less than half the state.

At the same time, we were organizing an audit of our own, and we contacted the foundation to see if an audit had ever been done in Florida. When we learned that their audit was in jeopardy, we decided to pool our resources and cover the remaining counties in the state.

We also agreed to compile the data, crunch the numbers and produce the stories. We then made all of this available to the participating papers.

Our involvement caused some friction at first, and one newspaper backed out completely. But in the end, everyone else agreed the project was too important to be abandoned over competitive concerns.

Because our main objective was to illustrate to readers that public records were relevant for them, we picked agencies and documents they would find useful. We also chose documents that are easy to retrieve and clearly public.

### Resources

- A similar access project by newspapers in Washington is detailed by Paula Lavigne Sullivan, *The (Tacoma) News Tribune*, in the May-June 2002 issue of *The IRE Journal*.
- The Better Government Association conducted an analysis of state FOI laws and a joint survey with IRE of investigative journalists across the United States regarding the laws. The complete findings, along with other valuable FOI information, are available at [www.ire.org/foi](http://www.ire.org/foi).
- The Freedom of Information Center at the Missouri School of Journalism offers significant archives and other resources on FOI issues, including audits conducted across the country, at <http://foi.missouri.edu>.



## FOI REPORT

The Freedom of Information Center's compilation of previous audits in other states (<http://foi.missouri.edu/openrecseries/index.html>) was a valuable resource. We read through many of them and tailored our audit based on what we liked from others.

For the local agencies, volunteers asked for:

- The school district superintendent's latest cell phone bill. If the superintendent did not have a district-issued phone, the volunteer asked for the district's phone bill.
- The most recent job review for the city manager, or other top administrator, in each county seat. If there was no evaluation, the volunteer asked for the personnel file.
- A log of calls made to the dispatch center over the previous 48 hours. When inspection of the log was allowed, the volunteer then asked for a copy of a specific incident.
- E-mails or written correspondence between the county administrator and county commissioners over the previous week. If none existed for that time period, the most recent were requested. For this request, volunteers called in advance to give officials time to compile the records.

Documents also were requested at six state agencies.

Once we decided which records to ask for, we created a detailed protocol for the volunteers to follow. Again, we used previous audits conducted in other states as the model.

Secrecy was paramount to the success of the audit. If officials started warning counterparts in other counties that an audit was under way, the effort would be useless.

The idea was to have the reporters and other media employees pose as typical Florida citizens with only a vague understanding of the public records law. Volunteers were instructed to be polite and to ignore the instinct to fight for access when a record was denied.

Under state law, government officials can't force someone to reveal personal information to receive a public record. So, we instructed volunteers to limit the information they gave.

Questions posed by officials regarding the volunteer's identity or intent were answered with, "Is that information necessary for you to fulfill my request?"

If the volunteer was told a name was required, our protocol called for them to answer. If a reason was required, volunteers said they were simply interested in the information. But when officials pressed for more details, or insisted on a written request, the volunteer politely refused and left.

Volunteers waited up to an hour to pick up the records. If they left with the records, then that was obviously considered compliance.

We had to determine in advance what to do with cases that weren't as clear-cut. We decided that if a volunteer was told he would definitely get the records at a later date, the agency was deemed compliant, even

CONTINUED ON PAGE 39 ➤

## Privacy exemptions may prove higher hurdle than national security



JENNIFER LAFLEUR

While we've watched the federal government close records to protect our freedom, the real threat to openness has not been terrorism. It has been privacy.

In 2002, federal agencies used privacy exemptions to withhold records more than any other exemption available to them under the Freedom of Information Act.

Of FOIA's nine exemptions, two relate to privacy. Exemption 6 protects information about an individual when release of the information "would constitute a clearly unwarranted invasion of personal privacy." Exemption 7(c) protects personal information in law enforcement records.

Exemption 2, which allows information to be withheld for national security reasons, was invoked only one out of 100 times when an exemption was used.

During a fellowship with the Reporters Committee for Freedom of the Press last year, I did an analysis of annual FOI reports filed by 25 agencies from 1998 to 2002. We chose 25 agencies for which the General Accounting Office had used for previous analyses.

What we found was that those agencies invoked privacy exemptions about 380,000 times in 2002. That's about 80 percent of all instances of any exemption being invoked and was a six-fold increase from 1998. In 1998, those exemptions combined represented only about 38 percent of all exemptions.

The basis for this analysis is a document that every federal agency is required by Congress to produce – the FOIA annual report. In that report, an agency is required to record such things as how many requests it denied, how many it filled and its average processing time. For reporters making requests, it's a good document to check for reasons an agency tends to use for denying requests.

The Justice Department has links to federal agencies' annual reports on its Web site at [www.usdoj.gov/04foia/04\\_6.html](http://www.usdoj.gov/04foia/04_6.html). Many agencies' 2003 reports are now available; a few agencies are lagging.

The 2003 reports that are now available show a trend similar to 2002 in which privacy exemptions are the leading reason for withholding information.

In analyzing those reports, we found that with-

holding information because of national security concerns did not appear to increase significantly. Exemption 1, which protects classified national security information from disclosure, was actually invoked less frequently by most agencies, including the Defense Department. The State Department was an exception. It invoked this exemption at a higher rate than it had previous years – nearly 500 of the more than 3800 times it invoked an exemption. In its 2003 report, the agency says it used the exemption 736 times out of 2,425 times it invoked any exemption.

Privacy also was tucked into another exemption. Exemption 3, which exempts information specifically protected by other statutes, was used to invoke statutes that related to protecting privacy. For instance, six agencies withheld information under Exemption 3 by citing the Internal Revenue Code, which protects tax return information from disclosure. The spectrum of the use of this exemption is broad, but each agency is required to report what other exemptions it used when it invoked Exemption 3. Some seem a bit obscure. The Agriculture Department has used the Watermelon Research and Promotion Act and the Honey Research, Promotion, and Consumer Information Act to withhold information.

A law that went into effect in April 2003, the Health Insurance Portability and Accountability Act, was designed to protect patient privacy. As a result, information that journalists routinely gathered from hospitals is no longer available. In addition, local agencies that at the law's inception were not considered, are now crying HIPAA as a reason to not release information about police incidents, fires and accidents.

Privacy protection over records is not new. Congress passed the Driver's Privacy Protection Act in 1994 to protect personal information in driver records. That has curtailed reporting that relies on driver records that may have offered important stories to the public.

This move increased closure of other personally identifying information including voter records, hunting licenses, personnel records and even pet

CONTINUED ON PAGE 39 ➤

*Jennifer LaFleur is the computer-assisted reporting editor for The Dallas Morning News. She previously held a one-year fellowship with the Reporters Committee for Freedom of the Press. She is chair of IRE's First Amendment Task Force and a former training director for IRE.*

# TRACKING SEX OFFENDERS

Sexual predators come in all forms: Coaches, teachers, religious leaders, family members. And even though some are known to re-offend once they are released from prison or treatment facilities, law enforcement is often unaware of exactly where these predators are – until they devastate another life, another family.

Tracking these offenders can be difficult, frustrating and time-consuming for investigative journalists. But it can be done, as these investigations show. And the results can have an immediate and profound impact.

# OFFENDER SCREENING

## Likely predators released despite red-flag testing

BY JOHN STEFANY  
(MINNEAPOLIS) STAR TRIBUNE

It was a sensational crime: a college student kidnapped in a mall parking lot while talking to her boyfriend on her cell phone. Nine days later, the case took on an even higher profile when police arrested a recently released sex offender in the case.

Minnesota, like many states, allows high-risk sex offenders to be committed indefinitely to secure hospitals for treatment upon completion of their prison sentences. Alfonso Rodriguez Jr. had been released, however. At age 50, officials

said, his risk of re-offending was low.

Little-noticed among the information provided about Rodriguez following his arrest was the fact that he had scored 13 on a diagnostic tool called the Minnesota Sex Offender Screening Tool. Health and science reporter Josephine Marcotty, who had written previously about sex offenders, knew that a score of 13 on the MnSOST-R was high enough to trigger the commitment process. His case raised a compelling question: How many more like him were out there? The paper decided to examine the scores of other sex offenders.

The MnSOST-R is a widely used actuarial tool for predicting recidivism among adult sex offenders. The state began developing the test in 1991 after a report found that it needed a more consistent process for identifying dangerous sex offenders.

The test has 16 criteria, measuring things such as:

- The number of an offender's sex-related convictions.
- Use of force.
- Age ranges of victims.
- Prison behavior.

**continued on page 22**

# STATE REGISTRY

## System fails to keep tabs on released sex offenders

BY FRANK GLUCK  
THE (CEDAR RAPIDS, IOWA) GAZETTE

No one could find Michael Roe. Few people seemed to care. He was a twice-convicted sex offender, and he failed to turn up for a February 2003 court appearance. It caused barely a stir, even though Roe made headlines in Eastern Iowa last year when he lodged one the first legal challenges to the state's year-old law against offenders living within 2,000 feet of schools and day-care facilities.

Police hoped a speeding ticket or tipster would turn up Roe. But it got us to

thinking. How many other cash-strapped departments across the state also counted on luck to find missing sex offenders?

Had Roe not been facing a high-profile criminal charge for living near an elementary school and several day-care centers in the town of Coralville, would anyone have noticed he was gone? Better yet, how reliable was the system – an eight-year-old Sex Offender Registry – for tracking offenders like Roe?

To answer these questions, my *Gazette* colleague, Zack Kucharski, and I knew we first had to learn how the system worked.

Over the next six months we discovered it doesn't.

In the end, we found that nearly one in four offenders in Iowa considered the highest risks to re-offend were not living where the registry said they were living. Additionally, police could not confirm the location of another 14 percent; offenders may have been living at those addresses but police had never checked for themselves.

Basic information on the registry – photographs, the number and dates of convictions, and the ages of their victims – often was outdated or missing from the state

**continued on page 24**

# COACHING THREAT

## Abuse of female athletes often covered up, ignored

BY CHRISTINE WILLMSEN  
THE SEATTLE TIMES

When an 11-inch story about a coach charged with sexual misconduct ran at the bottom of the local section, few expected it to be the impetus for an investigative series.

But when *The Seattle Times* discovered the coach threatened to ruin a teenage girl's chances of getting a college basketball scholarship if she didn't have sex with him and that parents knew about the man's past victims but continued to pay him to coach their daughters, we knew there was more to explore.

Immediate questions arose. Are other coaches using scholarships as a bargaining chip for sex? Are coaches taking advantage of their positions of authority and popularity to harass and sexually abuse female athletes? How prevalent is the problem and why are they often allowed to continue to coach despite their tainted past?

Sensing the potential for a larger story, Maureen O'Hagan and I teamed up to answer those questions and investigate the wider implications. It turned into a 14-month investigation involving 260 interviews and 110 public record requests.

The series "Coaches Who Prey" was the first investigation in the nation to document this problem quantitatively. Other newspapers have reported a specific incident or coach, but none has been able to address the systemic problems associated with coaching.

The *Times* found in the growing world of girls' sports, 159 coaches have been reprimanded or fired for sexual misconduct in the past decade, and that 98 of them continued to coach or teach as the schools, the state and even some

**continued on page 27**

# OFFENDER SCREENING

CONTINUED FROM PAGE 21

- Participation in chemical dependency and sex offender treatment.

The weighted results can produce a maximum score of 31. Inmates scoring 13 or more are considered to be at the highest risk of re-offending, with 72 percent predicted to commit another sex crime within six years. Offenders in this highest-risk group are the ones who prison officials usually recommend for commitment.

Although 28 percent of offenders scoring 13 or above will not offend, statistically speaking, supporters of actuarial tests say the MnSOST-R is a more reliable predictor of future criminal behavior than individual judgments based on clinical evaluations by psychiatrists and prison officials.

The *Star Tribune* requested the MnSOST-R score of each level-three offender who had been screened with the tool, along with an indication of whether prison officials had recommended the offender for commitment, whether the county attorney had followed up on the recommendation and whether a judge had agreed to the commitment petition. The paper also

asked where the offender was now – released, committed or in criminal custody.

To avoid a fight over whether the scores were medical information and therefore private data, the newspaper did not ask for names or other identifying information.

Within days of the newspaper's request, Minnesota's governor announced that from then on the Corrections Department would refer all level-three offenders to county attorneys for possible commitment. The prosecutor would then have to decide whether the offender's score and other factors warranted keeping him locked up.

When the data arrived several weeks later, a pattern was immediately clear: Corrections officials were routinely releasing high-scoring offenders while some low-scoring offenders were kept locked up after their sentences had ended.

The data showed that Rodriguez was one of 92 level-three offenders scoring 13 or higher since the state began using its current version of the test in 1999. Of those, prison officials had recommended only 36 for commitment. An additional 16 were released because county attorneys or judges didn't agree that commitment was necessary.

Of the 56 not recommended for commitment, 29 were back in custody, most for parole violations.

Corrections officials defended their decisions, saying the test was only one of several factors they used in deciding whether to recommend commitment. Nearly all of the other factors they named,

# TRACKING SEX OFFENDERS

however, were already part of the test.

In Rodriguez's case, for example, they said his age was a big consideration in their decision to not to commit, but item 16 on the MnSOST-R is "age of offender at time of release." Officials were, in effect, double-weighting (or negating) criteria on

Carlos Gonzalez | Star Tribune



Alfonso Rodriguez Jr. listens during his hearing in Grand Forks, N.D., where he was charged with the kidnapping of Dru Sjodin, a University of North Dakota student.

Richard Tsong - Taatarii | Star Tribune



Allan Sjodin watches as a billboard goes up in Crookston, Minn., with his missing daughter's picture.

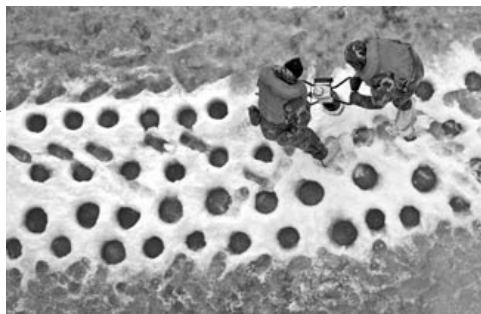
## ICIJ Award for Outstanding International Investigative Reporting



A \$20,000 first-place prize and up to five \$1,000 finalist awards aim to recognize, reward, and foster international investigative reporting.

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For more information on the ICIJ Award, as well as the 2003 winners and finalists, see [www.icij.org](http://www.icij.org) or call 202-466-1300.



Members of the Minnesota National Guard helping search for Dru Sjodin drill holes in the 18-inch ice under a bridge on the Red River between Minnesota and North Dakota. The holes made it possible to lower underwater cameras into the murky water.

the test by applying their subjective judgments on top of the numerical results.

Although the data did not contain names, the newspaper was able to learn the details about some offenders through interviews and court record searches. In one case, an inmate scoring 24 was released. The prosecutor defended his decision to not seek commitment for the 25-year-old even though the man had been convicted of five sex offenses. In another case, officials bumped up the risk-level of a low-scoring inmate because he had been suspected – but not arrested – in a molestation case that was not reflected in his score.

“ In one case, an inmate scoring 24 was released. The prosecutor defended his decision to not seek commitment for the 25-year-old even though the man had been convicted of five sex offenses.”

In the end, the data and the individual stories behind them showed that even the state's own experts failed to use objective risk measurements to make decisions about individual offenders. As a result, regardless of whether the decisions are based on numerical scores or on the judgments of psychiatrists, prosecutors and judges, some men who would not have re-offended will be locked up indefinitely. And among those released along with Alfonso Rodriguez Jr., some will strike again.

*John Stefany is data coordinator at the Star Tribune in Minneapolis.*

## Screening tool

Many states use the Minnesota Sex Offender Screening Tool to evaluate sex offenders. Information on the test, including score sheets, instructions and technical documentation, can be found at [http://129.186.143.73/faculty/epperson/mnsost\\_download.htm](http://129.186.143.73/faculty/epperson/mnsost_download.htm)

# Interviewing the Interviewers

In the latest addition to The IRE Collection, some of the most renowned interviewers in investigative journalism share their experiences, techniques and advice. The book includes chapters on dealing with sensitive issues, cross-cultural interviewing, confrontational interviews, handling whistleblowers, technical interviews and finding and cultivating sources. Each chapter includes "Tips from the Pros," with specific, time-tested techniques. The book also includes a list of tipsheets and tapes taken from IRE conferences to provide additional help.



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# TRACKING SEX OFFENDERS

## STATE REGISTRY

CONTINUED FROM PAGE 21

record, our investigation revealed.

Beyond that, we found that the vast majority of offenders living in the Cedar Rapids/Iowa City region in eastern Iowa who had committed crimes against minors were living much closer than 2,000 feet to schools and day-care facilities – sometimes living next door or in the same buildings.

In many cases, police simply trusted that offenders who filled out their own registry forms were living where they said they were. As one clerk in a western Iowa sheriff's department put it: "It's all on the honor system."

Peeling back layer after layer, we learned about staff shortages, many systemic flaws and bureaucratic delays plaguing the registry. The number of poten-

tial stories seemed endless.

Photographer Brian Ray joined our team to meet with and photograph sex offenders and victims we were interviewing. Having stories in which people, including victims, agreed to let us use their names and show their faces made the stories personal and relevant.

The *Gazette* settled on a six-part series consisting of 12 stories, including complementary exclusives for our online edition, *GazetteOnline.com*. Our stories examined the accuracy of the list, the perspectives of both victims and offenders, and the pros and cons of the 2,000-foot rule.

### Audit of registry

The registry is run by a patchwork of state agencies and enforced by 99 different counties. Getting

a grip on the bureaucratic process was essential, if only because many of those who monitor sex offenders are themselves unsure how other agencies fit into the puzzle.

We interviewed more than 150 law enforcement officials, file clerks, legislators, sex offenders and victims of sex crimes.

We sifted through countless court files, learned how the requisite registry forms are filled out, and got firsthand accounts of how an offender goes from conviction to re-entry into the community.

The state had never conducted an audit of the registry. There are no databases containing compliance or recidivism rates, the number of arrest warrants issued for failing to register or even a conveniently sortable list of sex offenders and their risk assessments.

Iowa relies on address-confirmation mailings to keep tabs on sex offenders. In most cases, they're

## USING GOVERNMENT SEX OFFENDER DATA

By Jeff Porter, *The IRE Journal*

**M**any places, it's easy to obtain lists of registered sex offenders through local or state law enforcement officials. Some are even available online, a few mouse clicks away. Any such lists, of course, are most likely kept as a government database – a database wrought with perils and pitfalls, but a database that can help drive some great stories.

For example, Holly Hacker, an analyst in the IRE and NICAR Database Library, mapped sex offenders and day-care centers for KIRO-Seattle recently. Her analysis played into a fascinating look about how state officials were illegally placing registered sex offenders close to day-care centers. (Check out [www.kirotv.com/investigations/2825037/detail.html](http://www.kirotv.com/investigations/2825037/detail.html))

From KIRO's Web site: "A state law prohibits most child molesters from living in 'close proximity' to your kid's daycare, but KIRO Team 7 Investigative Reporter Chris Halsne discovered prison officials and some police are among the agencies that allow it anyway."

The trick to using such data, even with problems, is to understand the database's limitations. A few problem examples on mapping alone:

- Invalid offender addresses. In the KIRO example, the sex offender database included addresses, and Hacker used mapping software ArcView 8.3 to show those locations, using a technique called geocoding. As you might suspect, many of the addresses of sex offenders weren't useable. One lists the address as "O Bayview Dr." Another one: "Lakeview Motel #16." The software just can't handle such addresses.
- Shifting addresses. The last example shows an obvious data flaw – the day the data gets copied, it might become out of date. A sex offender might indeed have been registered at the Lakeview Motel one day, but who's to say he's still there? The Washington data showed some offenders with jailhouse addresses – by definition, temporary.

All in all, ArcView was able to map 10,484 addresses, from the 15,160 total number of registered sex offenders. That's just over two-thirds. Day-care centers, much more likely to have a valid address, were easier to map: 84 percent of them. The software has the ability to draw circles around each address to find each item where one address is a certain distance from another. In this case, the software measured 300 and 600 feet.

So while the maps can be incomplete, the stories are still quite possible and can still deliver impact. The data is a road map that can guide

a reporter's footsteps.

Instead of checking thousands of addresses, the data can give a reporter a shorter list of addresses to visit, finding concentrations, sorting out types of offenders. While budgets tighten and deadlines loom, locating such patterns and trends can shorten the time needed to find places, people and documents. While limited, it's a time-saver and efficiency tool, handled correctly.

Another advantage: The database isn't a simple collection of anecdotes but a list of every registered sex offender. That gives the reporter some powerful ammunition when confronting authorities in charge of monitoring sex offenders.

Using those techniques goes a long way to resolving the problem of addresses being incomplete. Even if the addresses match, though, it's vital to address the next set of potential dangers in the data:

- Offender current location. As mentioned before, it's one thing to find an address on a map and another to find someone at that address. The database makes it easier to know which addresses to visit, but it doesn't provide a guarantee that you'll still find a sex offender at that address.
- Offender names. While addresses can be unique, names are seldom unique. How many John Browns are there in your city? Chances are, most of them don't have a criminal history, but maybe one or two do. So after locating offenders in a database, it's a matter of confirming that you've found the correct John Brown.

The simple point here: If one is to name names, confirmation is in order, using the traditional reporting techniques including paper documents, interviews and reporter observations.

Other data pitfalls are less quantifiable, but dangerous nonetheless: Names are misspelled, types of offenses might be listed incorrectly, dates can be wrong, even the outcome of the case might have changed since the database was provided (say, for example, someone wins an appeal).

Each element of the data should be challenged and tested, even when it's used to generate simple statistics. Take a decent number of records and go back to the original source – not the data itself, but any paperwork submitted or court records, for example. The keys are simple: understand the data's advantages and limitations, using it as a beginning point rather than a final answer.

*Jeff Porter is director of the IRE and NICAR Database Library.*



Convicted sex offender Kelly Burrell looks off of an old bridge near his home. Burrell, who is classified as a sex addict and says he struggles daily with his addiction, goes to the bridge when he wants to think and be alone.

sent only once a year and on the anniversary of their release from prison.

We settled on a similar system that would provide a snapshot of the list's accuracy for last August. Using certified mail, we sent letters to all 718 offenders the state considers the highest risk to re-offend and who were not in prison. Included were requests for interviews and a telephone number we set aside just for the project.

At \$4.42 per letter *The Gazette* spent almost \$3,175 on postage alone.

Iowa law requires anyone convicted of sex crimes in 1995 or later, or in prison for such crimes, to register as a sex offender for 10 years. Repeat offenses will put you on there for life. Failure to register a new address can result in more charges.

When at-risk offenders move into the community, their names, photos and information about their crimes are commonly run in the newspaper and on local television stations.

More than 50 offenders eventually contacted us. Most complained that the system was an unforgiving one; that the public shaming resulted in harassment,



Steve Conlon, assistant director of the Iowa Department of Public Safety, walks among filing cabinets containing the files of everyone on the Iowa Sex Offender Registry at the registry office in Des Moines.

# TRACKING SEX OFFENDERS

and prevented them from finding good work and affordable housing.

Others, though, were willing to talk about their offenses. They knew they had committed horrible crimes and said they struggled daily, or hourly, not to re-offend. But the registry offers little protection to the public, they said.

"If I'm that desperate to re-molest, what's to stop me from walking into Wal-Mart or Kmart and taking a kid into the bathroom and re-offend," one offender chillingly noted. "It is up to me."

Nearly 23 percent, or 163, of the certified letters we sent out were returned because of an incorrect address, or later proved to be incorrect when we asked local police about them. Three were wrong because the offenders died months before our investigation.

Questions about these addresses resulted in some arrest warrants being issued for offenders and prompted police in several counties to institute regular checks of offenders' homes.

Neither we, nor police, could verify another 102 addresses on our list. Those included letters that went unclaimed or were refused, or for which someone

other than the offender had signed. In

one case, an offender had listed a park bench in Des Moines as his home address. When we went looking for that bench, we found only an empty field and a scrap yard.

Our system for checking addresses was, like the state's own system, an imperfect one. Short of staking out addresses, there is no way to guarantee an offender, instead of a friend or family member, is living at an address at all times.

## Thousands of names

We ran into many roadblocks in reporting these stories. Surprisingly to us, access was not one of them. State officials, from the governor on down, were very willing to talk about the registry. And, while they tended to play down deficiencies in the system, none hesitated to bring us into their respective agencies and provide what information was available.

The difficulties came from the lack of data.

Iowa does not keep a database of its sex offenders except for the registry itself, which is only online.

To get the names of every high-risk offender, we

had to manually click through thousands of names to find those categorized as high risk. Those names were then put in our own database.

A computer glitch meant that not all offender convictions were listed on the Web site. To determine how many of these offenders were living within 2,000 feet of schools or day cares, we had to check all Cedar Rapids/Iowa City offenders' court files.

Also, because sex offenders are tracked differently in each of Iowa's 99 counties, we had to contact each county to learn how, or if, they were verifying addresses.

"If you really stop to think about it, how are we going to ensure that 5,568 people are at that address 365 days of the year?" said Steve Conlon, who is in charge of the registry. "If each one is assigned an officer that can do 24-hour surveillance on them, then well, perhaps you could do that. Short of that, you cannot."

*Frank Gluck is a general assignment reporter with emphasis on public safety. Zack Kucharski is a general assignment reporter with emphasis on local government and schools.*

## Related stories from the RESOURCE CENTER

Is the sex offender registry up to date in your town? Are your state's colleges and universities reporting rapes and sexual assaults? Check out these stories available in the IRE Resource Center that exposed holes in the system. To order, visit [www.ire.org/resourcecenter](http://www.ire.org/resourcecenter):

- **No. 20147.** "State Law Shields Child Sex Offenders," Jane Hansen, *The Atlanta Journal-Constitution*. The story reports on Georgia's "first offender status," designed to give first-time criminals a break in sentencing. The paper's analysis of state records "shows at least 3,740 people in Georgia have been granted first offender status for sex crimes, some so serious they were sentenced to prison." Such people aren't listed in the state's sex offender registry or on the Web site of the Department of Corrections, either. (2003)
- **No. 18952.** "Megan's Law," Angie Ricono and Dean Handy, WKYT-Lexington, Ky. The story reveals how many of the Kentucky's registered sex offenders weren't living where they said they were. State law requires high-risk sex offenders be registered with the state after release from prison, with their information being added to the Kentucky's Online Sex Offender Registry. Over two months reporters discovered that many offenders gave false information and that state and local law enforcement agencies weren't up to date on tracking the offenders' movements. After the report, state legislators began reviewing the law and discussed new methods of enforcement. (2001)
- **No. 17451.** "Tardy Oversight," Dianna Hunt and Matt Frazier, *Fort Worth Star-Telegram*. This investigation examines how "child molesters, rapists, drug users and thieves have remained certified as Texas teachers – sometimes for years – because of a backlog at the State Board for Educator Certification that oversees educator credentials." The reporters' analysis of more than 9,000 cases at the state board finds that "the delays have opened the door for predators to have easy access to children by allowing them to quietly change schools or to obtain credentials in other states." (2001)
- **No. 20377.** "The Lure of a Simple Solution," Melissa Dribben, *The Philadelphia Inquirer Magazine*. The story details the saga of Maureen Kanka, the mother of the slain 7-year-old Megan Kanka, for whom Megan's Law is named. Maureen Kanka has become an "advocate for victims' rights since her daughter was raped and murdered by a pedophile who lived across the street." The story tells how the mother pushed for community notification on the whereabouts of sex offenders. (2000)
- **No. 17514.** "Danger at the Doorstep," Chris Halsne, Bill Benson and Peter Gamba, KIRO-Seattle. The story finds that the Department of Labor and Industries does not do criminal background checks before issuing licenses to professional plumbers, electricians and contractors. KIRO uncovered more than 400 felons, convicted of at least 3,500 crimes carrying state badges. This list also includes 45 registered sex offenders who acquired residential permits. (2000)
- **No. 17582.** "Too Close for Comfort," Wayne Havrelly, Tony Marra and Rick Turner, WFTV-Orlando. The story "examines Florida sex offender laws and found loopholes, state agencies doing an inferior job and judges ignoring state law. All this resulted in convicted sex offenders living too close to where children gather even though there are state laws designed to prevent that from happening." (2000)
- **No. 17597.** "Who's Living Next Door?" Jon Leiberman, WBFF-Baltimore. The series examines Maryland's sex offender registry law. The story looks at how close to elementary schools convicted sex offenders live and uncovered several loopholes in Maryland's sex offender law that make it difficult for citizens to acquire information. (2000)



## COACHING THREAT

CONTINUED FROM PAGE 21

parents looked the other way.

### Records kept secret

Before we reached these and other alarming findings, however, we hit several roadblocks along the way. The first step was filing public record requests with dozens of school districts and the state education office, asking for sexual misconduct records. The struggle began immediately, when many schools proved reluctant to reveal how they handled investigations and the history of their coaches. The state teachers' union quickly jumped into the mix, hitting us with several lawsuits filed on behalf of more than 30 teachers and coaches trying to prevent the schools from releasing their sexual misconduct files. In most

of the cases, the judge sided with the *Times* and ordered the schools to release the records. The newspaper is appealing the cases it lost.

The *Times* spent a small fortune in legal costs, and the lawsuits consumed months of the reporters' time.

But the fight turned out to be worthwhile. We got the state database on teachers investigated

“ We got the state database on teachers investigated for sexual misconduct and thousands of pages of documents from schools, which helped us unearth a number of problems that have perpetuated the abuse of female athletes.”

for sexual misconduct and thousands of pages of documents from schools, which helped us unearth a number of problems that have perpetuated the abuse of female athletes. With the help of computer-assisted reporting specialist Justin Mayo, we built an internal database to track the coaches. We gathered information from police reports, civil and criminal court records, the state public school employee database, the state education office's investigation database, club coaching lists and other documents.

We discovered school officials often failed to investigate coaches when faced with complaints and sometimes ignored a law requiring them to report suspected abuse to police and the state education office.

Once coaches got caught, many were allowed to continue coaching because school officials promised to keep their disciplinary records secret if the coaches simply left. Documents revealed the districts paid tens of thousands of dollars to get coaches to leave, while other districts hired coaches they knew had histories of sexual misconduct.

Besides encountering resistance from the schools, we also faced challenges trying to tell the human side of the story. Locating the victims alone was a major hurdle. Because the names of students, including victims, were redacted from

records, we used yearbooks and Web sites such as classmates.com to contact former students who then connected us with victims.

This was a story in which no one wanted to talk to us; the victims were embarrassed and ashamed, the coaches were angry and school officials didn't want their shoddy investigations to become public.

If school officials did report the case to the state education office, which can take action against a

## Tipsheets from the RESOURCE CENTER

Check out the IRE Resource Center for a variety of tipsheets written by journalists who successfully covered sex offenders and sexual abuse. Members can access the tipsheets at [www.ire.org/resourcecenter](http://www.ire.org/resourcecenter). Here is a selection of what you'll find in the Resource Center:

- **No. 215:** "Tips to Reporters Investigating and Writing about Sexual Abuse by Priests." Panelists from Survivors Network of Those Abused by Priests, a victims support group, offer strategies and resources for reporters trying to find victims, experts and other sources. (1994)
- **No. 1357:** "Courts/Cops Records." Dianna Hunt, *Fort Worth Star-Telegram*, suggests courts and cops records to use when investigating a variety of crimes, including the sex offender registry. (2001)
- **No. 1196:** "Policing the Police." Clea Benson, Mark Fazlollah, Michael Matza and Craig McCoy of *The Philadelphia Inquirer* provide information for reporters interested in researching how police handle rape cases. (2000)
- **No. 1529:** "Philadelphia 1998 Rape Complaints." Mark Fazlollah, *The Philadelphia Inquirer*, provides examples of data from a variety of Philadelphia-related crime databases and offers tips on covering rape and other violent crimes. (2002)
- **No. 1898:** "The State of Junior Hockey in 2003: The Cover Up Continues." Laura Robinson explains what goes on in Canada's hockey locker rooms. She offers tips on how to cover everything from sexual assault to harassment occurring on a regular basis on some teams. (2003)



Cross country is one of many high school sports attracting a large number of girls. Last year, more than 3,390 girls in Washington state competed in the sport. In Washington, 43 percent of high-school girls participate in athletics.

## Crime Information RESOURCES

IRE and NICAR administer a Database Library ([www.ire.org/datalibrary](http://www.ire.org/datalibrary)) that contains government data on public safety-related topics at minimal cost. Other government and nongovernment resources are available to assist reporters in investigating sexual offenders and their crimes.

### Here is a sample:

#### • **Campus Crime Statistics**

The Clery Act campus crime statistics from the U.S. Department of Education represent alleged criminal offenses reported to campus police or security and local law enforcement. Federal law requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private institutions participating in federal student aid programs are subject to it. Sexual offenses (including rape), aggravated assault and criminal homicide are among the category of crimes reported. (Visit [www.ire.org/datalibrary](http://www.ire.org/datalibrary).)

#### • **Campus Sex Crimes Prevention Act**

Federal law enacted in 2000 permits the tracking of convicted and registered sex offenders enrolled as students at institutions of higher education. It also tracks those working or volunteering on college and university campuses. (Visit [www.securityoncampus.org/congress/cscpa/index.html](http://www.securityoncampus.org/congress/cscpa/index.html).)

#### • **Center for Violence Research and Prevention**

Located at Columbia University's Joseph L. Mailman School of Public Health, the center conducts research on the causes and prevention of violence. (Visit [www.cumc.columbia.edu/dept/sph/cvrp/index.html](http://www.cumc.columbia.edu/dept/sph/cvrp/index.html).)

#### • **National Crime Victimization Survey (NCVS)**

The Bureau of Justice Statistics in the U.S. Department of Justice obtains data from a nationally represented sample on "the frequency, characteristics and consequences of criminal victimization." Survey results are used to estimate the chances of Americans becoming victims of a variety of crimes, including rape and sexual assault. (Visit [www.ojp.usdoj.gov/bjs/cvict.htm](http://www.ojp.usdoj.gov/bjs/cvict.htm).)

#### • **National Judicial Reporting Program (NJRP)**

Every two years, the Bureau of Justice Statistics conducts a nationwide survey of felony trial courts in 344 counties. The information gathered includes the demographic characteristics of felons, types of sentences and the length of sentences. (Visit [www.ojp.usdoj.gov/bjs/stssent.htm#Programs](http://www.ojp.usdoj.gov/bjs/stssent.htm#Programs).)

#### • **Understanding Crime Statistics: A Reporter's Guide**

This IRE Beat Book, written in cooperation with Criminal Justice Journalists, offers background and how-to on government statistics in many crime categories. Its companion Web site is a good place to start for finding government sites, nongovernment sites and international crime resources. (Visit [www.ire.org/store/books/crime.html](http://www.ire.org/store/books/crime.html).)

Jimi Lott | The Seattle Times



Parents continued to support Tony Giles, left, even after the basketball coach was charged with a sex crime in 2002 by the King County Prosecutor's Office.

teacher's license, that agency took, on average, two years to investigate. By obtaining copies of individual files, the *Times* showed in some cases that the state didn't even conduct an interview with a victim, coach or school official before dropping the case – and leaving the accused coach with a seemingly clean record.

But the story wasn't just about coaches in schools. We found in the growing field of private club teams, coaches receive almost no oversight, and the athletes are even more vulnerable. Later we discovered felons convicted of murder, incest and delivering drugs were coaching in the Amateur Athletic Union in Washington and Idaho.

As part of the series, the *Times*, with the help of our online and new media staff, developed a database of coaches and schools. Anyone can search online by plugging in a coach's name or a school district. The "coach misconduct database" summarized the case against the coach and linked to scanned documents that gave the reader a better understanding of the allegations, investigation and outcome. Readers can see intimate letters, discipline records and secret negotiations between schools and coaches that would allow them to keep the misconduct secret.

We also conducted a live one-hour question-and-answer session online that allowed readers to ask us questions about how we investigated the coaches. The response from readers was overwhelming. In the first week alone, we received more than 400 letters and e-mails from readers responding to the series.

### Loopholes closed

The results were dramatic. Several coaches were investigated or fired by school districts and

# TRACKING SEX OFFENDERS

the Washington State Legislature passed three bills designed to close the loopholes in investigations, eliminate secrecy agreements and require sexual misconduct records be shared between districts. The Amateur Athletic Union also plans to conduct criminal background checks on its more than 65,000 coaches across the nation that participate in its youth sports programs.

Gathering documents is essential to building this type of story. To pursue a similar investigation, know your public records laws. For example, in some states like Washington, a teacher's sexual misconduct record is public.

Start by filing a public record request with your state agency that monitors teaching licenses. Ask for the database of misconduct and obtain copies of individual case files. Also, ask school districts – especially large ones – for records of misconduct. Often we found large school districts had evidence of misconduct but didn't pass it on to the state for further investigation. When filing these requests,

keep in mind some coaches are contracted employees who aren't teachers. When asking for these records, anticipate a fight

“Several coaches were investigated or fired by school districts and the Washington State Legislature passed three bills designed to close the loopholes in investigations, eliminate secrecy agreements and require sexual misconduct records be shared between districts.”

and be ready to file appeals.

To expand the story outside of school-based coaches, develop sources who can give you data-

bases of coaches in private organizations. Also, scour local sports Web sites where you will find hundreds of club coaches that charge thousands of dollars a year for athletes to play on their teams. Build a database with these names and run criminal background checks on them.

Talk to parents of athletes. They often know about the coaches – like the one that began the investigation – who have bad reputations. In some cases, the parents even know the specific allegations.

Also, attend club tournaments where college coaches recruit players. This is a time when you can make connections with parents, players and coaches as well as understand the culture of sports and the desire for college athletic scholarships.

*Christine Willmsen is an investigative reporter for The Seattle Times. The “Coaches Who Prey” series won the Scripps Howard Foundation’s Public Service Award and placed first in the Education Writers Association contest for investigative reporting. It was a finalist for a Pulitzer this year.*

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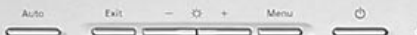
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Congratulations to William Marsden, Maud E. Beelman, Bill Allison, Erika Hobbs, Daniel Politi, Andre Verloy, Aron Pilhofer, Samiya Edwards and members of ICIJ for their pioneering work on the privatization of water throughout the world as a project of the Center's International Consortium of Investigative Journalists.

Congratulations to John Dunbar, Bob Williams, Morgan Jindrach and Scott Singleton for their ground-breaking series of investigations of the telecommunications industry.

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# IMMIGRANT PROFILING

## Arabs face scrutiny in Detroit area in two years following 9/11 terrorist attacks

BY JOHN BEBOW  
FOR THE IRE JOURNAL

**H**ow are local Arab-Americans faring in the domestic front of the war on terror?

Reporters in communities with significant numbers of Arab immigrants can get at that complicated question through government databases and local court records.

Metro Detroit is home to one of the nation's largest concentrations of Arabs – and a squad of federal terror investigators numbering in the dozens. *The Detroit News* launched a four-month investigation into the local war on terror last summer. The aim was to get beyond a handful of high-profile cases and press conference pronouncements from both prosecutors and community groups. We wanted to chart the wider impacts of the most intense scrutiny of an immigrant group since Japanese internment during World War II.

Our series, called “Always Suspect,” appeared in November. Among the conclusions:

- Federal prosecutors in Detroit have tripled the number of criminal cases brought against Arabs

and Muslims in the past two years while dozens of people have been labeled as terror suspects. But the government has so far proven terror connections against only one out of every 50 terror suspects considered for prosecution.

- Federal prosecutors in Detroit filed criminal complaints or indictments against at least 132 people of Arab or Muslim descent in the two years after the Sept. 11, 2001, terrorist attacks. The *News* could find 42 such cases in the two years before the attacks. The most common charges are various frauds, drug-related crimes and immigration violations – not terrorism.
- Three terror-related convictions won by federal prosecutors in Detroit represent only a glimpse into a much wider local terror war. Federal agents in Metro Detroit have sought criminal charges against at least 155 terror suspects since 9/11.
- The *News* positively identified 34 people of Arab or Muslim descent in Metro Detroit who were officially under investigation for terrorism-related activities but charged with lesser crimes. With little explanation, investigators gave these 34 cases labels such as “terrorism-international,” “terrorism-domestic” and “terrorism-related financing.” Federal prosecutors have so far obtained convictions of some sort against half of those people. Those convictions were mainly for frauds, immigration problems and drug offenses – not terrorism.
- Deportation orders against people from 24 Arab and Muslim nations increased 20 percent in Michigan in the two years since the terrorist attacks, compared to the previous two years. Total deportation orders against all illegal immigrants, however, have remained flat in Michigan since 9/11. And enforcement against Mexicans – who are ordered deported more often than any other immigrant group – dropped by 20 percent.

### ‘Stop pretending’

While federal prosecutors insisted the increased scrutiny is justified in the war on terror, Arab-American leaders said the *News’* findings documented what had been clear on the streets of Arab America for two years.

“They are feeding the frenzy we live in. The worst thing you can do in this country right now is label people as terrorists,” said Mohammed Abdrabboh, the only Arab member of the Michigan Civil Rights Commission. He said the *News’* findings were clear evidence of racial profiling. “We know what they’re

doing, they know what they’re doing, so let’s all just stop pretending.”

With the assistance of fellow *News* reporter Gregg Krupa, I went down several document trails to gauge the local war on terror. These steps could be replicated in many local markets:

- 1) We gathered community input first. We held a meeting for more than a dozen Arab leaders to explain community perceptions before we started digging. Universally, representatives of the legal, business, and social service sectors claimed the local Arab community was under constant investigation by government investigators.
- 2) To measure whether Arab cases had increased in federal court, we reviewed the dockets of more than 90 assistant U.S. attorneys going back four years. The first hurdle came in getting a list of prosecutors. The U.S. Attorney’s office refused to provide it. Rather than engage in a lengthy FOIA battle, we obtained the list of prosecutors from a friendly federal judge. We then used a simple Excel spreadsheet to log case details of all defendants with Arabic or Muslim surnames. We vetted those surnames through the Arab-American Institute and local Arab-American groups. (Tip: Pollster John Zogby, of Zogby International, maintains a database of Arabic surnames that can be helpful.) Finally, wherever possible we reviewed pre-trial summary reports in case files. Those reports and other case details often identified defendants’ nationalities.
- 3) To track local terror suspects, we subscribed to TRACFed (<http://tracfed.syr.edu/>), an invaluable depository of government databases maintained by a nonprofit group affiliated with Syracuse University. Through TRACFed, we accessed the case management system maintained by the Executive Office for United States Attorneys of the U.S. Justice Department. This federal database allowed us to determine that federal agents had recommended prosecution against 155 local terror suspects since 9/11.
- 4) The TRACFed data did not include defendant names but we were able to positively identify 34 Arab terror suspects by matching case dates, prosecutor names, and judge names in the TRACFed data with the same information we’d compiled in our spreadsheet of local Arab cases. We didn’t invent this technique. Earlier, *Philadelphia Inquirer* reporter Mark Fazlollah used TRACFed data to conclude that the U.S. Department of Justice had mischaracterized numerous investigations as terror cases. Fazlollah’s conclusions were supported by a follow-up audit by the U.S. General Accounting Office.
- 5) We obtained deportation statistics through a FOIA request to the Justice Department. The DOJ maintains a spreadsheet of deportation orders for every federal immigration court in the United States. The data is updated regularly. To examine trends, we requested, and received, five years of data for every district in the country. The data included a breakdown of the countries of origin for all those ordered deported.

Morris Richardson II | The Detroit News



Yeyha El-Ali says he knows he overstayed his visa, but that is a common situation in immigrant communities. When he voluntarily appeared before the FBI as part of a screening of people in the wake of 9/11 he said he was promised there would be no repercussions. Immigration officials, however, swooped in within several weeks.

Morris Richardson II | The Detroit News



Saber Adib Bazzi, working at his auto repair shop in Dearborn Heights, Mich., was mistakenly arrested by the FBI because he had the same name as another person being sought.

Stories shared

Individual stories and interviews were difficult, but not impossible, to obtain. Immigration court files are closed from public view. Many defendants and

their attorneys declined to talk because of ongoing plea negotiations and the fear that public attention would result in further government scrutiny. We tracked down individual defendants through addresses listed in court files and through cold calls to immigration attorneys. Steadily, we built a roster of

Related stories from the RESOURCE CENTER

The following stories examine alleged acts of discrimination and hate crimes against Arabs and Muslims in the United States in the aftermath of the 9/11 terrorist attacks in New York and Washington, D.C. To order, go to [www.ire.org/resourcecenter](http://www.ire.org/resourcecenter):

**Story 18520.** "American Dreams Turns Fatal," by Ken Serrano, *Home News Tribune* (East Brunswick, N.J.). This story examines the murder of a Pakistani national and Dallas grocery store owner that occurred days after the Sept. 11, 2001, attacks. The investigation looks into suspicions that the killing was a retaliation against the terrorist attacks. (2001)

**Story 18544.** "You're in the Hole: A Crackdown on Dissident Prisoners," by Anne-Marie Cusac, *The Progressive* magazine. An investigation reveals that "in the hours following the terrorist attacks on the World Trade Center and the Pentagon, dissident prisoners were singled out from the general population and taken to secure housing units." Some of the isolated inmates were denied access to counsel; their lawyers were denied phone conversations and personal visits with their clients. (2001)

**Story 19545.** "The Fixers," by Lucia Hwang, *California Lawyer*. The story "explores the underground economy of immigration consultants – non-lawyers who ostensibly help immigrants fill out INS forms and applications, but who critics say illegally practice law and scam unsuspecting clients." The story details how consultants work, and how undercover agents (hired by legal firms) combat the consultants' business to protect the public interest and their own business interests. (2002)

**Story 19750.** "Homeland Security," by Steve Kroft, Leslie Cockburn and Sianne Garlick, *CBS News 60 Minutes*. This investigation reveals that the Immigration and Naturalization Service is "afflicted by a culture of mismanagement and corruption." A whistleblower says the agency's executives encouraged inspec-

tors to allow foreigners into the United States without looking up their names on terrorist watch lists. (2002)

**Story 19850.** "Taking Liberties," by Tom Brune, John Riley and Deborah Barfield Berry, *Newsday*. The story details the changes made by the Bush administration in order to switch from prosecuting past terrorist attacks to preventing new ones. Among the changes are transforming the immigration system into a law enforcement tool without the guarantee of a lawyer; broadening agencies' powers to investigate businessmen for allegedly funding terrorist activities; and detaining people as terrorism suspects without filing charges against them. (2002)

**Story 20163.** "U.S. Deportations to Muslims Nations Soar," by Mark Bixler, *The Atlanta Journal-Constitution*. In the year after 9/11, the U.S. government increased the deportation of people from Muslim nations, as it eased up on illegal immigrants from Mexico and other countries. The largest percentage increases in deportations were for citizens of Tunisia, Morocco, Egypt, Yemen, Jordan, Lebanon, Pakistan, Algeria and Saudi Arabia. Deportations to Mexico fell 24 percent. (2003)

**Story 20631.** This series from *The Nation* follows various aspects of the "war on terror." One story details the makeup of Maryland's Joint Terrorism Task Force and local police ties with the FBI field office. A second story examines state laws and proposed laws creating new definitions of and punishments for "terrorism." Another story raises the issue of drivers' licenses and documentation of aliens. (2002)

**Story 20708.** "Liberty in Balance," by Sam Stanton and Emily Bazar, *The Sacramento (Calif.) Bee*. This series offers a comprehensive look at how the war against terrorism has led to unprecedented curbs on the civil liberties of Americans and immigrants. The Patriot Act and its results are intensely scrutinized. (2003)

Arab immigrants willing to share their stories on the record despite looming deportation cases.

As always, some of the best details came from individual court files, including the transcript of one detention hearing that underscored the ethnic tensions inherent in the war on terror.

In an ongoing case, labeled "terrorism-related financing" by the government, a Dearborn man named Tarek Makki is charged with smuggling counterfeit Zig Zag smoking papers into the country. After his arrest in June, the government sought to keep Makki in custody pending trial. Prosecutors claimed he had a multimillion-dollar criminal enterprise and wanted to leave the country.

Assistant U.S. Attorney Eric Straus did not specifically allege a terrorism connection during Makki's hearing and instead focused on Makki's overseas money transfers. When Straus mentioned Makki's ethnicity – Lebanese – defense attorney James Thomas exploded.

"He is an American. He is an American. He is an American," Thomas insisted. "... If we start defining people by where their ethnic origin is, then Mr. Straus is German, I'm Lebanese, and, Judge Carlson, we'll have to figure out what you are. That's not what we do here. He's a citizen of the United States of America. He's entitled to deference as a result of that."

*John Bebow was a reporter at The Detroit News and is now a reporter at the Chicago Tribune.*

# Irreverent approach to freelancing explains the need to break the rules

BY STEVE WEINBERG  
THE IRE JOURNAL

The year that I began my newspaper career as a salaried staff writer, I also began freelancing in earnest for magazines. Later in my newspaper reporting career, I also began writing books on the side. Eventually I left staff writing to freelance full time, selling a combination of magazine features, newspaper op-ed pieces, reviews for magazines and newspapers, full-length books and even occasional story treatments for television documentaries.

While IRE has done its best to address freelancing skills in its publications, Web services and conference panels in the 25-plus years I have been involved with the organization, IRE cannot be all things to all journalists. Some groups exist solely to serve freelance writers, although without the investigative resources and training offered by IRE. For some of you, multiple memberships might be in order.

For those of you who are already part-time or full-time freelance journalists; those thinking about the possibility, wanting to grow as reporters/writers to supplement their income, or both; or those merely curious about the freelance life, I offer "The Renegade Writer: A Totally Unconventional Guide to

Freelance Writing Success" by Linda Formichelli and Diana Burrell. The publisher is Marion Street Press ([www.marionstreetpress.com](http://www.marionstreetpress.com)).

Neither Formichelli nor Burrell received a journalism school education, and neither is primarily an investigative reporter – making the usefulness of their book to *IRE Journal* readers all the more impressive.

[This review will not offer direction to readers hoping to publish a book. Although future articles will revisit this topic, for now, the best recent guides about breaking into big-time book publishing are "The Forest for the Trees: An Editor's Advice to Writers," by Betsy Lerner (Riverhead Books, 2000) and "Thinking Like Your Editor," by Susan Rabiner and Alfred Fortunato (Norton, 2002).]

Formichelli and Burrell are not only informative, but also humorous and irreverent. Because so many investigative journalists are irreverent, the book's approach ought to be especially appealing. The approach is this: Formichelli and Burrell posit rule after rule, each of those rules representing the conventional wisdom. Then they explain why each rule ought to be broken more often than observed.

One piece of conventional wisdom they debunk early is especially important for readers of this review: It is not necessary to live in New York City to succeed as a freelancer.

Here is a small selection of additional advice from Formichelli and Burrell of special relevance to a significant portion of the *IRE Journal* readership:

- Magazine editors will be impressed by newspaper clips, as long as the pieces are well-reported and well-written. Ignore the conventional wisdom that magazine writers will automatically throw newspaper clips in the trash and fail to respond.
- It is not necessary to have connections to land an assignment at a first-rate magazine. Assigning editors are seeking compelling, appropriate ideas that are well-presented. Freelancing in many ways is the ultimate democracy; assigning editors care little, if at all, about whether the potential writer is white or black, female or male, young or old.
- It is not always wise to start at the bottom. Winning assignments from little-known or regional magazines is fine. But if a story idea is worthy of *Esquire*, send it to an appropriate editor there. Just

be prepared for a rejection because the odds are long for everybody who queries a magazine like *Esquire* with such high visibility and relatively good pay.

- Query letters (the sales pitch) can exceed one page as long as the topic is compelling. There is no such thing as an overly long query if every sentence is compelling.
- Follow up on queries if there is no reply within a reasonable time. Put another way, do not assume that silence means rejection. No journalist, freelancer or staff writer, should ever assume anything.
- If offered an assignment, suggest changing any unfair provisions in the contract. Contracts are

not set in stone. If an editor replies that no previous writer has raised such objections, Formichelli and Burrell say, "You're probably not the first writer to stand up to him. Second, if you are the first writer to ask him for contract changes, then he probably hasn't been an editor for very long."

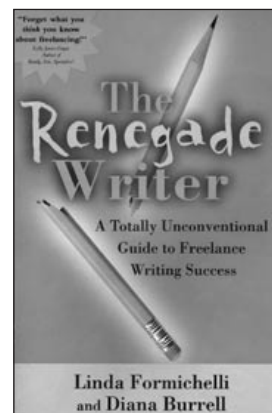
Chapters on interviewing, using the Web and conducting original research will contain little that is new for experienced journalists. They are written largely for relative novices. Still, those chapters are excellent, and at the least might offer useful reminders.

Lots of books on the business of freelancing are dreadful, filled with warmed-over advice and/or clichés and/or information that violates my 35 years of experience with news-

paper, magazine and book editors. Other than the Formichelli-Burrell book, the best recent publication I have seen is "The Freelance Success Book: Insider Secrets for Selling Every Word You Write," by David Taylor (Peak Writing Press, 2003). Because Taylor has spent much of his career as an editor on the receiving end of queries, his perspective is different, in valuable ways, from that of Formichelli-Burrell. But he does not write as entertainingly, and is not as irreverent.

Speaking of irreverent, I am ending by circling back to the beginning, about what IRE offers freelancers. The March-April 1996 issue of *The IRE Journal* is devoted entirely to the freelance investigative life. The lead story, "Freedom, Chains and Sitting on Fences," by Austin, Texas, freelancer Bruce Selcraig, is about as irreverent as can be imagined. And so filled with wisdom that it is worth reading again and again. Other pieces in that issue look at freelancing for broadcast/cable outlets, self-publishing investigative projects and writing books.

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



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# Checking criminal backgrounds

BY CAROLYN EDDS  
THE IRE JOURNAL

When backgrounding an individual, some information is available for free or at minimal cost on the Internet. This information includes federal court records and inmate locators.

Most federal appellate, district and bankruptcy court indexes can be searched electronically through a service called Public Access to Court Electronic Records. Many of the courts can be searched via the PACER Web site at <http://pacer.psc.uscourts.gov>. Some of the courts require a direct dial using specific software. Links to the Web sites are available at <http://pacer.psc.uscourts.gov/cgi-bin/links.pl> or [www.uscourts.gov/links.html](http://www.uscourts.gov/links.html) and a list of the modem numbers by court is available at <http://pacer.psc.uscourts.gov/cgi-bin/modem.pl>. At <http://pacer.psc.uscourts.gov/cgi-bin/links.pl>, courts with an "IMG" or "CM/ECF" icon next to them have document images available.

Registration is required to use PACER and there is a 7 cent-per-page charge for using the service, seven cents per page. A page is defined as 54 lines of data, not pages viewed, printed or downloaded. For more information on the page definition, visit <http://pacer.psc.uscourts.gov/faq.html#GP10>. For courts visited through the dial-up service, 60 cents a minute is charged. If the dial-up service is used, charges will be assessed by the minute. No page charges will occur. If the total charges are \$10 or more, bills are sent each quarter. However, if the total charges during a calendar year are less than \$10, then the balance is deleted.

PACER includes information about parties and participants, including judges, attorneys and trustees; a compilation of case information; chronology of case events; claims registry; a listing of new cases each day; appellate court opinions; judgments or case status and types of documents filed for certain cases. Many courts offer imaged copies of documents.

In the bankruptcy court indexes, search by party name, case number, social security number or tax identification number. In the district court indexes, search by party name, case number or a filing date range and in the appellate court indexes search by case number or party name.

The U.S. Party/Case Index is a good place to start because all courts available in PACER are searched at once. However, be aware that not all courts are available. The list of courts not included in this index is available at <http://pacer.psc.uscourts.gov/cgi-bin/miss-court.pl>. Also, check each court individually to see which years are included in the index. If no results are returned from the search, it may not mean that no cases exist. It means no cases exist for the years and courts included in the index searched. If results are found in the search of the U.S. Party/Case Index, visit the Web site of the particular court or courts to find more information.

Another site that can be helpful is the Federal Bureau of Prisons Inmate Locator, available at <http://inmateloc.bop.gov/locatordocs/home.jsp>. This database contains information about all federal inmates beginning in 1982. It is searchable by name (first and

last name must be included in the search) or identification number. The number may be a register number, DCDC number, FBI number or INS number.

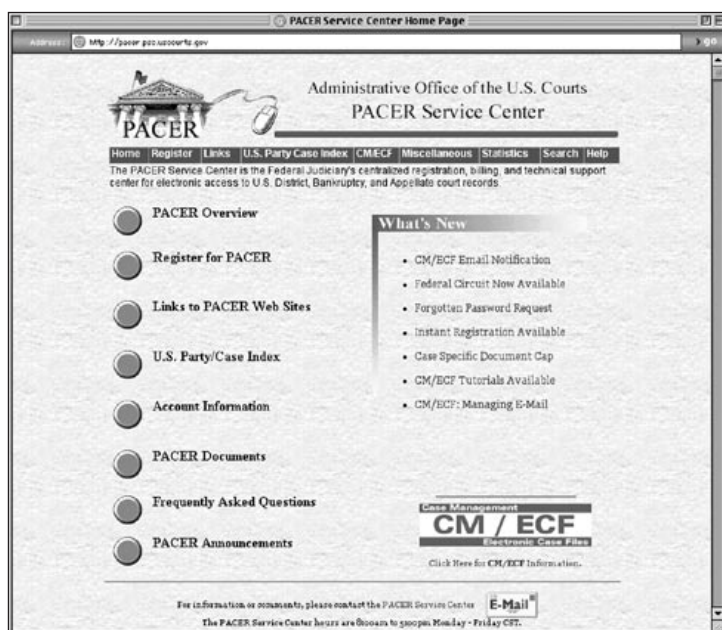
Search result information includes name, current age, inmate-register number, race, sex, projected release date, date released, location and phone number for that location. If the inmate is known to be deceased, this information is included in the date-released field. A complete list of addresses and phone numbers for federal prisons and community corrections centers is available at [www.bop.gov/facilnot.html](http://www.bop.gov/facilnot.html).

To find information about federal inmates released before 1982 or more information on the search results, visit the FAQ at [http://inmateloc.bop.gov/locatordocs/faq\\_home.html](http://inmateloc.bop.gov/locatordocs/faq_home.html).

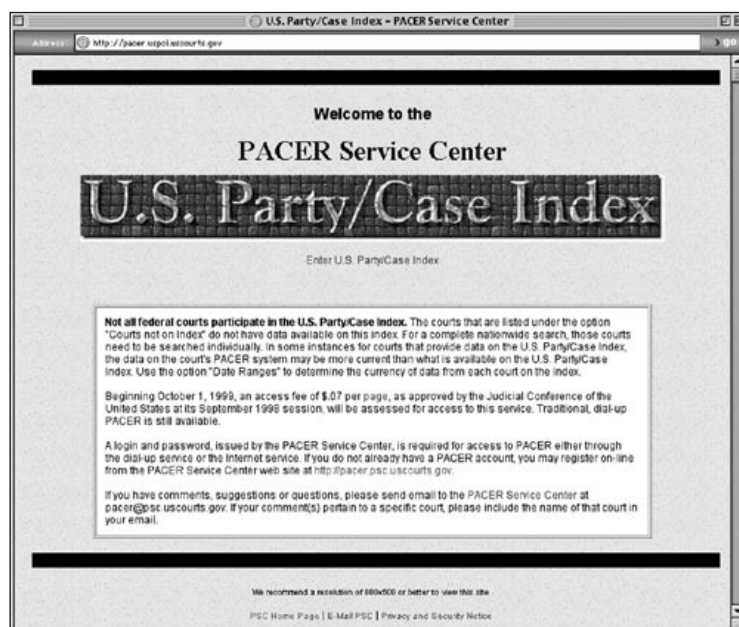
Finally, several sites contain lists of links to inmate locators at the state or local level. One way to find these sites is through Google. Search for: "inmate locator" Florida California Vermont Idaho. This searches for Web pages containing "inmate locator" as an exact phrase and the states listed. (Searching for states all around the country is more likely to turn up a state-by-state listing rather than a regional site.) Search results will include pages that have a list of "inmate locators" by state. Some of these state inmate locator sites include [www.corrections.com/links/viewlinks.asp?Cat=20](http://www.corrections.com/links/viewlinks.asp?Cat=20) or [www.virtualgumshoe.com/gator40.htm](http://www.virtualgumshoe.com/gator40.htm) or [www.lawresearchservices.com/firms/torts/inmate-search.htm](http://www.lawresearchservices.com/firms/torts/inmate-search.htm). Be sure the inmate locator databases you search are on the Web site of a government agency.

Good luck with your backgrounding research.

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



PACER – <http://pacer.psc.uscourts.gov>



U.S. Party/Case Index – <http://pacer.uspci.uscourts.gov>

# UNAUDITED STATE SPENDING

Yes, writing about state budgets can sometimes be fun



BY JOHN M.R. BULL  
THE (ALLENTOWN, PA.) MORNING CALL

Everyone knows that money fuels politics. But in Pennsylvania, tax dollars are being used to supplement political campaigns.

Who says writing about state budgets has to be boring?

We at *The Morning Call* decided to take a close look at two line items called Special Leadership Accounts in the telephone book-sized state budget.

The twin \$12.3 million accounts are appropriated each year by the two party leaders and are to be used for the operation of the House Democratic and Republican caucuses. The money is supposed to pay phone bills, district office expenses, policy research and the like.

But we discovered the unaudited funds also go for plane fares, big tabs at fancy restaurants and more than \$3 million last year for incumbent protection efforts such as phone banks, media consultants, focus groups, polls and even campaign-style television campaigns.

It wasn't an easy project. Pennsylvania, after all, has one of the worst open records laws in the

country – and state legislators exempt themselves from it anyway.

Still, House internal rules allow reporters and the public to look over monthly summaries of how the money is spent.

To see them, I had to put the information request in writing and wait for the House chief clerk's office to get back to me. Four weeks later, it was clear to me those summaries weren't much help. They revealed only who was paid, how much, on what date, with what check number and a catchall explanation of the purpose of the expenditure.

Credit card bills, for example, were explained as "legislative expenses." Not too helpful. And specific invoices – the financial documents to justify each payment – had been secret for decades. Last year, however, House leaders agreed to change the rules to allow those to be examined.

The leaders did so under pressure from rank-and-file representatives to include the House under the state's Open Records Law, and decided a rule change was better than a law change because rules

could easily be changed back, if necessary.

So, I asked to see hundreds of invoices. I had to do that in writing, and of course, wait another month.

## Seeking the records

I checked out what I could from the summaries as I waited for further documentation, and made it clear I wasn't going away. (I learned that some legislative staffers had advocated for delay in releasing the invoices in the hopes I would get bored, sidetracked, reassigned, or decide to settle for writing based only on the summaries I had obtained. I remained undeterred. Why settle for a story when you can hold out for *the* story?)

Finally, the invoices were compiled and available for my inspection.

Since photocopies are prohibited, I had to sit down – under the taxpayer-paid watchful eye of a House staffer – with lots of notebooks. Hours and hours of tedious, detailed note-taking were required.

But it was worth it. The invoices were a reporter's equivalent of a candy store. There were lobster ravioli dinners, \$940 restaurant tabs and jets to Germany and Las Vegas, even teddy bears for public relations giveaways.

The bigger costs included \$287,000 for phone banks (at \$1.62 a call) during last year's House elections, and \$3 million on TV campaign commercials – all done to support individual lawmakers, and aired during last year's House elections.

All on the taxpayers' tab.

Data in hand, now it was time for me to do the real digging.

First, the food bills had to be added up.

My editor, Pete Leffler, came up with the idea of writing the food bill story as a restaurant review. So, I went dining at some of the restaurants frequented by House leaders.

My partner, John Micek, and I were given a budget of about \$150, and admonished not to spend like a Pennsylvania politician.

That story just about wrote itself, proving the adage that there really is no better way to explain than to see for yourself. When the wine list in your hand is the size of a small city phone book, with bottles priced up to \$2,500, how can a journalist go wrong?

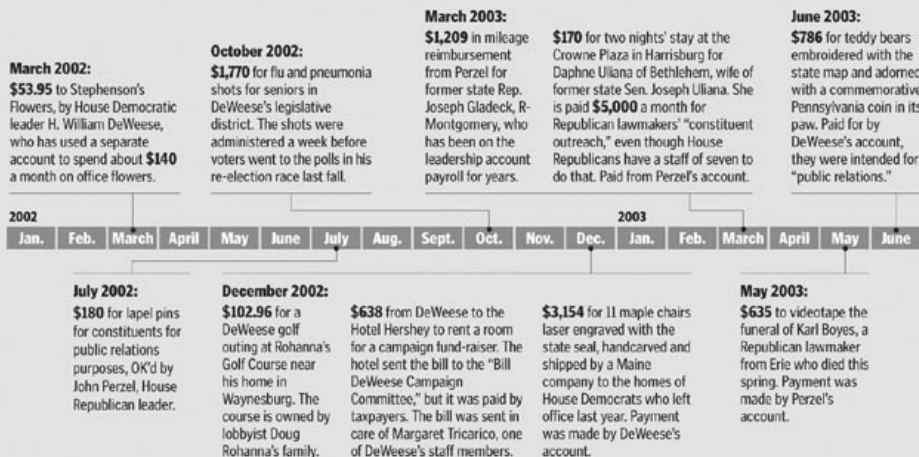
At the same time, invoices showed that the top House Democrat loved to fly all over the world on the taxpayer credit card. So, I pulled the logs on the state plane, and found he also had been using the state plane on a regular basis.

His trips to the big Pennsylvania cities were common and somewhat understandable. But it was the March jaunt to the little town of Altoona, Pa., that caught my eye. What was going on there that day in March? I had other lawmakers check their calendars and found that was the date of the funeral for the son of the Senate President Pro Tem.

Almost everyone had carpooled the two hours

### TEDDY BEARS AND MAPLE CHAIRS

Of the nearly \$25 million spent in 2002 via the House Special Leadership Accounts, more than \$4 million was spent on questionable items. Among the payments made from the accounts over the last year and a half:



Source: House records

Larry Printz/The Morning Call



from the Capitol to that funeral, but not the top House Democrat, who took the state plane, alone, leaving seven empty seats. (I checked the manufacturer's specs to find out how many the plane seated.)

Another trip to reexamine his invoices on that date revealed the \$108 bill from a limousine service to take him from the airport to the funeral and back again.

### Tying together details

The most difficult part of this project was tying together the details from different public records in order to flesh out a pattern of out-of-control spending. Still, I found ways to do it, such as revealing the top House Republican's invoices detailing what companies were paid to produce and air television commercials and set up phone banks for incumbents. And, corporate ownership records offered more to write about. A check of the Republican Party's campaign expenses added more context because some of those companies had been paid both from state accounts and party funds, further blurring the line between politics and policy.

Readers went nuts. House lawmakers grumbled at their leaders. State senators muttered about imposing a law to curb legislative spending.

One of the reasons this project got such a reaction was that the *Morning Call* gave me the time to do the digging and Sunday editor William Kline granted me the leeway to write sweepingly and colorfully. Executive editor Ardith Hilliard gave her full support.

We packaged extraneous material – expenses such as golf outings, teddy bears giveaways and weekly flowers for the office – in graphics so as not to bog down the main stories.

The lavish personal expenditures, however, we decided were best dealt with through subdued ridicule. Thus I had the joy of writing things like “oh, and put that on the taxpayers' tab, garçon,” and “think second-marriage wedding buffet and you have the gist.” Editors didn't summarily execute those phrases! What joy!

It was tempting to write it all straight – ponderous, weighty, professorial pay-attention-taxpayer chiding. That way would have been safer, less controversial, and less likely to get the editor hatchet. But that would have been a disservice to our readers.

Readers react when you present something to them that's both factual and enjoyable to read. How often do we just play it safe and go with the tried-but-true way of presenting our findings?

The lesson for me from the project was this: Serious issues do not necessarily require plodding pomposity as proof of our findings. That and state budgets really can be fun.

*John M.R. Bull has been a state capital reporter for the The Morning Call since March 2003, after a decade with the Pittsburgh Post-Gazette.*

## Evolving guidelines, risks: Electronic storage of reporters' notes



DAVID B. SMALLMAN

Whether reporters should retain notes, outtakes, and other unpublished material has long generated debate about the respective benefits and disadvantages of doing so if stories are challenged or litigation arises. While such data can show meticulous newsgathering techniques, corroborate accurate reporting, and memorialize crucial evidence, the same information can sink a case (or a career), revealing sloppy practices, fabrication, preconceived outcomes, or questionable tactics. Leaving aside aberrant instances of newsroom fraud and observation of basic rules that prevent its occurrence, journalists also should be aware of court decisions setting guidelines for retention of electronic records – both prior to and after litigation ensues – and the legal consequences of failing to preserve them.

### A wealth of stored data

Reporters create information on a variety of electronic devices, such as PDAs, digital audio recorders and cameras, and computers. Other information, including hand-written notes, documents and photographs, are converted to digital form by scanning. Such electronic data is communicated via e-mail and related attachments. Large volumes of accumulated data can reside remotely on tape drives or mirrored on backup servers. All of this means that a huge reservoir of electronic data is generated by the newsgathering process in both obvious and subtle ways. Not surprisingly, litigants have become savvy about electronic document discovery and judges have defined the contours of what records must be preserved and when.

### Knowledge of 'incidents' and 'threatened' suits

By the time a lawsuit is actually filed, the duty to maintain evidence relevant to the case is well understood. Until recently, it has been less clear what obligations attach to retention of records substantially prior to any actual claims or the filing of a complaint, and certain factors unique to journalists may come into play. For example, subjects of investigative reports increasingly engage in proactive measures to

head off or influence stories prior to publication. As a result, reporters, editors, producers and their media counsel may have or will acquire knowledge of stored data that could be construed to contain warnings of incipient claims. Media insurers commonly request information about incidents that may give rise to lawsuits, as well as lawsuits actually brought or merely “threatened.”

### Scope of duty to preserve stored data

In *Zubulake v. UBS Warburg LLC*, a federal district court in New York (in a nonmedia context) specified broad guidelines for preserving stored electronic data. The court stated that “the broad contours of the duty to preserve are relatively clear” – it “extends to information that is relevant to the claims or defenses of any party, or which is relevant to the subject matter involved in the action.”

The court further held that “[a] party or anticipated party must retain all relevant documents (but not multiple identical copies) in existence at the time the duty to preserve attaches, and any relevant documents created thereafter.” Importantly, the court goes on to state: “Once a party reasonably anticipates litigation, it must suspend its routine document retention/destruction policy and put in place a ‘litigation hold’ to ensure the preservation of relevant documents.” Though the court excluded, as a general matter, “inaccessible backup tapes” used for disaster recovery, it did not exclude such tapes if information about ‘key players’ was known to exist on such tapes and the information was not otherwise available.

As other courts begin to follow *Zubulake* or refine their own guidelines, reporters (and their counsel) will need to consider the possible consequences of their records retention policies with respect to reporters' electronic data – and not just backup tapes, but all types of information located in electronic storage, from the mundane to the exotic. Failure to maintain such records, if a court finds an existing duty, can have serious, even devastating effects in a lawsuit. Courts can draw adverse inferences from absent evidence, impose sanctions, or even dismiss the case. But if no

CONTINUED ON PAGE 37 >

*David B. Smallman, The IRE Journal's contributing legal editor, is a partner in the law firm of Piper Rudnick LLP. He is First Amendment counsel to IRE and NICAR and a member of IRE's First Amendment task force.*

# WELFARE WRECKS

## Badly managed car leasing program takes state's taxpayers, needy for a ride

BY SCOTT FINN AND ERIC EYRE  
CHARLESTON (W.VA.) GAZETTE

Three years ago, West Virginia officials launched an ambitious program to lease used cars to thousands of welfare recipients so these needy citizens could drive to work and get off welfare.

"West Virginia Wheels" sounded like a good idea. We live in the second most rural state in the country. Treacherous mountain roads separate welfare recipients from jobs, and public transportation is nonexistent in most places. We also have one of the largest unemployed populations in the nation.

But West Virginia's poorest citizens didn't get the safe, reliable vehicles the state had promised.

In our series, "Taken for a Ride," we found that too many Wheels program participants wound up with dangerous clunkers, while used car dealers made millions.

Welfare recipients had complained to us or to state officials that the program gave them unsafe cars. Seat belts didn't latch, steering wheels fell into laps, and mufflers fell off cars, they said.

One woman leased seven cars before she got one she could drive. Another woman's engine caught fire on the way home from the mechanic.

Some Wheels participants were saddled with lease payments even though their cars had been sent to the junkyard.

We also found evidence of corruption and mismanagement within the \$24 million program:

- The cars cost \$2,300 on average, but the program spent \$10,700 to get them to recipients – at least twice as much as programs in other states.
- Wheels program officials bought hundreds of vehicles from people like the dealer who had no license to sell cars, and who pleaded guilty to possession of a stolen vehicle last year.
- Former employees alleged program leaders took kickbacks to send business to certain repair shops and used-car dealers.
- State officials didn't begin to monitor the program until two years after it started.

At first, Wheels officials defended the program and blamed welfare recipients for the problems. They said program participants trashed the cars, which played well to some lawmakers and readers.

But as the evidence mounted, five state agencies launched investigations into suspected fraud and mismanagement. The state secretary of Health and Human Resources ended up praising the *Gazette's* stories, saying they would make the agency better.

### Corrective action plan

The story started with a tip from a friend of a legal aid lawyer. In a lawsuit, he uncovered an internal program audit of one of the four nonprofits that ran the Wheels program for the state.

The audit found some questionable dealings between the nonprofit and one used-car dealer, Nathan Belcher.

Wheels officials paid Belcher full retail prices for vehicles, an almost unheard-of practice in the used-car world. Program rules said they should pay only the trade-in value, which is often half the retail cost.

Belcher also would buy cars back from the program at a fraction of the original purchase price. One time, the program sold 52 vehicles to Belcher for \$5,000. A year before, the program spent \$118,000 for those vehicles – many of which they originally bought from Belcher.

State officials suspected fraud and mismanagement, but they didn't report their findings to the Legislature or local or federal prosecutors, we discovered. Instead, they issued a "corrective action plan" and gave the nonprofit millions more.

We did some more digging and found that another nonprofit, Human Resources Development Foundation, was engaged in the same questionable transactions with shady used-car dealers.

But state officials praised their program, in an

audit and in public. When they ran out of money and scaled back the Wheels program last fall, they gave a new \$1 million grant to Human Resources Development Foundation, despite its problems.

We published the stories as a running investigation, not because we wanted to, but because we had no choice.

We were required to continue our daily beats as we investigated this story. And some of our sources also were threatening to go to our competition if we sat on this too long. We only had three weeks from tip to first story – much less time than we would have liked.

But writing an investigation like that also had its advantages. Our editors loved the steady stream of copy over several weeks, and our readers were able to digest the investigation in small pieces.

### Concrete results

Besides the time pressures, we faced other challenges. The nonprofits refused to release financial information to us, saying they were exempt from Freedom of Information laws.

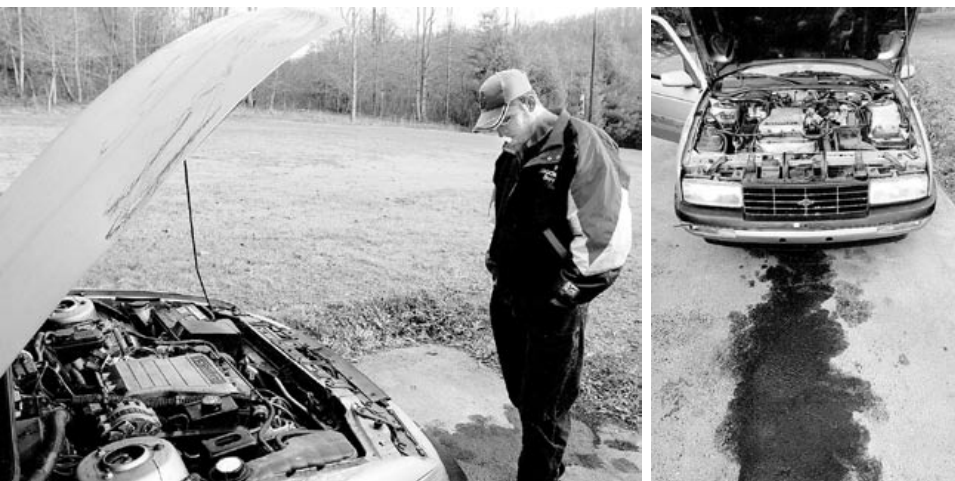
Program officials said they had destroyed their electronic databases with information about their car purchases. We were able to reconstruct one nonprofit's car purchases and sales from printed reports it sent to the state.

We retyped these reports into a database, and discovered cars were being sold only a year after they were bought at a tiny fraction of their original cost. We used a commercial car tracking service, Carfax.com, to confirm a car's sales history.

Also, we had trouble finding program participants at first. State confidentiality laws prevent the release of their names (although that didn't stop program officials from releasing a 10-page report that trashed three recipients from our articles.)

We found one participant from an old news article when the program first started. Grant docu-

Photos: F. Brian Ferguson | Charleston Gazette



David Olds must put a gallon of antifreeze into his car every time he drives it to work at Wal-Mart. He says the car has been nothing but trouble. "I'd rather ride a horse," Olds says. His car, leased through West Virginia's Wheels-to-Work program, leaked oil and transmission fluid from the day he first got the car. Wheels program participants like Olds say they got stuck with cars that repeatedly broke down.

ments led us to former employees in the program, who often were glad to help us find participants.

We used the state Freedom of Information Act to find complaint letters program participants sent to state officials. Although identifying information was blacked out, sometimes an e-mail address or phone number survived. Of course, we received many calls from participants after we published the first article.

Some welfare recipients complained about their cars, but were afraid of retaliation if they went on the record.

Former employees alleged kickbacks were common between dealers and program officials, but they lacked the documents to back up their claims.

One used-car dealer even threatened us, at first with legal action, and then physically, if we continued working on this story.

We can point to five state investigations as a concrete result of our series, but we have no way of predicting how those will turn out. We have learned it can take months and even years before government investigators release their findings.

*Eric Eyre is education reporter and Scott Finn is statehouse reporter for the Charleston Gazette.*

## Legal corner

CONTINUED FROM PAGE 35

duty to retain records attaches and those materials are subsequently discovered, notes and outtakes may result in long trials that could not have gone forward in the absence of that evidence.

### Practical considerations

As case law on the duty to preserve and disclose electronic data develops, standards applicable to maintaining existing electronic records – even prior to an actual lawsuit – continue to evolve. Is the digital voice data of a confidential source interview preserved on a reporters' iPod evidence of mere bias irrelevant to the outcome of the case or sufficient evidence of actual malice at the pre-trial stage?

The *Zubulake* case and its progeny could be read to suggest that to the extent reporters' unpublished notes and records are routinely saved and stored electronically – and because doing so is easy and relatively inexpensive – media lawyers might have some obligation to advise that such records be retained (or at least not deleted or wiped) during a period before litigation when there is reasonable knowledge that the evidence may be relevant to anticipated litigation.

And, depending upon whether litigation was threatened, further advice might address whether such data should be backed up, at least for the same length of time as other business records. Alternately, it could be argued that a “threat or anticipation of litigation” standard triggering retention of electronic records creates an unworkable premise where “threats” of litigation exist as part of the background “noise” of the news business. Imposition of broad, but inchoate retention policies upon the media (and, indirectly, upon their lawyers under ethical rules) could raise First Amendment concerns because of impermissible burdens placed upon newsgathering activities.

Given the inexpensive technology, real-time archiving of investigative data is probably here to stay. It will no doubt create intriguing opportunities to punish reporters and news organizations for demonstrable lapses during the newsgathering process. What to do about it? Do not assume that stored data – under your own or others' control – will be either routinely or easily discarded. Observe protocols that recognize the relative benefits and hazards of preserving data at the moment of creation. Expect that what is retained may well be scrutinized.

# Education Writers Association

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## 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.

- May 16-21
- Aug. 1-6

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- Analyzing data with spreadsheets
- Internet: searches and downloading data
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- How to download and import data
- Building your own database
- Problem solving using the Internet, spreadsheets, and database managers

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

## Member news

CONTINUED FROM PAGE 5

Philadelphia where he is leading "3 On Your Side," the CBS station's consumer franchise. He was a consumer reporter at WBNS-Columbus, Ohio. ■ **John Fairhall** will lead *The* (Baltimore) *Sun's* new investigations unit as assistant managing editor for projects. He was city editor at the newspaper. ■ **Mary Pat Flaherty** and **Gilbert Gaul** of *The Washington Post* won a Maryland-Delaware-D.C. Press Association Award in Investigative Reporting (dailies over 75,000 circulation) for "Pharmaceutical Roulette." ■ **Sandra Oshiro** has been promoted from business editor to assistant managing editor at *The Honolulu Advertiser*. ■ **Steve Power** has moved from *The Wall Street Journal's* Washington bureau where he covered the Department of Transportation to the newspaper's Frankfurt, Germany, bureau where he will report on the European auto industry. ■ **Bob Rose** has joined *The Philadelphia Inquirer* as assistant managing editor for business news. He was *The Wall Street Journal's* Atlanta bureau chief. ■ **Eileen Waldron** has moved to WTXF-Philadelphia where she is the executive producer

for Fox29 Undercover. She was the investigative producer for WISH-Indianapolis and the managing editor for *The Indianapolis Eye*. ■ **Matt Weiser** of *The Bakersfield Californian* received the American Planning Association's 2003 Journalism Award for medium-sized newspapers. The winning series, "Smog: A Growing Concern," examined how sprawl development contributes to air pollution. ■ **David Wethe** has moved from the *Dallas Business Journal* to the *Fort Worth Star-Telegram* where he is a business reporter covering tourism and the sports business. ■ **Michael Weber**, co-author of the IRE beat book "Unstacking the Deck: A Reporter's Guide to Campaign Finance," will lead the investigations team at the *Chattanooga* (Tenn.) *Free Press*. He was head of the Center for Media Initiatives. ■ **David Willman** of the *Los Angeles Times* won the 2003 Worth Bingham Prize for "Stealth Merger: Drug Companies and Government Medical Research." The result of a five-year investigation, the series revealed the routine practice of National Institutes of Health senior scientists receiving stock options and consulting fees from drug companies.

## Better Watchdog Workshops

### Investigative Reporting on the Beat

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

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

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

*Kevin McGrath, The Wichita Eagle*

#### Workshop is scheduled for:

- May 1-2, 2004 – Muncie, Ind.
- May 22-23, 2004 – New Orleans
- Nov. 6-7, 2004 – Oklahoma City, Okla.

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

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



## Florida audit

CONTINUED FROM PAGE 19

if he left empty-handed.

But if an official said that only one person was allowed to give out the records, and that person was out of town, that was marked noncompliant.

### Crunching the numbers

We created a worksheet for volunteers to fill out after each visit. The volunteers were then asked to log on to a Web site where they could enter the results. The site was set up to dump the data directly into Excel.

We reviewed the entries and contacted a handful of volunteers who had submitted inconsistent or questionable responses. We also eliminated about a dozen entries because volunteers hadn't followed the protocol. If there was any iffy situation, we always gave the agencies the benefit of the doubt.

After the series was published, we received at least 100 calls and e-mails from people around the state and country who appreciated the project. And the First Amendment Foundation also was flooded with calls.

Some of the feedback came from reporters, private investigators and others who rely on access for business purposes. But much of the response came from the "regular citizens" who we'd tried so hard to reach.

*Chris Davis and Matthew Doig make up the investigative projects team at the Sarasota Herald-Tribune.*

## FOI report

CONTINUED FROM PAGE 19

licenses.

"If you don't know anything about who's being affected by government, you don't know government," said Rebecca Daugherty, director of the Reporters Committee for Freedom of the Press FOI Service Center.

As courts develop new electronic filing systems, many are designing processes to protect individual privacy.

Reporters trying to navigate these regulations should realize that not everything can be withheld for privacy reasons; both the federal FOIA and most local open records laws outline specific reasons under which individual identifying information may be withheld. Know the law. If an agency wants to withhold such information, make it cite the statute that allows it to withhold the information. Search your state attorney general decisions to see if this issue has been addressed. Call your state open records coalition and report that you're being denied such records. In other words, when you hear "no," don't just go away. That's what they want you to do.

## 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: David Herzog, dherzog@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 a discounted rate of \$119 single/double occupancy plus tax.

**The room block expires May 21, so make your reservations today!**

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**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: \_\_\_\_\_

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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: \_\_\_\_\_

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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 8 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)

### FREE EVENT (Ticket Required)

The Carter Presidential Center  
Showcase panel on mental health and reception  
Friday, June 18, at 5:30 p.m.  
\_\_\_ I would like to attend. \_\_\_ # of tickets

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

WE SAID WHAT NEEDED TO BE SAID.  
And they said it's worthy of a Pulitzer and the IRE medal.



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While there is never a good time to read or write about war, the Tiger Force atrocities that occurred in Vietnam nearly 40 years ago were part of a story that needed to be told.

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