THE IRE JOURNAL

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NICAR has served roles as educator, incubator in 10-year IRE association

BRANT HOUSTON

In this issue of *The IRE Journal* you will find articles written by Ben Lesser of *The Record* in New Jersey and Jason Grotto of *The Miami Herald*.

Each of them received degrees from the Missouri School of Journalism – Ben an undergraduate degree, Jason a graduate degree. But each of them also got a valuable education at the IRE Database Library as a result of a powerful and innovative collaboration between a great school and a great professional association.

Ten years ago, the Missouri School of Journalism and IRE joined forces to bring data analysis to mainstream journalism. The collaboration was the reorganization and re-energizing of the computer-assisted reporting program at Missouri, which had been founded by data analysis pioneer Elliot Jaspin in 1989.

With a slight change in name (Missouri to National) and an ambitious training program, the National Institute for Computer-Assisted Reporting began a mission to train students and mid-career professionals in the effective use of databases for long-term and daily journalism.

The data library, which has grown in professionalism and impact, has played a major role in this effort. The data library has not only provided low-cost and easier-to-use federal data for journalists, but also has served as an international learning center. The staff of professionals and students trained each other. Then they trained other journalists in newsrooms to use the data they received from the library.

The data library currently assists journalists at more than 200 news organizations a year and the staff also has trained more than 1,000 journalists who have come to Missouri for the NICAR week-long boot camp seminars.

Whether it's figuring out how to negotiate for data, download it, convert it, or analyze it, the data library has been there for all kinds of journalists and news organizations – print, broadcast, online or freelance.

Out of this intense collaboration has emerged a new breed of journalist: A journalist – adept at all the traditional reporting methods – who can blend in new electronic techniques to produce better and more credible stories.

Among the journalists who have worked at the data library and moved on to do even more impressive work are Jo Craven McGinty, who won a Pulitzer Prize at *The Washington Post* and now does projects at *Newsday*, Andy Lehren who has won national broadcast awards while a producer at Dateline NBC, and Jack Dolan, who was Pulitzer finalist while at *The Hartford Courant*. Other library and journalism school alumni include MaryJo Sylwester of *USA Today*, Justin Mayo of *The Seattle Times*, John Sullivan and Dawn Fallik of *The Philadelphia Inquirer*, Megan Christensen of the *Detroit Free Press*, Mike Sherry of *The Kansas City Star*, David Wethe of *The New York Times*. [To see a fuller list of those who have worked as students in the data library, go to www.ire.org/datalibrary/alumni.]

From the early days of NICAR, when there were only two graduate research assistants, we have grown to five graduate research assistants, several undergraduate assistants, and two journalists who left newsroom investigative desks to come here and to work with the school and IRE: Jeff Porter and David Herzog.

Jeff, the full-time data library director, came here in 2001 from the *Arkansas Democrat-Gazette*. David Herzog came here from *The Providence Journal* to teach computer-assisted reporting to Missouri students while editing our CAR newsletter, *Uplink,* and working with the data library. And our current and former training directors, alumni and a host of friends of IRE and NICAR frequently supplement the students' education.

Altogether, it's terrific to see how such profound changes for the good can be made for a profession that is embattled on so many other fronts.

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

Conference audio tapes are available through Web

Audio tapes from the various panels held at the IRE Annual Conference in Atlanta are now available. The taping by Sound Images benefits members who were not able to attend the conference and attendees who had to choose between panels that interested them. It also allows newsroom managers to build a training library for their staffs.

Members can order the tapes through the IRE Web site at www.ire.org/training/audio.html.

Three IRE members now on SABEW board

George Haj (*The Houston Chronicle*), Diana Henriques (*The New York Times*) and James T. Madore (*Newsday*) have been elected members of the Society of American Business Editors and Writers' Board of Governors. The SABEW officers assumed their new jobs at the organization's 41st annual conference.

IRE members collect SDX awards from SPJ

The Society of Professional Journalists announced the recipients of the 2003 Sigma Delta Chi Awards for Excellence in Journalism. Included among the winners were the following IRE members (in bold):

Andrea Bernstein and **Amy Eddings** of WNYC New York Public Radio won in Radio Investigative Reporting for "Handshake Hotels."

Aaron Bernstein, Peter Engardio and Manjeet Kripalani of *Business Week* won in Public Service in Magazine Journalism for "Is Your Job Next?"

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 (Newspapers/ Wire Services, Circulation 100,000 or greater) 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*.

Jennifer Falor, Katherine Elkins and Adam Howell of the *Winston-Salem* (N.C.) *Journal*'s JournalNow.com won in Online Non-Deadline Reporting (Affiliated) for "Murder, Race, Justice: The State vs. Darryl Hunt."

Jeff Hirsh and Jeff Barnhill of WKRC (Cincinnati) won in Television Documentaries (All other markets) for "Finding Family."

Maureen Kelleher of *Catalyst: Chicago* won in Public Service in Newsletter Journalism for "CPS Guidance Counselors."

James Neff, **Maureen O'Hagan**, Christine Willmsen and Tracy Cutchlow of *The Seattle Times*' Seattletimes.com won in Public Service in Online Journalism (Affiliated) for "Coaches Who Prey."

Laure Quinlivan, **Phil Drechsler**, **Bob Morford**, and **Kevin Roach** of WCPO (Cincinnati) won in Public Service in Television Journalism (All other markets) for "Cincinnati Archdiocese Investigation."

Michael D. Sallah, Mitch Weiss and **Joe Mahr** of *The* (Toledo, Ohio) *Blade* won in Investigative Reporting (Newspapers/ Wire Services, Circulation 100,000 or greater) for "Buried Secrets, Brutal Truths."

Kurt Silver, **Jason Foster**, **John Ferrugia**, and **Jeff Harris** of KMGH (Denver, Colo.) won in Television Investigative Reporting (Network/ Top 25 Markets) for "Honor and Betrayal: Scandal at the Academy."

Lee Williams of *The Virgin Islands Daily News* won in Public Service (Newspapers/ Wire Services, Circulation less than 100,000) for "Deadly Force."

Phil Williams and **Bryan Staples** of WTVF (Nashville, Tenn.) won in Television Investigative Reporting (All other markets) for "Perks of Power: The UT President."

Derek Willis and **Aron Pilhofer** of The Center for Public Integrity won in Public Service in Online Journalism (Independent) for "Silent Partners: How Political Nonprofits Work the System."

Lisa Zagaroli and April Taylor of *The Detroit News* won in Washington Correspondence (Newspapers/ Wire Services, Circulation 100,000 or greater) for "Unsafe Saviors."

SPJ's Green Eyeshade Awards, which are open to journalists in 11 Southeastern states, also saw its share of IRE members:

Keith Cate and Carlos Albores of WFLA (Tampa, Fla.) won in Television Documentary (Markets 1-100) for "Before the Badge."

Cynthia Barnett of *Florida Trend* won in Print Investigative (Weekly/Monthly) for "Home Sick."

Jackie Barron, **Kathryn Bonfield** and Jim Hockett of WFLA (Tampa, Fla.) won in Television Non-Deadline Reporting (Markets 1-100) for "Medicaid Mess."

Leoneda Inge, Rusty Jacobs and Leda Hartman of WUNC-FM (Chapel Hill, N.C.) won in Radio Non-Deadline Reporting (Markets 1-100) for "Changing North Carolina Economy."

Scott Jagow of WFAE-FM (Charlotte, N.C.) won in Radio Features (Markets 1-100) for "Scott's Summer Adventure."

Scott Jagow and **Amy Quinton** of WFAE-FM (Charlotte, N.C.) won in Radio Investigative for "Identity Theft Investigation" (Markets 1-100) and in Radio Documentary for "Identity Crisis."

Joe Mozingo and **Manny Garcia** of *The Miami Herald* won in Print Investigative (Daily) for "Lavish Lifestyle at Teacher's Expense."

Bobbie O'Brien of WUSF (Tampa, Fla.) won in Radio Business Reporting (Markets 1-100) for "Gotta Pay to Play."

Tony Pipitone, **Darran Caudle** and Brent Singleton of WKMG (Orlando, Fla.) won Best of Television and Television Investigative (Markets 1-100) for "Armed and Dangerous."

Larry Schooler of WFDD-FM (Winston-Salem, N.C.) won in Radio Deadline Reporting (Markets 1-100) for "Darryl Hunt is Released."

MEMBER NEWS

Lex 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. ■ **Paul D'Ambrosio**, an investigations editor at the *Asbury Park Press*, Neptune, N.J., led the team of Gannett New Jersey newspaper reporters who won the $25,000 Farfel Prize for Excellence in Investigative Reporting 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*. ■ **Cheryl Carpenter** was awarded a 2004-05 Nieman Fellowship at Harvard University to study leadership and business development. She is deputy managing editor at *The Charlotte Observer*. ■ **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.). ■ **Steven Crabill** has been named special projects editor at *The* (Newark, N.J.) *Star-Ledger*. As part of his job, he will be responsible for the newspaper's investigative work. Previously, he was regional enterprise editor. ■ **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. ■ **Dennis Foley** has been promoted to the county government/politics editor post at *The Orange County Register*. Foley spent 11 years as the politics editor at the *Register* before serving stints as the paper's ombudsman and county hall reporter. ■ **Holly Hacker** has been named higher-

CONTINUED ON PAGE 35 ➢

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

Annual conference draws more than 900 to Atlanta

BY *THE IRE JOURNAL* STAFF

More than 900 journalists from around the world attended this year's IRE Annual Conference in Atlanta, hosted by *The Atlanta Journal-Constitution* and sponsored by 15 organizations, including primary sponsors CNN and Bloomberg.

The four-day conference offered nearly 100 sessions including panels, workshops, roundtables and special hands-on classes in computer-assisted reporting. A list of the sessions can be found at www.ire.org/atlanta04 and tapes of the sessions can be ordered from Sound Images at www.ire.org/training/audio.html.

The sessions included showcase panels and keynote luncheon speech by John Carroll, editor of the *Los Angeles Times*, who reviewed his recent tenure at the *Times* and its investigative work. Carroll called on journalists to oppose and criticize broadcast talk shows and news reports that are inaccurate and pose as journalism but are not.

Edward DeLaney, IRE's longtime lawyer who recently retired, also addressed the luncheon and urged the assembled journalists to uphold high standards in their profession.

In addition, IRE presented awards at the luncheon to the winners of the IRE Awards. A list of winners and finalists can be found at www.ire.org/contest/past/03winners.html or in the May-June issue of *The IRE Journal*. The showcase panels covered a wide range of topics: creating an investigative culture in a newsroom, meeting the challenge of covering global infectious diseases, investigating civil rights, and what journalists can learn from documentary work.

Participants in the conference came from 14 countries and IRE held a special Friday luncheon to honor international journalists at the conference. Twenty-four journalists attended the conference on minority, student and small news organization fellowships.

At the annual membership meeting, six incumbents and one newcomer won seats on the 13-member IRE board of directors.

At its June 19 meeting, the IRE membership re-elected Paul Adrian, KDFW-Dallas/Fort Worth; Stephen Doig, Arizona State University; Andy Hall, *Wisconsin State Journal*; Dianna Hunt, *Fort Worth Star-Telegram*; Shawn McIntosh, *The Atlanta Journal-Constitution*; and Stephen Miller, *The New York Times*. The new member is Mark Katches, investigative editor at *The Orange County Register*.

Afterward, the board elected Boardman its new president, Pohlman as vice president, Phillips as treasurer and Miller as secretary. Former president McIntosh moved to the role of board chair.

Elected as contest judges for the annual IRE

Renee Hannans Henry | The Atlanta Journal-Constitution

Jane Hansen, *The Atlanta Journal-Constitution*, Donna McGuire, *The Kansas City Star*, and Eric Frazier, *The Charlotte Observer*, suggest resources for fellow reporters during their session on investigating the neglect of children.

Conference Sponsors

IRE would like to thank the organizations contributing to the conference and the programs related to the conference:

Host:
The Atlanta Journal-Constitution

Primary Sponsors:
CNN
Bloomberg

Sponsors:
American University
Atlanta Press Club
The Carter Presidential Center
Chicago Tribune Foundation
Dart Center for Journalism & Trauma
Dow, Lohnes & Albertson
Poynter Institute
Time, Inc.
U.S. News & World Report
WAGA-Atlanta
The Wall Street Journal
The Washington Post
WSB-Atlanta

Tipsheets and tapes

Panelist tipsheets and audio tapes of the conference sessions are available through a link off the conference Web site (www.ire.org/atlanta04).

Board plans bylaw changes

The IRE Board of Directors is planning to make several changes in the organization's bylaws to modernize IRE's leadership operations.

The board plans to vote on these changes at its fall meeting and urges members to contact board members or staff if they have questions or comments.

The proposed changes are:

- Board members must attend at least two-thirds of the meetings, instead of one-half of the meetings, if the board member seeks re-election.
- Eliminating the post of board chair. The president will be head of the executive committee. The executive committee will include the four officers of IRE – president, vice president, treasurer, secretary – plus an additional board member.
- All officers, which are elected by the board, must be elected board members. The current bylaws do not require the secretary to be an elected member of the board.
- The board must notify members of proposed bylaws changes at least 30 days before a vote on changes. The proposed transition would take place next year.

Awards were David Cay Johnston of *The New York Times* and Nancy Amons of WSMV-Nashville. They will join several board members on the IRE Contest Committee.

Journalists who attended the optional day on June 17 focused on computer-assisted reporting were able to attend panels on wide range of topics. Those panels included sessions on using homeland security and military data, using CAR to cover education and investigative reporting using Census data. There were two special tracks for broadcast journalists and for putting together a CAR story from start to finish.

Other conference events included a showcase panel Friday evening on covering mental health and trauma issues at The Carter Presidential Center, followed by a reception. Transportation to the Carter Center was sponsored by the Dart Center for Trauma and Journalism and the reception was sponsored by Dow, Lohnes & Albertson.

The Blues Bash, once again filled to capacity, was held at two clubs on Thursday night in the Virginia Highlands area of Atlanta and featured Sandra Hall, The Shadows and blues guitarist Luther "House-rocker" Johnson.

On Saturday night, *The Atlanta Journal-Constitution* hosted a conference reception that drew more than 600 at the Marriott Marquis.

Some conference attendees also took advantage of "mobile" panels to the Centers for Disease Control and Prevention and to the Martin Luther King Jr. National Historic Site on June 18.

At the MLK Jr. site, IRE members were greeted by Martin Luther King III and the National Park Service on the steps of the King Center. Participants were then treated to a guided tour of Dr. King's birth home, the two-story building that housed the multi-generational King family through 1941. Participants also took self-guided tours of the site that includes the National Park Service Visitor Center, Historic Ebenezer Baptist Church, The King Center (Freedom Hall), Dr. King's tomb and Fire Station No. 6, Atlanta's oldest standing firehouse.

The tour at the CDC started with a walk through a display showing the center's work in the 20th century. The group was guided thru the influenza research area and heard how the CDC figures out flu shot recipies and plans for preventing the next Spanish Flu-like epidemic. The tour also included the recently completed Emergency Operations Center, with state of the art technology, the press briefing room and the CDC Gift Shop.

Renee Hannans Henry | The Atlanta Journal-Constitution

Lea Thompson, Dateline NBC, right, and Elisabeth Leamy, WTTG-Washington, D.C., offer examples in their Atlanta panel on consumer investigations. The conference session included Jim Strickland of WSB-Atlanta.


Chris Stewart | Dayton Daily News

Volunteer Michael Coleman watches students perform a skit in Lesotho.

PEACE CORPS

Violence against volunteers worldwide found in database checks, interviews

By Russell Carollo
Dayton (Ohio) Daily News

The Peace Corps was the last place I thought I'd find an idea for a long-term project and the last place I thought I would find a federal agency with something to hide.

This was, after all, the Peace Corps.

But several years ago, while scanning the semiannual report to Congress from the Peace Corps Office of Inspector General, I noticed reports of rapes and other assaults, brief descriptions of violent attacks, mostly directed at young female volunteers.

Subsequent reports had similar accounts of attacks, so I decided to put the idea on a projects list – not as a proposal for a major project but as a potential story idea someone else might be interested in. My suggestion caught the eye of Mike Wagner, a projects reporter at the *Dayton* (Ohio) *Daily News*, and he insisted during a projects meeting this was a major story that would shock Americans.

Thus began a 20-month examination that led us to 500 interviews in the United States and 10 other countries, more than 75 Freedom of Information Act requests and appeals, a months-long legal battle that ended in a federal lawsuit, never-before released computer databases and a personal request that our editor testify before a congressional hearing.

Wall of resistance

The project began with a search of LexisNexis. The search disclosed no major projects on the subject and very few stories of any kind about assaults or deaths. The next and most important question I had to answer before proceeding was: Is there a way to find and document numerous examples of this problem?

I quickly found an endless supply of former volunteers who were relatively easy to identify through volunteer associations, through Google, Nexis, Yahoo or Auto Track XP, a paid service. In most cases, volunteers had at least some information on assaults occurring while they were in a country, and just about every volunteer had been the victim of a serious crime or knew of someone who had.

Once we were sure we had a project, a second reporter, Christine Willmsen, was assigned and spent months on the project before taking a job at *The Seattle Times*. Later, Mei-Ling Hopgood, our Washington correspondent, took over and worked with me for the remainder of the project.

For actual records on the assaults and for overall statistics, I started filing the first of the FOI requests and appeals, including one for the agency's main database on assaults: the Assault Notification Surveillance System database. In the meantime, I went to the Peace Corps spokeswoman.

I met a wall of resistance.

The spokeswoman refused to answer even the most basic questions about assaults and referred me to the FOIA office. A search of Nexis showed that the same woman was being quoted regularly by newspapers reporting positive stories about the agency. The FOIA office refused to even acknowledge receipt of some of my requests and refused to provide proper acknowledgment letters on others. I appealed for lack of proper response.

When the agency did finally release something to me, it was virtually worthless. Among the pieces of information the agency denied: the countries where assaults occurred, dates of assaults, dates of reports, days of the week assaults occurred, times of the assaults, whether local authorities were notified of assaults (yes or no), whether victims were medically evacuated, general information about the types of places where the assault occurred and brief descriptions of the attacks.

All this information, according to the Peace Corps, was being withheld to "protect the privacy interest of individuals." Since we weren't demanding the names of the victims and since just about every law enforcement agency in America releases the same information, I appealed, challenging the agency to defend how such things as the name of a country would violate someone's personal privacy.

When nothing seemed to work, I went to our attorneys, and in November 2002, we filed a lawsuit in federal court against the Peace Corps.

Easy targets

The agency suddenly became much more cooperative, giving us a copy of nearly its entire assault database. An analysis of the data disclosed that assaults against volunteers increased 200 percent between 1990 and 2002, while the number of volunteers increased 29 percent. That included a 300 percent increase in aggravated assaults. We decided to leave off the first year of collection and still found a 125 percent increase. In 2002, we found, a volunteer was assaulted or robbed every 23 hours.

Meanwhile, through countless hours of interviews, we found the Peace Corps was being run in a way that would seem ridiculous to any business.

Few of the volunteers we interviewed had any real background in the jobs they were given. Recent college graduates who had never grown a flower were being asked to teach farmers how to grow crops in countries where the volunteers had only recently arrived. Volunteers who never held a real job were being asked to show other people how to run businesses.

Not only did volunteers lack experience in the subjects they were teaching, but they also often lacked the ability to speak the language well enough to communicate effectively.

Making matters worse was the fact that the Peace Corps had no written policy on how often supervisors were supposed to visit volunteers, and some volunteers went months without visits at their sites from supervisors.

Frustrated and with an abundance of free time, some volunteers turned to drinking, using drugs, Chris Stewart | Dayton Daily News

"I don't like living in fear," says University of Dayton graduate and Peace Corps volunteer Michelle Ervin, as she rides a bus in Cape Verde. Most of the Corps' volunteers – and most of its victims – are young women.

entering into relationships with foreigners they hardly knew, taking unauthorized vacations – sometimes alone – or engaging in other activities that made them easy targets for assault.

And the majority of volunteers were those most vulnerable to assaults: women, who now make up more than half of all volunteers. In one African country we visited, up to 90 percent of the volunteers were women.

Despite all these problems, the Peace Corps insisted on sending volunteers alone to remote sites, sometimes with little means to communicate with the outside world.

Just weeks before publication and after more than 18 months of work, we were able to get a copy of the agency's Deaths in Service database and found even more troubling things about the agency.

Pattern of misinformation

We already planned to report that the agency kept crucial details about some deaths from families and the public. We had gone to the Ukraine and walked across the same bridge the Peace Corps claimed 27-year-old Brian Krow accidentally fell from days after he received a letter threatening him with expulsion. The bridge had chest-high railing on both sides, and the prosecutor who investigated the case told us that the Peace Corps never told him Krow faced expulsion and wouldn't allow him to question other volunteers about Krow.

While there, we also looked into the death of 64-year-old Victor Verloo and learned that his family was never made fully aware of his involvement with a 28-year-old Ukrainian woman or the crucial role she played in his death.

Still, the death database helped us to establish a pattern of misinformation that had gone on since nearly the beginning of the agency more than 40 years earlier. Just a glance of the description field in the database was enough to pique our suspicion.

The database, for example, says 26-year-old Guatemala volunteer Joseph Teates was found hanging from ropes attached to his neck and feet in June of 1987, yet the Peace Corps called it an accident. We tracked down his family and learned that he had a history of mental problems, drug abuse and a police record the Peace Corps apparently wasn't fully aware of when it accepted him.

The death of 22-year-old Linda Fink in Lemfu, Zaire, in 1973 was one of several attributed to an animal attack, but we learned later that she had written a resignation letter the day she disappeared and that the agency suspected suicide – facts the family was never told.

In several deaths, the Peace Corps explanation was a likely cause, but not nearly as likely as the database indicated. The database, for example, concluded that 24-year-old Bethanne Bahler of Wabash, Ind., "slipped on rocks while crossing cascade." We learned later that her body was found floating in the water after becoming separated from a group of volunteers vacationing in Jamaica and that no one actually saw her fall off anything.

Twenty days after Bahler's death, a 24-year-old volunteer died in Afghanistan, and the explanation by the Peace Corps was nearly identical: "Slipped on rocks into rapids while fishing." We tracked down the woman's husband, who was fishing with her that day, and even he didn't know of anyone who actually saw her fall in.

We also found major problems with the agency's crime data.

The Peace Corps didn't start collecting worldwide crime statistics until 1990 – 28 years after it first sent volunteers overseas. Certain crimes still weren't specifically identified at all on the assault database, such as abductions, kidnappings and even murder, which is usually counted as an assault in the data.

Some crimes that should have appeared in the data just weren't there at all. Underreporting was estimated by government auditors to be as high as 50 percent.

When we asked Elliot Jaspin of the Cox Newspapers' bureau in Washington, D.C., to look over our findings before publication, he found something even more troubling: The crime rate the agency was making available to Congress and the public was based on the number of volunteers in a country, but it wasn't based on the number of volunteers being victimized. Instead, the agency was counting only "incidents," ignoring the fact that many incidents had multiple victims. For example, when three women were raped and two male volunteers were assaulted in a single incident in El Salvador in 1996, statistics reflected a single rape.

About one in every five assaults involved more than one volunteer, but it was impossible through the data provided to determine what happened to all the other volunteers in each case.

Jaspin, who founded what is today the National Institute for Computer-Assisted Reporting, confronted Peace Corps officials, but they insisted that their data collection methods were the best way to make volunteers safer.

The Peace Corps continued to defend itself after our seven-part series, "Casualties of Peace," was published from Oct. 26 to Nov. 1, 2003. Though the agency has yet to point out a single factual error in our reporting, it criticized our work and questioned our motives. The agency has yet to acknowledge a single mistake or institute a single reform as the result of our work. Within weeks of publication, however, the Peace Corps redesigned its Web site to include extensive information on safety and security.

As the series was being published, Ohio's two senators formally requested a Senate committee hearing, and that request is pending.

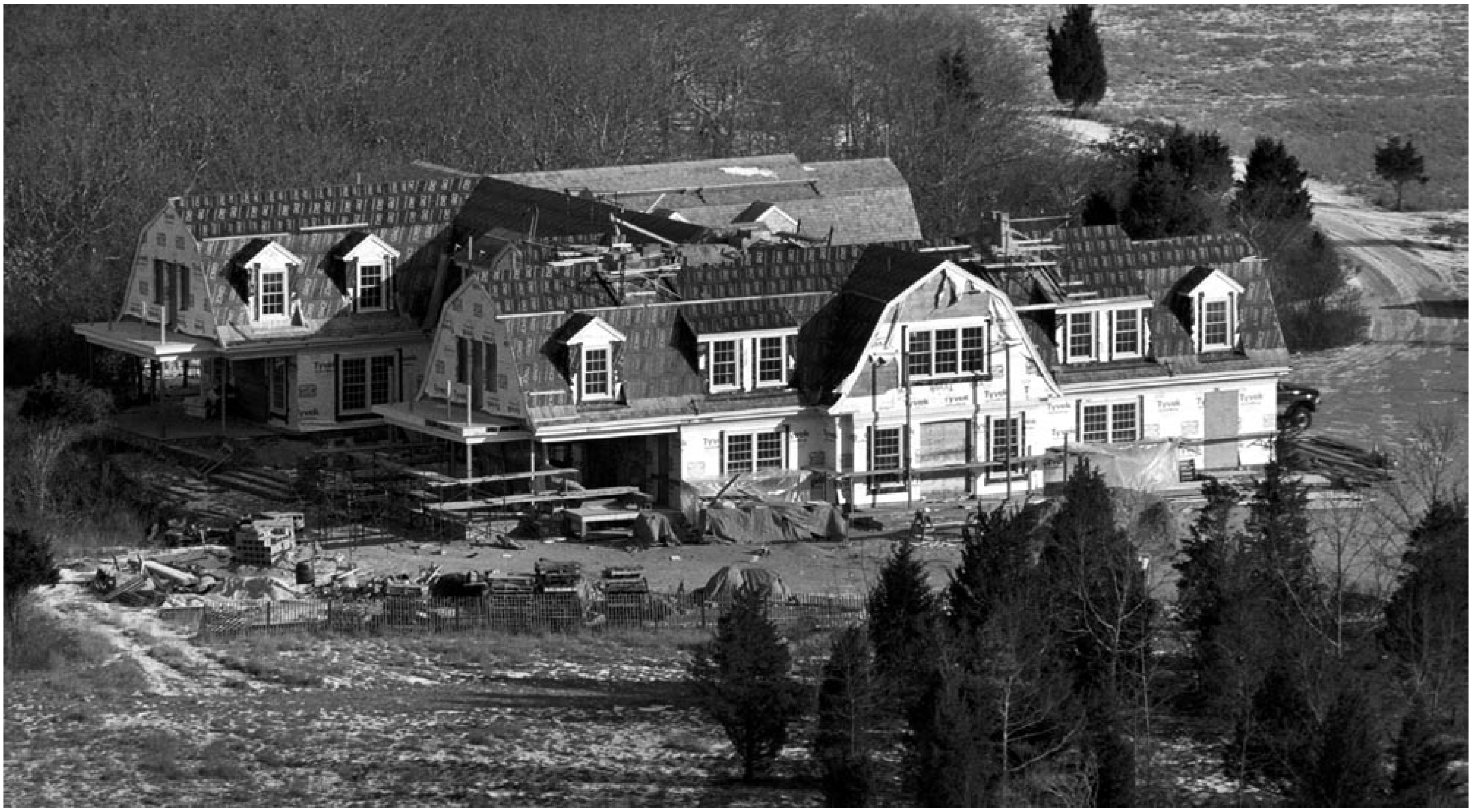
On March 24, the House Committee on International Relations held a hearing as the result of our work, and six days later, the committee passed a bill to enhance safety of volunteers.

At the hearing, Chairman Henry Hyde, R-Ill., read into the record a quote published in our series that came from Patrick Sullivan, a GAO special investigator and a 23-year veteran of the U.S. Secret Service who was sent to Bolivia to investigate the disappearance of a volunteer:

"We believe that the Peace Corps severely failed their people, their volunteers, and knowing what I know, there is no way I would let my children volunteer for the Peace Corps unless there was some immediate changes and serious changes in the Peace Corps."

Russell Carollo has been a special projects reporter for the Dayton Daily News since 1990. He and Mei-Ling Hopgood won an IRE Award for "Casualties of Peace" this year.

James M. Thresher | The Washington Post



The Herring Creek farm property bought by the Nature Conservancy on Martha's Vineyard, Mass. The house under construction belongs to Daniel W. Stanton of Goldman Sachs.

CHARITY ACCOUNTABILITY

Scrutiny shows leading environmental group cut insider deals, drilled for oil in sensitive area

By Joe Stephens
The Washington Post

The Nature Conservancy, the world's biggest environmental organization, is dedicated to preserving open space. So it came as no surprise a few years ago when the nonprofit organization bought a gorgeous oceanside plot on New York's Shelter Island, located near the exclusive Hamptons and a short drive from Midtown Manhattan. Cost to the Conservancy: $2.1 million.

What came seven weeks later was less expected. The Conservancy resold the 10-acre tract, with some development restrictions, to the former chairman of the organization's regional chapter and his wife, a local Conservancy trustee. Cost to the new buyers: $500,000.

Such land deals were only one surprise that surfaced as David Ottaway, a staff writer at *The Washington Post*, and I spent more than a year looking behind the scenes at the Conservancy – a charity with assets totaling $3.3 billion – and the wider environmental movement. The result was a series of stories published throughout 2003 that we called "Big Green."

Our articles told how the Conservancy:

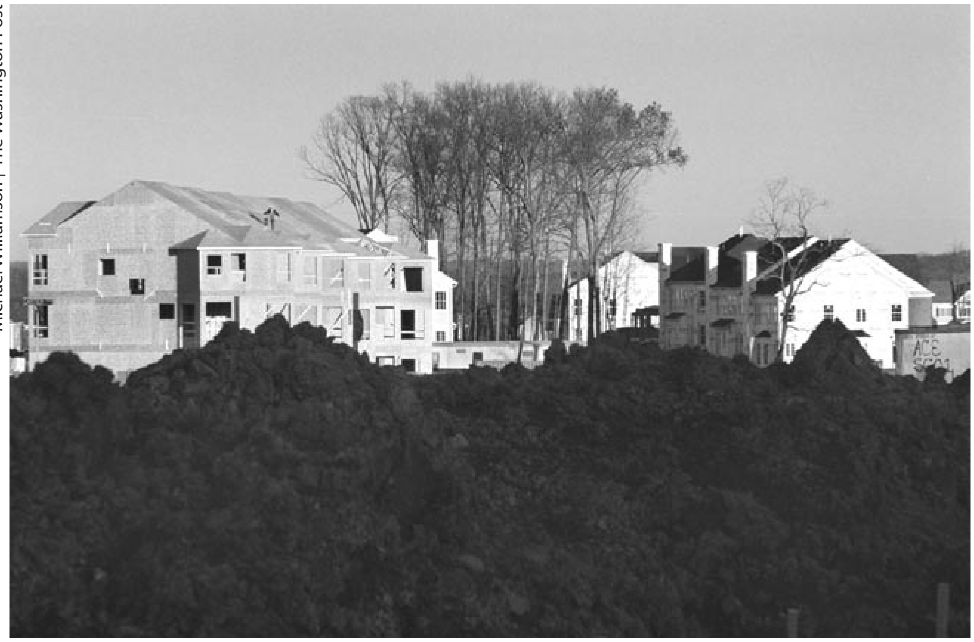
- Had its governing board and advisory council include senior officials from corporations that had paid millions in environmental fines.
- Engaged in deals worth millions of dollars with those corporate insiders and their companies.
- Paid millions of dollars to another well-known charity to settle claims of theft.
- Under-reported its president's compensation and extended low-interest loans to its executives.
- Drilled for oil under the last breeding ground for highly endangered birds as many of those birds died.

The articles also included an in-depth examination of the Conservancy's land sales to corporate insiders. Time and again, we found, the Conservancy had bought raw land and resold it for a lesser amount to one of the charity's trustees, supporters or employees. The sales were part of a program to limit intrusive development, but generally allowed the buyers to construct homes and conduct other limited development on the environmentally sensitive sites.

The buyers, in turn, covered the Conservancy's costs by giving the charity cash gifts in amounts roughly equal to the organization's loss on the sale – $1.6 million in the Shelter Island deal. The donations benefited the buyers, allowing them to take significant tax deductions – just as if they had given money to their local charity.

Surprises surface

The reporting project began simply enough. Ottaway, who has long been interested in the growing influence of nonprofit corporations, noticed that the Conservancy's assets were startlingly large. So the *Post* set out to sketch a portrait of the local charity, whose worldwide office is located in Northern Virginia, just a few miles from *The Washington Post*. We found that the charity had grown to include 1 million members and had become the eighth largest nonprofit of any type in the country.


Michael Williamson | The Washington Post

A Centex Homes development sits in what was once a very rural area of Loudoun County, Va. The purchase of a Centex home, a corporate partner of The Nature Conservancy, often includes a free one-year membership in The Nature Conservancy, thus providing the organization with many new members.

The Conservancy also had grown into one of the nation's most esteemed institutions.

But surprises quickly began surfacing. Information on the Conservancy's annual tax report – IRS Form 990 – was perplexing and at times wrong. Simple questions regarding things like executive compensation drew conflicting responses from Conservancy executives. Land records revealed the land sales to insiders.

We filed a series of Freedom of Information Act requests with federal agencies that did business with the Conservancy. Executives at the charity found out about the requests within days, and asked us to drop the requests. We politely declined.

Senior Conservancy executives then issued memos directing their employees not to speak with us. That drove us to look deeper. Investigative Editor Jeff Leen and Marilyn Thompson, assistant managing editor for investigations, directed the reporting and kept the project on track. [Leen has since assumed the title of AME/Investigative at *The Post*. Thompson is taking the position of executive editor of the *Lexington* (Ky.) *Herald-Leader*.]

We were lucky enough to develop a wide variety of human sources, including former and current Conservancy employees. We asked each one to provide us with as many documents as possible, no matter how boring or trivial they might appear. We amassed a dozen or so file boxes of documents, and thousands of electronic documents as well. They include IRS Form 990 tax returns, property records, mortgage records, conservation easements, lawsuits, internal memos, audit reports, corporate annual reports, Security and Exchange Commission filings and marketing strategy reports.

Counter offensive

We are accustomed to being criticized by the subjects of investigative articles. What was striking in this instance was that the Conservancy finalized its response long before our reporting ended – and before the shape of the series had been established. Internal records memorialized their damage control plan many months before the first articles hit print in May 2003.

In a January 2003 conference call, for example, the Conservancy marketing department discussed ongoing "opposition research [into] TNC detractors, " a memo shows. Executives proposed at the time that their response after publication would include a written "point-by-point rebuttal;" a meeting with the *Post* ombudsman "to itemize issues of editorial bias;" and letters to the editor written by "prominent responders." That is what happened. The Conservancy also "offensively" leaked information to the other publications in an attempt to ensure that embarrassing facts about the Conservancy would, as one memo explained, "come out in more innocuous fashion."

The Conservancy's counteroffensive went into high gear after newspaper publication began. The charity's executives delivered a 16-page rebuttal to each member of Congress. They bought full-page ads in the *Post*. They conducted focus groups and sent damage-control letters to the organization's membership. They posted tens of thousands of words in response to the articles on the Conservancy Web site. Finally, they hired a public relations company and a law firm, both renowned for their political clout, in an attempt to head off Capitol Hill scrutiny.

“The nonprofit's directors banned virtually every practice questioned in the articles and enacted sweeping reforms spanning 18 categories. No longer would the Conservancy drill for oil, lend executives money or sell undeveloped land to its own trustees as home sites.”

Despite all those efforts, response to the articles was swift and decisive. Within days, Congress launched a sweeping investigation, which continues today, and demanded thousands of internal documents from the Conservancy. One congressman read from the articles on the floor of the House. The Senate is weighing reforms that would outlaw practices described in the articles. The Internal Revenue Service has moved a team of examiners into the Conservancy's worldwide office for an audit of uncommon scope at a charity.

In the wake of the reaction, Conservancy executives reversed course. The nonprofit's directors banned virtually every practice questioned in the articles and enacted sweeping reforms spanning 18 categories. No longer would the Conservancy drill for oil, lend executives money or sell undeveloped land to its own trustees as home sites. The organization also announced a broad restructuring of its governing board to strengthen accountability and oversight. Meanwhile, the national trade association for conservation organizations launched an ethics push and began "radically" revising its national standards. Ethics became the focus of a national conference attended last fall by 1,600 conservationists.

We've also received hundreds of letters and e-mails from readers – such as this one, from Robert Lamborn:

"I've been an unthinking, unquestioning member of the Conservancy for several years. I just want to let you know that your recent series of articles is exactly what journalism is supposed to be. It wakes up the complacent public, causes changes (for the good) within the organization, brings the truth to the light of day and raises everyone's level of consciousness. Your reporting has affected the way I think about all organizations, their leadership and contacts – not just the Conservancy. Bravo."

Joe Stephens is a projects reporter for the investigative unit at The Washington Post. "Big Green," the series he co-wrote with David Ottaway, won a recemt IRE Award, the Edward J. Meeman Award for environmental reporting from the Scripps Howard Foundation and was a finalist for the Pulitzer Prize for investigative reporting.

NONPROFITS

Charities lend millions to officers, directors

BY HARVY LIPMAN
THE CHRONICLE OF PHILANTHROPY

Imagine you're a wealthy individual looking for a massive tax break. You'd like to reduce your tax burden and help others at the same time by making a donation to charity, but you want to be able to continue using the money you contribute for your own personal benefit as well. How about if you create your own charity, put yourself, family members and business associates on the board, donate a few hundred thousand dollars to it, and then have the board agree to lend virtually all the money back to you – so you can get that hefty tax break and still invest the money in lucrative real estate deals to which you are the sole beneficiary?

Or imagine you're being recruited to run a large nonprofit organization in New York, San Francisco or one of the nation's other major metropolitan areas. The group is willing to offer you a seven-figure salary, but you're not satisfied with that compensation package. You're interested in buying a luxury penthouse apartment not only befitting your new status in the community, but also in which you could comfortably entertain the corporate giants you'll need to hit up for donations to the organization. Couldn't the group spice up its offer with a multimillion-dollar, interest-free mortgage – and maybe even agree to forgive almost 90 percent of the loan as long as you stay on the job for five years?

Ludicrous?

Well, actually, no.

As we investigated the loan practices of thousands of nonprofit groups around the nation, my colleague at *The Chronicle of Philanthropy,* Grant Williams, and I learned that deals like these were not unusual. From 1998 through 2001, more than 1,000 nonprofit organizations reported loan debts of $10,000 or more with their officers or directors on their federal tax returns. The total bill: $142 million.

Another 1,250 reported similar debts, but failed to provide the legally required attachments to their tax forms that would show if the debts arose from loans.

Not that the Internal Revenue Service noticed. Steven Miller, who heads the IRS division that oversees tax-exempt organizations, acknowledged that the 60 people on his staff who are responsible for reviewing tax returns from 360,000 charitable organizations and foundations annually just can't keep up. The IRS keys about one-quarter of the information from the returns into a computer database – but none of that data includes the lines on the form about loans.

Besides, the loans may all be legal under federal law. On the other hand, 27 states have their own laws restricting loans, with 20 of them plus the District of Columbia banning them outright. But the states, under often even tighter staffing constraints than the IRS, had no idea the frequency with which their laws were being violated.

Using datasets

The Chronicle investigation was an outgrowth of the work we do annually surveying charities about their financial practices and executives' salaries. As part of those surveys, we collect a copy of the federal tax return – known as a Form 990 – from each of the organizations we survey. As we examined them, we would frequently notice large loans made to officers or directors. The problem was figuring out how to take a comprehensive look at the issue.

An organization called GuideStar solved that problem for us. Under a contract with the IRS, GuideStar has been receiving copies of all the Forms 990 as Adobe Acrobat files and posting them on its Web site (www.guidestar.org). But those .pdf files are just images of the forms, and not usable as a database. However, for the past few years, GuideStar has been entering the data from the forms into a database, and will sell datasets to news organizations and others upon request.

Before we approached GuideStar, however, the first thing we needed to figure out was how to define the data we wanted. Information about debts with officers and directors is located in various places on the tax return. On Line 50, organizations are required to list the amount they are owed by officers, directors, trustees, and key employees – defined by the feds as anybody who has responsibilities or powers similar to those of officers, directors, or trustees. For example, at some organizations the top official is called an executive director. Even though that is technically not an officer's title, the IRS – and most every state – considers such a person an officer.

The fact that a group lists an amount on Line 50, however, does not necessarily mean it made a loan. The debts could stem from any sort of financial note – a pledge to contribute money, for instance. That's why the IRS requires every organization that fills in Line 50 to attach a schedule to the back of its return explaining the debt. Unfortunately, we found, more than half don't.

Line 51 lists all other debts owed to the organization. In most cases, these have nothing to do with officers or directors, but occasionally a loan

States Where Loans to Officials Are Banned or Limited

The following states have enacted laws prohibiting or limiting nonprofit corporations from making loans to officers and directors.

	Number of organizations that made loans to officers or directors from 1998-2001
Alabama	10
Alaska	3
Arkansas	6
Colorado	10
District of Columbia	30
Florida	36
Hawaii[1]	—
Idaho[2]	3
Illinois[3]	33
Indiana	10
Iowa	10
Minnesota[4]	17
Mississippi	3
Montana	7
Nebraska	2
New Hampshire	3
New York[5]	75
North Carolina	9
Oregon[6]	8
Rhode Island[7]	5
South Carolina	3
Tennessee	30
Texas[7]	57
Utah	15
Vermont	3
Washington	28
Wyoming	3

[1] Law effective in 2002.
[2] Loans allowed if available to all employees.
[3] Loans allowed if for principal residence or if they further the purposes of the organization.
[4] Loans allowed if they further the purposes of the organization.
[5] Loans allowed only by chartered educational institutions and if available to all employees.
[6] Loans allowed for the recruitment of staff.
[7] Loans to directors prohibited; loans to officers permitted.

SOURCE: Chronicle analysis of tax returns maintained by GuideStar will show up to a company controlled by such a person.

Schedule A, Part III, Line 2b is a yes/no checkbox, where organizations must say whether they make loans or otherwise extend credit to officers, directors, trustees or key employees. Again, if the box is checked "yes," an attachment is required. Again, the requirement is more often ignored than followed.

We decided to ask GuideStar for two datasets: One listing every organization in its database with any debts listed on Line 50, and another listing every organization that checked "yes" on Schedule A, Part III, Line 2b. The first set included 10,700 groups; the second 7,816. GuideStar charged $750 for each dataset. (The organization charges based on the number of rows of data produced in response to a request, with a discount for news organizations.)

The data came in an Excel spreadsheet. We then filtered the dataset of organizations with amounts on Line 50 to look at just those organizations with debts totaling at least $10,000. We limited our research for two reasons: One, we didn't want to bother with groups that may have made very small loans for things like travel to a training session; and two, we don't have enough people to chase down 10,000 organizations.

Questionable loans

We reviewed the actual tax returns of the 2,278 groups with $10,000 in debt, looking for the attachments that would explain if they had made loans (which is how we determined that half the groups don't bother filing attachments). We then entered the data into an Access database so we could look at it in different ways, running queries to find groups that had lent excessive percentages of their total assets to officers or directors and those that had simply made very large loans.

The rest was a matter of shoe-leather – or phone-dialing – journalism. We had to contact every organization that looked interesting to confirm, or find out, what was going on. We used Accurint – the paid online service that searches public records – to track down information about many officials, particularly of smaller organizations that were harder to contact. In some cases, charity officers refused to answer questions, forcing us to dead ends. In others, they didn't really know themselves exactly what the debts were for. But we were able to confirm numerous cases of nonprofit groups making large, questionable loans.

As a result of the story, Sen. Charles Grassley, R-Iowa (whose office has been investigating the financial practices of nonprofit groups for several years), has said he is looking into legislation that will curb such loans.

We also made the results of our work available on our Web site, http://philanthropy.com, through a database of organizations that is searchable by state. In the month after we published our story, nearly 100 news organizations – along with many state regulators – used our data to generate local investigations.

Harvy Lipman has been director of special projects at The Chronicle of Philanthropy for five years.

Boston Globe's probe details shady accounting

In a six-part investigative series published from Oct. 9 to Dec. 29, 2003, in *The Boston Globe*, reporters Beth Healy, Francie Latour, Sacha Pfeiffer, Michael Rezendes and editor Walter V. Robinson unveil the widespread abuse of private charitable foundation assets by their officers and directors.

The first story, "Some Officers of Charities Steer Assets to Selves," details the shady accounting practices of Paul C. Cabot Jr., trustee of the family foundation Paul and Virginia Cabot Charitable Trust. Under Cabot's leadership, the foundation's assets dwindled from $14 million in the mid-1990s to $5 million in 2003 – with much of its charitable contributions going toward Cabot's own rising salary. Tax returns reveal Cabot paid himself about $500,000 in 1998 and raised his salary to more than $1 million in 2000 to help pay for his daughter's luxurious wedding.

State attorneys general and the Internal Revenue Service regulate trusts and foundations. But, as *The Globe* reports, "these charitable organizations operate virtually without scrutiny." Out of the some 60,000 private charitable foundations in the United States, the IRS audits only about 120 of them.

In reaction to *The Globe* series, attorneys general for Massachusetts and Connecticut launched investigations into the foundations located in their states.

In a follow-up article on Jan. 11, 2004, Robinson and Marcella Bombardieri reveal that in 2001 nonprofits identified as "human service providers" only received about one in 10 foundation dollars. The rest of the donations went to well-endowed colleges and universities like Harvard, Stanford and Yale. That year, private foundations gave nearly $30 billion to charities, gifts made possible through their federal tax benefits. *The Globe* obtained its newest data from a commissioned study by the Foundation Center.

Andrew Lichtenstein for WNYC

Sister Barbara Lenninger with one of the children at the Thorpe Family Residence, which has a contract with the city. She expressed surprise that homeless hotels were opening without the scrutiny her organization went through.

HANDSHAKE HOTELS

Radio reporters find hidden costs of NYC homeless housing deals

By Andrea Bernstein and Amy Eddings
WNYC-New York Public Radio

Homelessness is a perennial problem in New York. It's the only city in the country where the homeless have a right to shelter within 24 hours of seeking help. That court order has undoubtedly helped a lot of people. However, it also spawned an informal, off-the-books "emergency" shelter system that we found was costing the city $180 million in 2003.

We became interested in that system when a source of Edding's complained about his inability to break into the business. He was proud of the affordable housing he had created in the past 15 years for the homeless, the sick and the elderly. But all of his work had been done outside of New York. The source said he could not get anyone in the city's Department of Homeless Services to do business with him. He said there was a "cartel" of operators who made a bundle charging the city exorbitant rates for often-squalid rooms in apartment buildings and single-room occupancy hotels. With the city's homeless population nearing a record 30,000 people in the spring of 2003 (it's now near 38,000), we decided to look into his claims.

Off-the-books deals

When we began this investigation, we expected to find a standard "pay-to-play" pattern. We thought we'd get a list of contractors, crosscheck it with campaign contributions and lobbying expenditures, and, *voila*, our story. But our investigation turned out to be anything but standard.

We started by asking the city comptroller's office for a list of people who had received contracts for homeless housing business. We knew the names of many of the hotel owners, because sources had leaked to us an internal document of the Department of Homeless Services. We wanted the official numbers. Strangely, when we got the list of names from the comptroller, none of the names were on the list.

So, we asked for – and got – a meeting with the head contracts man at the comptroller's office. We asked him to enter the names we knew into his system. Shockingly, none of the names was in the city's central payments database. This system tracks, for example, contractual expenditures on office supplies; but payments to providers of emergency shelter for the homeless were not found.

We were to discover they were getting tens of millions of dollars of business, without contracts and without their paychecks passing through the comptroller's office. In essence, the Department of Homeless Services (DHS) and the Human Resources Administration (HRA), which handles homeless people with AIDS, had constructed off-the-books arrangements for these landlords.

While some watchdogs and homeless advocates had criticized this arrangement from time to time, no one had ever taken a systemic look at the extent of these arrangements – or their corrosive effects. That's what we set out to do.

Because the payment information wasn't in the city's central database, we asked each agency to supply us with five years of records on the amount of money spent on emergency homeless housing, the landlords they had paid, and the services they had received for their money.

HRA claimed it could not disclose its list of homeless hotels, citing the need to keep confidential the HIV status of those buildings' residents. But HRA also was using client confidentiality to justify withholding the names of the landlords it dealt with, and how much those landlords had been paid. We threatened to sue the agency for that information under the state's freedom of information law; HRA relented, providing us with the data four months after our initial request.

DHS took its time, but eventually gave us the figures we wanted, though not in the format we requested. While HRA had provided us with the data in Excel files, DHS gave us paper lists that we had to recreate as an Excel file. We used Microsoft Access to link the databases, so we could get information on the total payments to landlords, and compare payment patterns

We found the city was on track to spend more than $180 million dollars on homeless hotels and apartments – a five-fold increase in six years. Landlords were getting about $98 a night for their rooms – nearly $3,000 a month. Most of the money was going to a dozen landlords, many of whom have been in the business for decades.

David Fuld was one of them. His hotels earned him $75 million between 1999 and 2003. He was the only landlord who would speak to us. It wasn't a coincidence that his facilities were also clean, well-run and safe. Asked if he thought the industry was controlled by a tight-knit group, he said, "In the real estate industry, there are cross-investments and limited partnerships. I don't think that's uncommon in the media and the press, either."

But a former city homeless official said, "It is a small group and they controlled the air in my room when I tried to address this issue, and they clearly have the city exactly where they want 'em."

Overnight homeless shelters

We now had a grasp of the extent of the system, and the confirmation of our original source's claim that there was a small group of landlords that got most of the city's homeless housing business. With our news director, John Keefe, and editor, Karen Frillmann, we drew up an outline: What was the problem? No contracts. What was the effect of no contracts? No oversight on spending and housing quality, and no input from the community. What do we want? Contracts!

Eddings set out to report the effect these "handshake hotels" had on their neighborhoods. When the city wants to open a facility, whether it's a bus depot or a homeless shelter, it must hold several public hearings on the issue. If the city enters into a contract with a private vendor that's worth more than $100,000, these arrangements also are subject to public hearings.

But these hotels and apartment buildings were privately owned; and even though our figures showed all but four of the city's 61 homeless hotels were earning more than $100,000, these landlords did not have contracts with the city. No public input was required. While residents' reaction to a homeless shelter on their block is often driven by stereotypes, people were not getting a chance to voice those fears and have city officials respond to them.

Neighbors spoke of watching apartment buildings, advertised as luxury condos, turn into homeless shelters overnight. They felt betrayed.

Meanwhile, Bernstein visited homeless people at dozens of hotels. At the Marion Hotel on the Upper West Side, Jaqueline Davis, an HIV-positive homeless woman, wore a chain around her neck that jangled with keys from the homeless hotels she's been in.

Adams, 35, has been in the shelter system since she was 17. Lengthy stays in these "emergency" hotels are typical. The rooms are often small and rank. Residents complained of vermin, of drug dealing in the halls, and of security guards who accepted bribes for the larger rooms.

One hotel in the Bronx was considered so dirty and unlivable, the Human Resources Administration stopped sending homeless people with HIV/AIDS there, claiming it was "medically inappropriate." But once the building was emptied of people with AIDS, DHS filled it with pregnant women. A DHS spokesman said the facility was inspected before anyone was placed there, and conditions were deemed satisfactory.

Our figures showed that the hotel owner lost about $1.2 million worth of business from HRA after it stopped dealing with him. Meanwhile, his business with DHS went up, by almost exactly that amount.

Without contracts, city agencies did not know with whom they were doing business.Unlike the vendors in the city's contracts database, there was no information about these landlords. Even city officials had no way of knowing a past performance record.

As we were nearing the air date of our three-part series, a spokesman for the city comptroller

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FOI REPORT

Summer records work perfect election preparation

CHARLES DAVIS

With another dramatic presidential election season well under way, it's worth remembering the many ways in which intrepid journalists can leverage the power of the Freedom of Information Act to cover the ballot box.

The fall will usher in hundreds of contested elections at the federal, state and local level, so in the interest of the contests to come, a little pre-election FOI work can fill the dog days of summer with projects that bear fruit in November.

Needless to say, the first rule of political reporting is always, always: Follow the money. Campaign finance has never been trickier, but reporters on the election trail have never had so many resources at their disposal. From the Center for Responsive Politics (www.opensecrets.org) to the Federal Election Commission's voluminous data sets (www.fec.gov), contributions for national candidates over $200 can be scrupulously tracked by dozens of different methods. Most states have comparable administrative agencies with Web-based searching as well.

The Center for Public Integrity is another vital source of statistical information on contributions, lobbying and advertising expenditures across states. The center's excellent "Party Lines" project (www.publicintegrity.org/partylines/default.aspx) analyzes the money raised and spent by state Democratic and Republican political party and caucus committees. The Center for Public Integrity built a database of party and caucus contributions and expenditures from all 50 states.

The database includes contribution and expenditure data reported to state agencies by 229 political party and caucus committees in all 50 states, during the 2001 and 2002 calendar years. The resulting database consists of more than 356,000 contribution records totaling nearly $823 million and nearly 422,000 expenditure records covering $790 million.

Using these handy sites, a reporter in any state can:

- Identify the big corporate donors in the area and whom they support.
- Identify the interest groups playing a major role in the area.
- Track the giving of other major players such as clergy or church groups, university administrators, athletic coaches (which makes a nice sports/politics feature) and local lobbyists.

That alone would generate dozens of interesting tales of influence-peddling, conflicts of interest and outright political bribery, but while you're at it, get creative! Why not look at the top 10 radio disc jockeys and talk show mouthpieces in your market? What about the heads of the largest nonprofits or industry associations? What are the top ZIP codes in your market for giving, and where does their money go? Where is money going out of state? You can answer all of these questions in relatively short order, and each leads to larger questions about the role of money in electoral politics.

While you are at it, don't forget to get the expenses of the campaigns in your area. In most states, candidates can spend money any way they see fit – I came across a story by *The Virginian-Pilot* a few years back, courtesy of the IRE Resource Center (www.ire.org/resourcecenter) that found a candidate in one race paying himself for a campaign office, and he was running unopposed. It gets better: The candidate was a state senator who receives a monthly allowance from the taxpayers to pay for the office already.

Make the same requests from PACs and political parties and watch the stories roll in.

Also make sure to gain access to the stated qualifications of every officeholder in your market, and do some digging. A recent story on federal officials by CBS News (www.cbsnews.com/stories/2004/05/10/eveningnews/main616664.shtml) did just that with top officials throughout the federal government, and found employees with diploma mill degrees at the new Transportation Security Administration, the Defense Intelligence Agency and the Departments of Treasury and Education.

Florida State Rep. Jennifer Carroll recently stepped down from the National Commission on Presidential Scholars after CBS News reporters discovered that she listed a degree from Kensington University, a diploma mill shut down by officials in

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

Candace Barbot | The Miami Herald

A defendant stands before Judge Jerald Bagley as he is granted a "withhold of adjudication" on the charge of "burglary of an unoccupied conveyance." He had no prior felony convictions and received one year of probation with early termination upon completion of all court-ordered requirements.

PLEA DEALS

Criminals avoid felony records even after pleading guilty

By Jason Grotto and Manny Garcia
The Miami Herald

When Lori Pittman was sexually assaulted in 1998, she did everything she could to see justice done.

She cooperated with prosecutors and police, relived the traumatic event time and again during depositions and sat by as her assailant's defense attorney probed her private life.

"It felt like an eternity, but I walked away from all this feeling that everyone had done a really good job," she said. "I was surprised and impressed with the judicial system."

Then *The Herald* contacted her about her assailant's plea deal, which allowed him to avoid a felony conviction – even though he pleaded guilty to the crime.

"I'm blown away," she said. "I thought he had lost his right to vote and that he would have to disclose his conviction to future employers. That's why I went through the whole process, to protect other people."

The plea deal her attacker landed is called a "withhold of adjudication," a cumbersome legal phrase that is foreign to most Floridians – even those who have been victims of crimes. But judges, prosecutors, defense attorneys and criminals know it all too well.

Created by the state's legislature in 1941, withhold of adjudication allows felony offenders who plead guilty or no contest to skirt a conviction. It was intended to be a one-time break for first-time felony offenders, a second chance for those who made a terrible mistake. It was a way for them to escape the stigma of what some call the "scarlet F."

Being a convicted felon is especially harsh in Florida, where felons permanently lose their civil rights – even after completing their sentences. That means they cannot vote, serve on a jury, own a firearm, hold public office or obtain many state licenses and student loans.

A computer analysis of nearly 800,000 cases between 1993 and 2002 showed that the well-intentioned law had morphed into a handy tool to move cases through a court system bursting at the seams. Rapists, child molesters, child abusers, cocaine traffickers, repeat offenders and even corrupt public officials were landing the break.

In all, *The Herald* found that one of every three felony offenders who entered Florida's courts left without a conviction – though they pleaded guilty or no contest to the charges brought against them.

There were other unintended consequences:

- White criminal offenders were 47 percent more likely to get withholds than blacks charged with the same crime and who had similar prior records. That meant blacks were branded convicts and lost their civil rights more often than their white counterparts.
- Florida courts had nearly decriminalized some felonies for first-time offenders. Nearly three out of four thieves got the break. Those charged with battery landed it more than half the time, while public officials who took bribes had a 50-50 shot as did embezzlers and criminals who forged checks or stole people's identities.
- Though the break was intended for first-time offenders, the *Herald* found more than 17,000 offenders who received two, three, four – and in a handful of cases – even five withholds.
- In thousands of cases, the courts gave the break to child molesters, child pornographers, and men who impregnated adolescent girls. Even in cases where the evidence was overwhelming, child sex offenders landed the plea deal.

"The only evidence they had against me was DNA," said one man who got a withhold after impregnating a 15-year-old.

During the past decade, Florida legislators passed a bevy of laws aimed at getting tough on crime.

They devised minimum mandatory sentences, enhanced punishments for habitual offenders, required criminals to serve at least 85 percent of their prison time and increased the number of crimes

Crime scene photo from State Attorney's Office files of hit-and-run case.

considered felonies.

All are measures that sound good on the campaign trail.

Our findings suggested that while politicians were getting tough on the front end, criminals were getting away clean on the back end. Within a week of the series, a group of legislators gathered in Tallahassee to announce legislation aimed at tightening the use of withholds.

Building the house

When studying something as complex and messy as a statewide criminal justice system, it helps to have a simple way to think about it, a way to break it into little pieces.

The withhold project was sort of like building a house, with the law governing the use of withholds as our foundation, the data analysis as the frame and the details we gleaned from court records and interviews as the drywall, flooring, electrical and plumbing.

We knew that withholds are intended to be a one-time break for first-time felony offenders. Judges and prosecutors should use them sparingly and only for less-serious crimes. And, like all aspects of the justice system, the use of withholds should be blind to race, ethnicity, etc.

Using these facts as our foundation, we built the frame of our house with a database obtained from Florida's Department of Corrections. The database tracks all felony offenders sentenced to state prison or supervision. It contains basic demographic information about offenders, such as race, gender and date of birth, as well as details about their crimes and sentences, including whether they received a withhold.

We developed a methodology that measured several factors, cited by prosecutors and judges, that play into the decision of whether to withhold adjudication, including severity of the crime, number of counts and prior record.

To explore potential disparities, we used a statistical technique called logistic regression. This tool allowed us to make apples-to-apples comparisons of offenders who were given withholds and those who were not, while accounting for crime, severity, county, age, gender and prior record.

In many aspects, our series was like a social science study because we were measuring the effects of several variables within a social system. And any good social scientist will tell you that a proper study should include details of factors you were unable to capture.

We wanted to do the same in our series for two reasons. First, it was necessary to make the story fair and accurate. And second, by disclosing factors we were unable to capture, we took a club out of the hands of critics looking to knock us down.

In this case, we were unable to capture variables about offenders' economic level, employment status and family status – all factors judges and prosecutors said went into their decisions regarding withholds. We also were missing felons who were sentenced to county jail without probation because those offenders were not captured by the DOC data.

By disclosing those holes in our study, we were able to mitigate their effect. For example, to explore the possible impact of the missing jail population, we re-examined our findings assuming that no one sentenced to county jail received a withhold – even though some of those felons do land the break. Then we disclosed the results.

Slammed doors

Once we had the framework for the series, we then started to fill it in with months of shoe-leather reporting. We pulled hundreds of court files all over the state and interviewed judges, lawyers, cops, criminals and victims from Miami to Tallahassee.

For the cases we planned to use as anecdotes, we made sure to obtain the plea colloquies – the court transcripts in which lawyers and judges hash out plea deals.

Once we had the documents in hand, we spent weeks tracking down offenders and their lawyers so that we could present their sides of the story. Calling ex-cons to tell them you're writing about their lenient plea deal is not fun.

Some threatened to sue us; others slammed doors in our faces. But it was absolutely necessary to make an effort to reach them. When they wouldn't return our phone calls, we went to their homes. If they weren't there or refused to come to the door, we left them a note. If they lived too far to go ourselves, we overnighted letters detailing what we planned to write and what questions we wanted answered.

Often times, the quotes we got from the criminals themselves were the best.

One offender who landed three withholds after stealing people's identities to obtain credit cards told us: "As you can see, my record is pretty extensive. But I was not considered a convicted felon."

We turned that one into a pullout quote.

We also reached out to victims. In many cases, they were unaware that their assailants were not convicted felons.

Most investigations are built from paper documents or databases, but it's the people and their stories that really bring the facts to life.

After the series ran, we received calls and e-mails from all over the state. Cops called to tell us two of the people we wrote about had been re-arrested on similar charges. Victims called to say the series helped give them closure. And, of course, legislators acted on our findings almost immediately.

Those are the types of outcomes that cut to the heart of what we hope to do as journalists.

Manny Garcia is a two-time Pulitzer Prize winner who is now The Herald's metro editor. Jason Grotto is an IRE Award winner and the database editor for the investigative team. Grotto formerly served in the IRE Database Library.

From the IRE RESOURCE CENTER

It may not be unusual for convicted felons to receive second and third chances by the state court systems, according to the findings of these investigative reporters, and available through the IRE Resource Center (www.ire.org/resourcecenter):

- **Story 20147 –** In "State Law Shields Child Sex Offenders," Jane O. Hansen of *The Atlanta Journal-Constitution* finds in an analysis of Georgia state records that nearly 4,000 convicted sex offenders have received a "first-offender status" for their crimes. The category is designed to give criminals a break in sentencing but keeps their names off the sex offender registry. (2003)
- **Story 17386 –** In "Doing the Crime but Not the Time," a team from *The Charlotte Observer* exposes how staff shortages and budget cuts in the local prosecutor's offices and court system allow for repeat offenders to skirt the justice system. "If you commit a violent crime in Charlotte, you're only half as likely to go to prison as criminals across the rest of the state," the story reports. (2000)
- **Story 16584 –** In "Record-keeping Gaps Giving Felons Breaks," Rhonda Cook of *The Atlanta Journal-Constitution* shows through an examination of court and computer records how repeat offenders are at times accidentally let off the hook through grants of "first-offender status." Gaps and mistakes in the records are to blame. (2000)

Investigations off BREAKING NEWS

When disaster strikes, it can be difficult to see beyond the immediate carnage. But after the dead are laid to rest, the fires put out and the wreckage cleaned up, there remains the question on everyone's mind: Why? The investigation following a tragedy means reporters and editors must re-focus their energies on the greater picture – using everything at their disposal – from dusty records to the latest technology to survivor and witness stories.

FLIGHT 5481

Fatal crash reveals commuter airplane maintenance flaws

By Ames Alexander
The Charlotte Observer

Davie Hinshaw | The Charlotte Observer

The crash site where US Airways Express Flight 5481 crashed into an airport hangar in Charlotte, N.C.

Moments after takeoff, the pilots of US Airways Express Flight 5481 knew they were in trouble.

Their overloaded commuter plane took off from Charlotte Douglas International Airport at a dangerously sharp angle on the morning of Jan. 8, 2003, and they could do nothing to bring the nose down. The plane stalled, and slammed into the tarmac, killing all 21 aboard.

Investigators with the National Transportation Safety Board soon began to focus on a one-plane maintenance hangar in West Virginia, where mechanics had worked on the plane just two days earlier. There, a mechanic had been asked to tackle a job he'd never done before: adjusting critical flight cables that help control the plane's pitch. With his trainer's approval, the mechanic skipped steps in the maintenance manual, and made mistakes – mistakes that made it hard for pilots to control the plane, the NTSB found.

The revelations about Flight 5481 left a team of *Charlotte Observer* reporters with a fundamental question: Is there much risk it could happen to other planes?

To answer that question, I teamed up with aviation reporter Ted Reed and database editor Ted Mellnik for an investigation that ultimately revealed a pattern of shortcomings in the way commercial planes are maintained and inspected.

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Delinda Karnehm | Florida Today

Shuttle Columbia rockets into orbit for the last time from launch pad 39A at Kennedy Space Center.

SHUTTLE BREAKUP

Disaster plan helps team to keep focus in yearlong probe

By John Kelly
Florida Today

"Columbia, com check," came the call from mission control on a Saturday morning last February. The response: silence broken by pangs of static. "Columbia, com check."

That silence was my cue to grab the disaster plan.

No one would say for another 15 minutes that Columbia was gone, but we knew. A space shuttle drops from orbit like a brick. The behemoth space plane only gets one shot at slowing from 17,500 miles per hour, to a jarring stop at the end of a runway surrounded by a gator-infested Florida swamp.

It's an unpowered glide. There is no circling around for a second chance. A shuttle is never late to land.

Commander Rick Husband is not answering a radio call. Tracking stations indicate Columbia is not moving eastward.

It's going to be a very bad day.

Before NASA or newscasters made it official, and before wreckage started plopping down in eastern Texas, *Florida Today* reporters were racing into positions spelled out in a disaster plan.

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CLUB FIRE

'Who died and why' serves as focus after 100 perish

By Thomas E. Heslin
The Providence (R.I.) *Journal*

Kris Craig | The Providence Journal

Firefighters at the front entrance of The Station look for victims and try to control the fire at the West Warwick nightclub.

Fire broke out inside a crowded bar south of Providence on the night of Feb. 20, 2003. Within six minutes, the flames caused enough death and destruction to set the agenda for *The Providence Journal* for more than a year.

The Station nightclub fire allegedly started when the tour manager for a California rock band set off fireworks to open its act. A video of the fire show sparks ignited common packing foam that had been put up around the stage to contain the club's sound from the neighborhood in the town of West Warwick.

Reports reveal the fire raced toward the crowd, and the collective rush to escape ended in a deadly scrum at the nightclub's front door.

A television cameraman, who happened to be recording that night at The Station, captured much of the horror.

In the days after the fire, waves of emotion washed over Rhode Island – the smallest

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BLACKOUT

Power shortages, interruptions could become more common story

By *The IRE Journal* staff

On Aug. 14, 2003, America experienced the worst blackout in its history. The outage affected an estimated 50 million people in portions of the Midwest and Northeast, as well as Ontario, Canada. Total estimated U.S. costs: $4 billion to $10 billion.

An investigation by a task force concluded that the causes of the outage could have been prevented and that they reflected "long-standing institutional failures and weaknesses."

In the blink of an eye, reporters and editors across the country had to become experts on an industry filled with technical terms and governed by complex laws. They had to track the Securities and Exchange Commission's reports on the companies involved in the outage, deal with Energy Information Administration experts and even learn about the different types of "electric power transactions."

All on deadline, of course.

Before that day comes to your newsroom, it would be much easier to become familiar with what is available so you know where to turn when the lights go out.

Useful data

When covering blackouts, an obvious step is finding out whether the companies involved hold federal contracts.

At the IRE and NICAR Database Library (www.ire.org/datalibrary) you can find data on federal contracts covering fiscal years 1979-2002. The federal contracts database includes the company and its contact information, the government agency in charge, and type and location of the work performed.

The Federal Procurement Data System, maintained by the U.S. General Services Administration, includes all federal contracts worth more than $25,000. In the most recent FPDS data available for the 2003 fiscal year, there are more than one million contracts documented, worth more than $290 billion. [The data was updated in April 2004. The next update will occur in mid-2005.]

Contracts included in the 2003 data show services being performed or items being produced in all states, as well as U.S. territories and some foreign countries. The list of services or products being contracted includes: telecommunications, maintenance, office furniture, food products, nursing home care contracts, consulting services, military equipment, computer equipment and software, janitorial services, removal and cleanup of hazardous materials, hotel/motel lodging, construction of troop housing, textile fabrics and fuel products.

Approximately 70 executive branch agencies report their procurement contract obligations to the FPDS.

It's also possible to analyze contracts awarded to small and disadvantaged businesses, veteran or women-owned small businesses, nonprofit organizations or foreign companies.

A state slice of the data would include all contracting agencies from a particular state, contractors and contracts performed.

Some other useful data would be the annual electric Utility Data from the Energy Information Administration. A single, self-extracting zip file for any year from 1990-2000 can be downloaded. It covers all American electrical utilities and contains five files. Data includes (in megawatt hours) sales and revenues for each class of customers – residential, commercial and industrial.

Resources

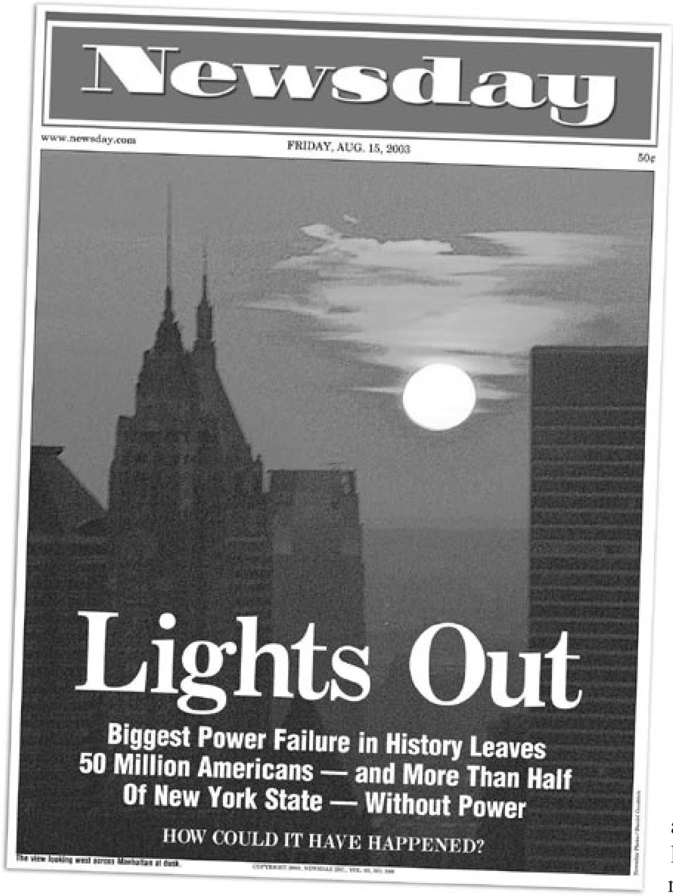
Another key for covering a blackout or energy crisis would be finding top-notch resources beyond contracts. There are several places to turn:

- **The Energy Information Administration (EIA)**: Created by Congress in 1977, the EIA is a statistical agency of the U.S. Department of Energy. It provides forecasts and analyses regarding energy and its interaction with the economy and the environment. Here you can find information on the three major power networks in the United States as well as data on the use of energy in residential housing units, which is collected through the Residential Energy Consumption Survey. (Visit www.eia.doe.gov)
- **Federal Energy Regulatory Commission (FERC)**: The Federal Energy Regulatory Commission is an agency that regulates the interstate

Relevant stories

In the IRE Resource Center (www.ire.org/resourcecenter) you will find stories written by journalists who have successfully covered the energy sector and blackouts. Here is a selection of the stories:

- **Story No. 18320:** "Power play," by Dennis McCafferty, *USA Weekend*. The story reports on the energy crisis in California. The article predicts that the ominous blackout scenes there are "merely the opening acts of a drama coming soon to an energy plant near you." (2001)
- **Story No. 20915:** "Series of stories on U.S. Energy Policy," by Donald L. Barlett and James B. Steele for *Time*. These IRE Award-winning stories look at an energy crisis the United States is likely to face. For three decades, the government has not adopted or stuck to any significant energy policy and government policies have been marked by sharp reversals of the previous ones. (2003)
- **Story No. 17635:** "The real threat to America's power," by David Stipp, *Fortune*. The investigation reveals that "since 1975, annual utility investments in the U.S. power transmission system have fallen by more than half, to about $2 billion." The report details how "operators of the grid are forced to run it ever closer to its limits", overloading the transmission lines. Peak-time line congestion pushes up energy prices and diminishes system reliability. (2001)
- **Story No. 19500:** "Deregulated," by Jeff Blyskal, *Consumer Reports*. The publication "tested" claims that deregulation has led to lower prices and better services for consumers. The industries tested were airlines, cable television, telephone service, banking and electricity. The result: While some gains have been made, service quality has deteriorated and consumer rights have suffered. (2002)
- **Story No. 18257:** "Free market shock," by Merrill Goozner, *The American Prospect*. This investigation looks at the problems caused by energy deficiencies in Illinois, Ohio and New York. The story explains that electricity cannot obey the supply-and-demand laws because it cannot be stored except in minuscule quantities. (2001)
- **Story No. 17631:** "Public power: A way out of California crisis," by Rachel Brahinsky, *The Progressive*. This story looks at the deregulation of the energy sector in California and examines the possible solutions to the crisis. It details the negative effects of the so-called split system, under which "one group of companies generates business; the other group buys power and delivers it." (2001)


Newsday
www.newsday.com FRIDAY, AUG. 15, 2003 50¢
Lights Out
Biggest Power Failure in History Leaves 50 Million Americans — and More Than Half Of New York State — Without Power
HOW COULD IT HAVE HAPPENED?
The view looking west across Manhattan at dusk.

transmission of natural gas, oil and electricity. The Web site has an electronic library that contains more than 20 years of documents submitted to and issued by the FERC. (Visit http://www.ferc.gov)

- **U.S Department of Energy:** In the Department of Energy (DOE) Web site you can find information on energy policy, congressional testimony and budgets. Also available is the final report of the U.S.-Canada Power System Outage Task Force on the Aug. 14, 2003, power blackout. (Visit www.doe.gov).
- **American Public Power Association (APPA)**: APPA is the service organization for the nation's more than 2,000 community-owned electric utilities that serve more than 43 million Americans. The Web site provides a partial list of public power utilities as well as industry statistics. (Visit www.appanet.org)
- **The National Association of Regulatory Utility Commissioners (NARUC)**: NARUC is formed by the agencies that regulate the activities of telecommunications, energy, and water utilities in the United States. (Visit www.naruc.org)
- **National Association of State Utility Consumer Advocates (NASUCA)**: NASUCA is an association of 44 consumer advocates in 42 states. The organization's members are designated by laws of their respective states to represent the interests of utility consumers before state and federal regulators and in the courts. From the Web site you can access testimony and filings. (Visit www.nasuca.org)
- **Consortium of Electric Reliability Technology Solutions (CERTS)**: CERTS is a program sponsored by the U.S. Department of Energy aimed at enhancing the reliability of the U.S. electric power system through research and development of new technologies. (Visit http://certs.lbl.gov)
- **The Investigative Reporter's Handbook**: Chapter 17 of this book written by Brant Houston, Len Bruzzese and Steve Weinberg is about "Investigating energy and communications utilities." It also provides a list of relevant Web sites for covering the beat. To order, visit www.ire.org/store/books.
- ***The IRE Journal***: The January/February 2003 issue of *The IRE Journal* features a story by Charles Davis, executive director of the Freedom of Information Center, about a new Federal Energy Regulatory Commission rule that could restrict access to "critical energy infrastructure information." Davis predicts that the "sneaky maneuver by FERC will be repeated by other agencies."

Relevant tipsheets

You can use the Resource Center to find tipsheets written by journalists who have covered the energy industry. Here is a sample:

- **No. 1505:** "Resources for covering the electric-utility industry and deregulation," by Ron Nixon, formerly of IRE and NICAR, and Tom McGinty, *Newsday*. The reporters compiled a comprehensive list of energy-related Web sites such as trade groups, advocate organizations and statistics. (2002)
- **No. 1620:** "Useful Web sites for energy information and electric and gas business news," Arthur O'Donnell, California Energy Markets. The tipsheet provides a list of Web sites on the electric industry such as government agencies, legal data, utilities and financial information. (2002)
- **No. 1631:** "Energy and Environment," by Mike Taugher, *Contra Costa Times*. This is another list of Web sites about energy and environment-related issues. It touches on topics such as tracking electric companies through the reports from the Securities and Exchange Commission. (2002)
- **No. 1416:** "A Select Glossary of Energy Terms." From "dere gulation" to "megawatt" and "hydroelectric plant," this tipsheet provides a useful glossary of the industry lingo. (2001)

CRASH

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A pattern of neglect

Airlines are spending less to maintain their planes, we found, and mechanics are checking them less often. Federal oversight, meanwhile, hasn't kept up with the trend to outsource more repair work.

Outsourced maintenance has increased dramatically as airlines struggle to cut costs; contractors now do about half of all maintenance on the nation's commercial planes. But our research showed that contract repair stations receive far less regulatory scrutiny than the airlines' own maintenance shops.

Since 1994, we discovered, maintenance problems have contributed to 42 percent of fatal U.S. airline accidents – up from 16 percent the previous decade. Faulty maintenance contributed to three of the past five fatal U.S. airline crashes, and likely played a role in a fourth accident, still under investigation.

Maintenance problems cause many less-publicized mishaps as well.

Charles Banks, a retired Texas businessman, was in the rear bathroom of a Continental Airlines DC-10, headed for a Hawaiian vacation May 21, 1998, when he was knocked to the floor, then thrown to the ceiling and back to the floor. He suffered two cracked vertebrae in the incident, which also seriously injured three flight attendants.

At first, authorities blamed the episode on turbulence. But NTSB investigators later found the real culprit: a defect in the autopilot system. The year before the accident, the plane's autopilot malfunctioned more than 50 times, according to maintenance records.

Airlines have invested millions to fix other serious problems, such as pilot error. But faulty maintenance, an equally preventable problem, has never received the attention it deserves, experts say.

The newspaper's findings have begun to resonate in Washington. Partly in response to the *Observer's* stories, members of Congress have called for federal studies to examine the use of unlicensed repair stations, and to determine whether the Federal Aviation Administration is doing enough to ensure the safety of the fast-growing regional airline industry.

Mechanics, safety experts and members of Congress have praised the series. Often, our stories explained, when mechanics find signs of improper maintenance on planes, they fix the problems but don't report them for fear of reprimand. Now, unions are developing systems to allow more anonymous reporting.

Charlotte Fire Department

A North Carolina Air National Guard firefighter works with Charlotte firefighters to extinguish the blazing fuselage of a US Airways Express aircraft at the Charlotte Douglas International Airport.

Putting it together

As we began our eight-month project, we learned there was no road map for tracking down the information we needed. No daily newspaper had previously sought to define, on such a large scale, the recent pattern of maintenance shortcomings throughout the airline industry. Documenting the pattern required months of data analysis, records research and interviews.

This was one of the most data-intensive projects the *Observer* has undertaken. We examined seven federal databases. Reporters worked for months to obtain some of the databases from the FAA, and then consulted many experts around the country to make sense of the data. Among other things, this data showed us that FAA inspectors visit airline maintenance shops about three times more often than the contract repair stations that do comparable amounts of work. But when FAA inspectors visit contract repair stations, we discovered, they are more likely to find problems.

Extracting information from the FAA wasn't always easy. The agency said it was unable to provide many of the facts and statistics the *Observer* requested. We wound up filing more than a dozen Freedom of Information Act requests.

We also conducted hundreds of interviews. Airline mechanics were extremely helpful, and spoke at length about the trends that have made it harder for them to find and correct problems.

A unique addition to the investigation was reporter Elizabeth Leland's four-part narrative on the crash of Flight 5481. She took readers inside the plane, from take-off to the moment when a child cried out "Daddy" just before the plane crashed. Details about the airplane and its fatal crash came from the flight data recorder and testimony before the National Transportation Safety Board. Direct quotes came from the cockpit recorder, recovered after the crash. Leland interviewed pilots, eyewitnesses, mechanics, investigators, lawyers, relatives and friends of 19 of the 21 victims.

Patrick Schneider | The Charlotte Observer

A burned seat sits among the wreckage of US Airways Express Flight 5481, at Charlotte Douglas International Airport in Charlotte, N.C.

Look for industry guides

Along the way, we learned a few things that might be helpful to others covering aviation safety:

- If you're tackling a story like this one, plan to spend lots of time with it. It usually takes many weeks for the FAA to produce records requested through FOI requests. It takes a long time to obtain some databases from the FAA, and to make sense of the data once you receive it.
- Find numerous industry experts who can help you understand the trends and the data. Many FAA inspectors are unwilling to talk on the record. But some can be enormously helpful on background.
- If possible, team an aviation beat reporter knowledgeable about industry sources and trends with an investigative reporter skilled in using public records and computer databases.

It was worth all the work. Many airline experts told us the *Observer* helped cast light on an industry problem that is too often ignored.

NTSB member John Goglia put it this way: "Unless we start dealing with these issues sooner rather than later, we're going to pay the price and that could mean more deaths."

Ames Alexander is an investigative reporter for The Charlotte Observer. He has won more than 30 journalism awards. To read the Observer's series, "Are the Planes We Fly More at Risk?" go to www.charlotte.com/mld/charlotte/news/special_packages/planes.

Key IRE Resources – Aviation

At the IRE and NICAR Database Library (www.ire.org/datalibrary), you can find government data on aviation-related topics, such as those from the Federal Aviation Administration and National Aeronautics and Space Administration. Here are some of the databases that could be helpful in investigating enforcement actions, accidents and repair problems of aircraft:

- **Service difficulty reports.** The FAA tracks repair problems by collecting information on private, commercial and military aircraft maintenance. These Service Difficulty Reports, however, are incomplete, as many of maintenance problems are self-reported by aircraft owners. The SDR data is organized by aircraft tail number and serial number, making it feasible to track the maintenance history of any airplane.
- **Accidents and incidents.** This database provides records on the number of accidents and incidents reported to the FAA. NICAR has information for episodes taking place since 1973.
- **Airmen directory.** This directory provides the names, addresses, ratings, flight certificate type, and medical certification for pilots and other airmen. Under the Wendell H. Ford Aviation Investment and Reporting Act, these individuals maintain the right to withhold this information, though no more than 10 percent usually do.
- **Enforcements.** In this dataset, the FAA lists information on enforcement actions taken against pilots, airlines, mechanics, and designees. Enforcement actions cite a variety of violations, which include flight operations, aircraft altercations, security, drug testing and collisions.
- **Aircraft registry.** The FAA Civil Aviation Registry maintains the Aircraft Registration Database, which provides data on more than 350,000 registered aircraft. The dataset includes aircraft registered in the United States by individuals, businesses, the government and resident aliens.
- **NASA aviation safety reporting system.** Anyone can submit an anonymous air-safety report to NASA. The agency began collecting reports in 1988, and the NICAR database includes information through July 2003. While the reports do not include names or flight numbers, they do include the flight location. Some include the flight month, year and day of week – but not exact dates.

Investigating aircraft problems

At the IRE Resource Center, you will find stories written by journalists who have successfully investigated aircraft problems, FAA, NASA or other aviation-related topics. Here is a selection of stories found online at www.ire.org/resourcecenter:

- **Story No. 19777:** "The Vertical Vision," by Alan C. Miller and Kevin Sack of the *Los Angeles Times*. The Harrier attack jet, which can take off and land vertically, can be the single most dangerous plane to fly in the American air force. The jet has led to 143 major accidents and the loss of one-third of the entire fleet. Forty-five Marines, including some of the nation's finest pilots, died in the cockpits of these machines. The *Los Angeles Times* uncovered many of these shortcomings and showed how the military moved haltingly to fix known shortcomings that had taken pilots' lives. (2002)
- **Story No. 19602.** "How Ortiz Influenced a Navy Contract," by Tara Copp, *Caller-Times* (Corpus Christi, Texas). This investigation looks into deals cut to obtain federal contracts by U.S. Rep. Solomon P. Ortiz. In a six-part series, the reporter used federal procurement data to identify contracts in the Corpus Christi area, look at total awards and break down areas such as minority contractors and awards for Navy work. (2002)
- **Story No. 17028.** "Airline Regulators Fret over Several Breakups of GE Jet Engines," by William Carey and Scott McCartney, *The Wall Street Journal*. This investigation details the CF-6 engine failures in DC-10 aircraft. The General Electric Co. makes the engines, and the story includes information on how GE is taking action to avert more jet-engine breakups. (2001)
- **Story No. 18732.** "The Osprey," by Mike Wallace, Paul Gallagher, Charles Fitzgerald, and Robert Zimet of CBS News 60 Minutes. The investigation of the U.S. Marine Corps' MV-22 "Osprey" aircraft reveals serious mechanical problems contributing to two crashes in 2000 that killed 23 Marines. Reporters uncovered proof that senior officers falsified maintenance records to secure Pentagon approval. (2001)
- **Story No. 20471.** "Pilot Shortage Siphons Experienced Instructors from Flight Schools," Scott McCartney, *The Wall Street Journal*. This story reveals how American air carriers that operate internationally are taking away experienced pilots from flight schools' instructor positions and regional airlines. The consequence is that new pilots have to learn from inexperienced teachers. (2000)
- **Story No. 17132.** "Passengers at Risk: How Safe is that Airline Flight," by Gary Stoller, *USA Today*. This series of articles revealed that "airlines flew tens of thousands of flights during the past 15 years that didn't meet federal safely regulations .. and airplane emergencies are not as rare as government and airline officials says they are." (2000)
- **Story No. 17563.** "Plane Speaking," Dateline NBC reports on "a simple, yet deadly problem: miscommunication between commercial pilots and air traffic controllers." The investigation reveals that although "English is the de facto language of aviation, ... a lack of oversight has led to a breakdown in simple communication." It documents how poor language skills have hindered international communication. (2000)

Tips on the airline industry

Visit the IRE Resource Center (www.ire.org/resourcecenter) to also find tipsheets written by journalists who have successfully covered aviation-related stories. Here is a sample of what is available:

- **No. 1681:** "Covering a Plane Crash." Bill Adair shows how to cover a plane crash. Included: what to do when it's a small crash compared to a major crash. He also includes a list of sources to call across the country and those available on the Internet. (2002)
- **No. 1765:** "Examining Military Contracts." Adam Bell addresses ways to tackle the military contracts using databases, the drawbacks you may encounter, and how to avoid pitfalls. (2002)
- **No. 1286:** "Polk Seminar on Public Safety." Elizabeth A. Marchak provides an 11-point tipsheet with helpful advice on how and when to use data in the event of an airline crash, how to prepare the newsroom and which agencies are helpful sources of information. (2000)
- **No. 1210:** "The Nuts and Bolts of Aviation Safety Data." Alan Levin includes a list of agency Web sites, including the National Transportation Safety Board and Federal Aviation Administration, and explains what each can offer reporters investigating aviation safety. (2000)

IRE Beat Book

Check out the IRE beat book "Covering Aviation Safety: An Investigator's Guide." The book incorporates the best stories, resources and tipsheets IRE has compiled over the years, as well as suggestions from the top aviation reporters in the country. The 104-page guide offers advice on creating a newsroom crash plan, getting federal records on planes and pilots, starting out on the aviation beat, story ideas, resources and more. To order, visit www.ire.org/store/books.

SHUTTLE

CONTINUED FROM PAGE 19

The plan detailed what to do that Saturday. It did not say: "Start the investigation." But that is exactly what we did. Within hours, my space team embarked on a yearlong probe into a disaster that threatened the future of space exploration. Our investigation continues today.

We learned a great deal about how to react to a disaster in your back yard. The lessons apply no matter the size, or type, of newsroom you work in. I thought I would share five of those lessons:

1. The vision thing.

You need a vision to dig into a disaster. Get one. Make sure top editors buy in. Stick to it no matter what the competition does.

A monster disaster scatters your staff everywhere. Ours splintered for a couple weeks to Houston, Washington, Florida and points between.

About two weeks after the Feb. 1, 2003 accident, we assembled key worker bees and decision-makers at one table. We spent three hours haggling over goals. We weighed what readers would want versus what we needed to give them (whether they wanted it or not). We set a mission that everyone – from the beat reporters to the publisher – shook hands on.

We decided to tell people what happened to Columbia, why and what that meant for the future of space exploration. We vowed not to divert from our mission by reacting to every incremental "scoop" that cropped up along the way.

To reporters, including me, the whole process seemed like another meeting to waste time. In hindsight, it proved priceless. Stories change. You must adapt, but having a mission kept us moving toward high-impact targets.

Delinda Karnehm | Florida Today

Parts of shuttle Columbia wreckage are examined by the members of the Columbia Reconstruction Project team as they work to piece together the orbiter at Kennedy Space Center.

2. Don't be afraid to say "no."

In a big disaster story, the national media is going to converge. With so many reporters and outlets on the scene, an endless string of "scoops" will keep cropping up. Many times, you're going to find yourself in discussions with editors who want to match what someone else reported.

Sometimes you have to react. Other times, it is critical to say "no." One good reason to say no is when some other news outlet overblows some "revelation" that you as a beat reporter know is either not true, misleading or irrelevant.

For us, the key was to stay focused on making progress toward high-impact stories while not wasting time on minor, incremental "scoops" that were irrelevant to the bigger picture.

3. Build a team with diverse styles and skills.

We put a diverse team on the Columbia story and it paid off.

An assistant managing with a knack for storytelling and seeing the big picture left behind many of his daily duties to guide our investigation.

As our space team leader, I brought years of using public records' research, computer-assisted reporting tools and shoe-leather reporting to study big, broken government systems.

We had two space and science reporters who assisted in covering daily goings-on in the accident

Key IRE Resources – Space Shuttle

In addition to the aviation-related databases available from IRE and NICAR Database Library (www.ire.org/datalibrary), already mentioned on page 23, there is the **Federal Procurement Data System.**

Maintained by the U.S. General Services Administration, this database includes all federal contracts worth more than $25,000. In the most recent data available for the 2003 fiscal year, there were more than 1 million contracts documented, worth more than $290 billion. The list of services or products being contracted includes maintenance, consulting, military equipment, and removal and cleanup of hazardous materials.

If you're interested in reviewing other stories on NASA and space shuttle-related stories, check out these investigations available from the Resource Center (www.ire.org/resourcecenter):

- **Story No. 20846:** "Sudden Impact," by Kerry Curry, *Dallas Business Journal*. Following the Columbia space shuttle explosion, this investigation identifies companies that performed work for NASA at a cost of $62.2 million for the 2001 fiscal year. This story looks at the projects involved and how those projects may be affected by the Columbia tragedy. (2003)
- **Story No. 20965:** "Columbia's Last Flight," by William Langewiesche, *The Atlantic Monthly*. This story looks at the Columbia space shuttle disaster and the following investigation. With access to key figures and evidence from NASA and the Columbia Accident Investigation Board, the story provides insights from different perspectives: the personal, the institutional, the concrete, the abstract, the emotional and the political. The story also reveals deep flaws in NASA's oversight of Columbia's last flight. (2003)
- **Story No. 20750:** "Shuttle Probe Touches Grand Prairie Company," by Michael Whiteley and David Wethe, *Dallas Business Journal*. Following the Columbia explosion, an investigation led to identifying Lockheed Missiles and Fire Control as the company responsible for making the leading wing edges and nose cone of the aircraft. The article looks at the contract commitments between NASA and the company. (2003)
- **Story No. 19514:** "Lawmakers' Pet Projects Hitch Ride with NASA," by Michael Cabbage, *The Orlando* (Fla.) *Sentinel*. This story finds that $1.7 billion had been diverted from legitimate NASA programs during the past five years to fund pet projects by congressmen that included fisheries, business jets, museum exhibits and gardening studies. (2002)
- **Story No. 19049:** "The Shooting Gallery," by Brad Lemley, Discover Magazine. This story looks into how NASA protects astronauts, the space shuttle and satellites from high-speed projectiles. Hundreds of tons of space debris orbit the Earth at speeds up to 30,000 miles per hour. As the United States puts more permanent installations into orbit, the question of how to avoid or protect against the dangerous debris becomes a task of utmost importance. (2001)

investigation, but also everything else that was happening. While no shuttles launched, NASA did blast two robotic rovers toward Mars in 2003, among other newsy activities.

Within weeks of the accident, we brought back to *Florida Today* a former aerospace reporter with more than 10 years experience in covering NASA for us and space.com. His knowledge, source list and crucial documents that were boxed up in his garage proved priceless.

The bottom line: You can't pull this off by loading up the investigative team with a bunch of people who are typically labeled "investigative reporters" or "projects reporters." You need a group with differing skills and styles.

4. Records, records and more records.

Know the Freedom of Information Act and your state open records law and use it. On the Saturday night of the accident, I filed first-day stories from Cape Canaveral and flew to Houston. I started writing FOIA letters on the airplane. By 3 a.m., I e-mailed the first barrage of what ended up being almost 100 FOI requests to NASA.

We tapped other sources for public records, too. Human sources. Government depository libraries. Trade associations that had saved NASA engineers' proposals from past conventions and journals. And, in support of those veteran beat reporters who say never to throw anything away, the most priceless documents in our investigation were those that NASA couldn't seem to produce, but that reporter Todd Halvorson found gathering dust in the many boxes stacked in his garage.

> "You need a group [of reporters] with differing skills and styles."

We catalogued everything we got, on paper and electronically, so we did not lose track of what we had and what we needed. In the end, we could show how foam battering the heat shields – the very thing implicated as the cause of the Columbia crash – was a long-ignored danger that had been happening on every shuttle mission since the first one in 1981.

And contrary to NASA's claim that the foam couldn't cause major damage, the documents we compiled included reports and pictures showing gouged, melted and otherwise battered shuttle parts. There had been several internal investigations into the foam damage over the years, to little avail.

5. Never stop running the traps.

The government conducted twin investigations of the accident – one by NASA and one by the independent Columbia Accident Investigation Board. We trailed investigators everywhere early on, but became more selective in following them as the months passed.

There were times when our intense focus on the next big installment in our investment cost us, because we lost sight of what investigators were doing behind the scenes. Not checking in – or not doing the beat reporting – meant we might not realize a brewing development. We also would figure out, too late, that one of the investigators might have been able to help us get to a certain piece of the story faster than we could ourselves.

When I worked for The Associated Press, we called this "running the traps," just the checking you normally do with sources on a beat. We learned this lesson time and again. When we didn't run the traps, it hurt us. When we did, it helped. So there's a need for balancing that tight focus on the next big phase of the project and making sure you don't forget you're on the beat.

John Kelly is space team leader for Florida Today.

FIRE

CONTINUED FROM PAGE 19

state in the United States and one famous for its few degrees of separation. Grieving families awaited word of identification of missing loved ones. The fire killed 100 people, and injured more than 200 others – many seriously.

The Providence Journal moved dozens of reporters and editors to the story. The *Journal's* library database shows that the newspaper published 396 stories, and 380 photos in the first 30 days of coverage.

The numbers, of course, tell only part of the story.

All fire, all the time

Executive Editor Joel P. Rawson condensed the fire's many complexities into a central question: Who died in that fire and why?

The assignment editors came to rely on another simple mantra in balancing the newspaper's competing demands with the commitment to fire coverage: "All fire, all the time."

I joined a cadre of *Journal* editors directing the coverage. They included Carol Young, the deputy executive editor; Sue Areson, city editor; Jean Plunkett and Karen Bordeleau, assistant city editors; Jeanne Edwards, West Bay regional editor; John Kostrzewa, business editor; and Jack Khorey, metro regional editor.

Every step of the planning and assignment process involved the photo and graphics staff – headed by Michael Delaney, managing editor/visuals, and Scott Kingsley, assistant managing editor/visuals; projo.com, headed by Sean Polay, who was the news and operations manager; and Andrea Panciera, the site editor.

"*The Providence Journal* moved dozens of reporters and editors to the story. The *Journal*'s library database shows that the newspaper published 396 stories, and 380 photos in the first 30 days of coverage."


The Providence Journal

Thursday, March 20, 2003

THE STATION

FEBRUARY 20, 2003

The Journal organized reporters and editors into teams to focus on topics such as code enforcement; polyurethane foam; burn medicine and psychology; civil litigation; the criminal investigation; business practices; and the developing political furor over fire-safety legislation at the Rhode Island statehouse.

Virtually every member of the staff contributed to the coverage of the story in some way. By year's end, *The Journal* had published 196 front-page stories about the fire.

Inside the club

State officials had announced the names of the people killed in the fire, but they would not divulge any official roster of the survivors or give an official estimate of how many people had been inside the nightclub.

Our newsroom set out to develop the information independently.

Paul Parker, the *Journal's* computer-assisted reporting expert, designed a database to compile all the known names of survivors gathered from interviews and unofficial sources.

Then, in what was likely the most ambitious reporting project in the history of *The Providence Journal*, more than 60 reporters were assigned to find those people, interview them, confirm their presence at The Station and find out who else might have been there with them.

On Sept. 21, *The Journal* published a list of 412 people who were confirmed to have been inside the burning nightclub. Publication of the list prompted other survivors to contact the paper, increasing the count. By the fire's anniversary, the tally was 440.

The legal capacity of the club was 404.

STRATEGIES

The *Journal* staff relied on some of the basic strategies used frequently on big stories for its coverage of The Station fire:

- A large weekly staff meeting used for progress reports and identifying critical issues. Talking through the complexities raised the common understanding of the story.
- Small team sessions for refining story and visual strategies and Web initiatives. These sessions helped us maintain momentum, drill deep into complicated subjects, and develop opportunities for effective display.
- Detailed assignment "budgets" for the long and short term kept important story ideas and issues at the forefront.
- A centralized, internal archive of public records avoided duplicating research.
- Think of the story in discrete components, and then examine each of those components in depth. Chronologies are invaluable tools for gathering and understanding material. Think: What happened next?

Computer-assisted reporting

The reporters on the survivor project had been given uniform data-collection forms to use in their interviews. Survivors were asked to explain where they and their friends were inside the club when the fire started, and how they got out.

The results showed specifically where the crowd had become trapped, and allowed the newspaper to explain how differences in the layout of the building or in the number of people allowed inside might have changed the outcome.

Parker reviewed several crowd-evacuation software programs before settling on Simulex. Using information collected in the *Journal's* database, along with the video recording of the fire, public documents and interviews with experts, he constructed the computer model of the nightclub and a statistical profile of the people inside.

Parker's work showed that relatively simple structural changes or adherence to the capacity set by the fire marshal might have saved dozens – if not all – of those who died.

He also interviewed a state fire official, who said the state fire code, even in the updated version passed after The Station fire, would allow the same dangerous layout that trapped people inside the nightclub.

Two days after the story ran, the governor said he had ordered officials to review the updated fire code to take into account the configuration and placement of exits.

Forged by fire

Months of reporting and research, compiled in chronologies and memos, were reviewed and debated in intensive brainstorming sessions. More reporting led to the plan for a story in eight parts. The project team shared the sense of urgency that the complete story of The Station fire had to be told as a narrative.

The "Forged by Fire" series stands as a social history of The Station fire, offering readers a panorama of the tragedy, placing it at the confluence of political and economic events and decisions, some rooted deep in Rhode Island history and culture.

The Mill Town: Exhaustive research into West Warwick's history, a review of the database and numerous interviews, brought reporter Tom Mooney to the story of Tom Medeiros, who came from a large Portuguese family that had immigrated to West Warwick from the Azores for a better life. Like many in his family, he had worked in a factory down by the river. "His life is the story of West Warwick," wrote Mooney. "His death is one measure of The Station fire tragedy."

The Codes: Reporters Mark Arsenault and Edward Fitzpatrick searched the state legislative records, examining hundreds of fire safety bills, and several fire safety studies, dating back more than five decades. Their story showed that Rhode Island had repeatedly squandered opportunities to advance its fire-safety codes.

The Enforcers: Mooney examined the extensive record of a previous West Warwick fire that claimed five lives, and showed how the town's politics had produced a rotating cast of building inspectors.

The Entrepreneurs: An exhaustive search of land records and other public documents in two states gave reporter Jennifer Levitz the information she needed to profile the owner of The Station nightclub: a successful company with extensive property holdings in Rhode Island and Massachusetts.

The Fire Marshal: The challenge for Mooney and Zachary Mider in their reporting and writing the story of the local fire marshal was that he has declined all interviews since the day of the fire. The story's central issue: How did the fire marshal miss the packing foam on the walls of the club?

The Guest List: Levitz interviewed dozens of survivors and victims' families in the weeks and months after the fire, and read through the notes from the hundreds of interviews done by other staff members for the database. She found the story of the people who had merely set out to go to a concert, and those who had just happened to be at the tattoo parlor one mile from The Station when the band's lead singer walked in for a tattoo.

Life and Death: Reporters Michael Corkery and Parker conducted an extensive investigation of the events inside the fire. They matched the video record with the database interviews, and conducted follow-up interviews with key survivors. They used scenes from the video to corroborate events and characters, and interviewed the nation's leading experts on fire behavior.

The Legacy: Arsenault's story reflected 10 months of reporting by him and many others on the staff of the newspaper. The legacy of The Station fire was embodied in the new fire codes, the lawsuits, the criminal investigation, the struggle of the burn victims, the sorrow of the families who had planned the 100 funerals. Arsenault's story took readers back through the year, back to the fire, back to West Warwick and Tommy Medeiros, a soap factory worker who had gone out to see a rock show, and had never come home.

Thomas E. Heslin is metro managing editor of The Providence Journal. Staff members contributed to this story. The Journal's coverage of The Station fire was a finalist for an IRE Award this year, and for the Pulitzer Prize for public service. It won the New England Associated Press News Executives Association's public service award.

Bob Thayer | The Providence Journal

A memorial to Tom Medeiros, who perished in The Station fire.

Database tracks tragedy sources

By Paul Edward Parker
The Providence Journal

Most journalists, if they have been in the business long enough, have covered their local public safety agencies conducting mass casualty disaster drills. But many journalists overlook the same sort of planning when it comes to their own coverage of real-life disasters.

Specifically, one aspect of any journalist's disaster plan should be a database to track the people involved. Every disaster will invite examination of its scientific or technical causes, but people are the story of any tragedy, and a database is the perfect way to manage the torrent of information that will flow out of any disaster.

The Providence Journal used just such a database for The Station nightclub fire. Here are some tips for using such a system:

- Immediately begin collecting data in the form of interviews with survivors of the disaster and with family and friends of those missing or dead.
- A simple database, which could even be a word processor file separated into columns to get started, should have six basic pieces of information about every person involved: full name; complete address; date of birth; phone number; and role in the disaster. Also, include a label, such as died, injured, unhurt, witness, or official.
- The source of the information. A name is good, but also important is a description of a source's relationship to the person: self, friend, family, or fellow survivor. This will be extremely valuable when trying to sort out how reliable the information in the database is and in explaining to readers how the information was gathered.

Beyond that, the information gathered will depend on the nature of the disaster and what the journalist hopes to do with it. For example, *The Journal* asked questions about height and weight, gender, alcohol consumption, where people were when the fire started and what exit they used.

We also asked survivors about others they had seen at The Station that night. This allowed us to expand its list of survivors, eventually publishing a list of 440 people inside the club when it caught fire, including the 100 who died. So far, state officials have not released their estimate of the size of the crowd.

Many other uses of the database did not show up in the paper as "computer-assisted reporting" stories. By reaching so many of the survivors, we developed tips for future stories and a network of sources in the yearlong coverage.

Paul Edward Parker is an investigative reporter specializing in computer-assisted reporting at The Providence Journal. A more detailed account of CAR elements is in the July-August issue of Uplink.

Turning your investigations into books

BY STEVE WEINBERG
THE IRE JOURNAL

Writing a book has been – and always will be – the ultimate goal for some IRE members.

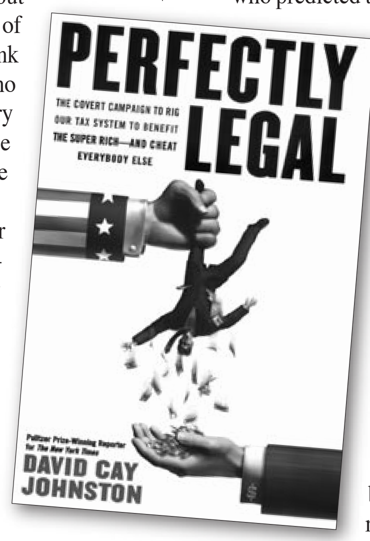
Still, it's not always an easy task. For those in newsrooms, coping with the demands of a full-time job while trying to hammer out a book can be very difficult. For those who freelance, spending months, or even years, on a book, can seriously cut into time needed to finish work for paying clients.

What to do? Many journalists have found the answer to these problems by using material they have already developed for other stories as a jumping-off point for a book. For example, the months spent covering environmental hazards on a beat is terrific fodder for a book, while freelancers can look to magazine pieces as a beginning point for a book.

IRE members seem to have used that strategy well in books this year – some even garnered IRE Awards.

Specifically, an IRE Award went to David Cay Johnston's **Perfectly Legal: The Covert Campaign to Rig Our Tax System to Benefit the Super Rich—and Cheat Everybody Else** (Penguin Group), which was developed from his *New York Times* work. Johnston has covered taxes, nonprofits and other financial-related beats for decades.

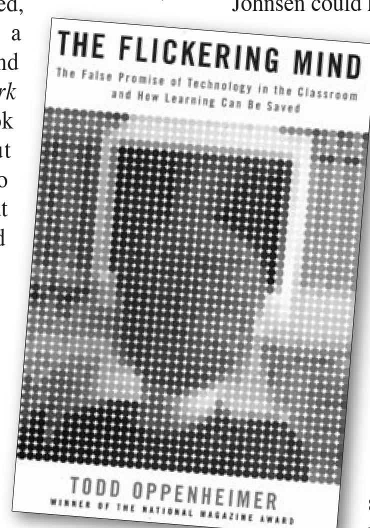
Fellow *New York Times* reporters James Glanz and Eric Lipton followed a similar path to Johnston's with their **City in the Sky: The Rise and Fall of the World Trade Center** (Times Books/Henry Holt). It followed publication of about 200 newspaper pieces in the wake of Sept. 11, 2001. Glanz and Lipton thank *Times* reporters and researchers who helped them with the in-depth story "102 Minutes: Last Words at the Trade Center," which became the core of the book's chapter nine.



In contrast, *New York Times* editor David Stout wrote a book unconnected to his work at the newspaper – **Night of the Devil: The Untold Story of Thomas Trantino and the Angel Lounge Killings** (Camino Books). In 1977, Stout accepted a reporting job at the *The* (Bergen County, N.J.) *Record*. His coverage area included Lodi, where a convicted murderer, Trantino, remained in the news because of his attempts to win parole and his publicized prison paintings.

Stout found his curiosity tickled, but did not think about writing a book. He departed *The Record* and had spent 17 years at *The New York Times* when, unexpectedly, a book publisher approached him about taking another look at the Trantino murder conviction. Intrigued, Stout expressed surprise that nobody had written about the sensational crime.

"There had been so many rumors and myths. And so much time had gone by. Maybe, it was suggested, I could peel away the years to find out what had really happened," Stout recalled



Todd Oppenheimer, a San Francisco freelancer, started with a magazine assignment about changes in the ways schools instructed students. The assignment came from William Whitworth at *The Atlantic Monthly*. Six years later, Oppenheimer completed the book version, **The Flickering Mind: The False Promise of Technology in the Classroom and How Learning Can Be Saved** (Random House), an IRE finalist this year. Jonathan Karp recognized the value of expanding the magazine feature into a book. Interestingly, Karp is one of the relatively few book editors from a major publishing house who has worked as an investigative journalist – at *The Miami Herald* and *Providence Journal*.

Like print journalists, broadcast journalists can turn their daily reporting into books. Carolyn Johnsen of Nebraska Public Radio began covering the swine industry in 1997.

"On a beat that encompassed both agriculture and the environment, I naturally paid attention to the growing storm in the countryside," she says.

At a town hall meeting in Crete, Neb., she found "the lines were clearly drawn between those who saw opportunity in factory-like hog production and those who predicted the death of the family farm and the contamination of precious air and water."

Even after airing more than 100 stories, Johnsen wanted to continue: "It became clear to me that there was much more to the story than was possible to tell in 10 or 100 five-minute radio reports," leading to **Raising a Stink: The Struggle Over Factory Farms** (Univeristy of Nebraska Press).

Johnsen wanted not only to learn what she could when unhampered by daily deadlines, but also "to create a permanent record."

That permanent record would encompass more far-reaching issues than Johnsen could have imagined.

It is "a struggle pitting property rights against the right to clean air and water, about rural people's desire to protect their way of life from the impact of big pork producers seizing an opportunity for profit, and about policymakers coming to terms with the need to regulate one of the state's most important economic sectors."

Writing a book allowed Johnsen to transcend "referee journalism, where reporters merely give equal space to the sides of an issue – a 'he said, she said' approach to reporting. Instead, I was interested in using narrative techniques to trace the history and progress of the story, including the incremental decisions that led to where Nebraska is today.'"

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

POWER PLAYS

Varied state records show abuse of power by public officials

BY PHIL WILLIAMS AND BRYAN STAPLES
WTVF-NASHVILLE

When Dr. John W. Shumaker was named president of the University of Tennessee in 2002, he was widely heralded as a brilliant academician and a charming fundraiser – dual qualities that every modern university cherishes in its chief executive.

So, when questions arose about his spending and ethics, Shumaker apparently thought he could handle it.

The story was part of our ongoing probe, the "Perks of Power" investigations in 2003 that focused on the ethical conduct of Tennessee public officials, beginning with lawmakers and concluding with the UT president. In the previous year, our "Friends in High Places" investigation had focused on no-bid contracts given to friends of then-Tennessee Gov. Don Sundquist.

Throughout those investigations, we found ourselves in an intellectual chess game with the constant challenge of finding new, unconventional documents that would help us get to the truth.

In the case of Shumaker, it all began with questions being asked by ourselves and other news organizations about his frequent flights on the university plane to Birmingham, Ala. That's where his close friend and former protégé, Dr. Carol Garrison, had been named president of the University of Alabama at Birmingham.

The truth test

Shumaker was ready when reporters began asking for the flight logs. University public relations staff handed over those records – and volunteered the president's calendars to prove that every trip had a documented university purpose.

Most of the entries, Shumaker said, carried a secret designation: "HOLD-SEC" – with SEC representing Southeastern Conference. Those appointments, he explained, were secret meetings relating to the search for an athletic director.

During our first interview, the UT president appeared confident.

"As you know," Shumaker explained, "if a candidate or perspective candidate for an athletic director position at UT comes into Tennessee, as soon as he or she gets off the plane, people notice. And we were talking with people who really couldn't be exposed."

At that point, we learned that a couple of other news organizations were preparing stories about his flights, including his explanations. But we made a conscious decision to hold off until we could completely put his story to the truth test.

The first clue was that the "HOLD-SEC" meetings appeared on his schedule in November 2002 – months before the university had previously acknowledged having interviewed prospective athletic director candidates.

"Well, we were working with the search firm back then," Shumaker explained.

But, we pointed out, UT did not even select the search firm until February 2003.

"That's correct," he quickly replied. "We had to interview search firms."

After that interview, the truth test began. We requested UT purchasing records. They revealed that the university did not even issue its request for proposals (RFP) – or announcement for search firms to apply – until early February. Therefore, any interviews prior to that RFP would have been highly questionable.

Still, we wanted more proof.

We began searching online versions of Birmingham's newspapers and magazines for any articles about Shumaker that might provide clues about his frequent trips there. The hits on his name didn't yield anything useful.

Just out of curiosity, we searched for articles about his friend, Carol Garrison – and that's where Shumaker's story fell apart.

"Spotted in the crowd" at a black-tie dinner, according to the *Birmingham News*' society column, was "UAB President Carol Garrison and John Shoemaker."

His name was misspelled, but it was a critical piece of evidence. It placed him out on a date at the very same time that his schedule indicated he had a secret athletic-director meeting, which had justified his flight at university expense.

We confronted him with our discovery.

"The SEC mark on a calendar is hold for a *possible* meeting," he said. "Some took place, and some did not."

In fact, the rest of our investigation followed the same pattern.

Using Tennessee's public records law, we demanded his American Express statements. UT officials gave us the statement summaries, usually the first couple of pages from the bill sent to the university. We insisted on the transaction details that were attached – and discovered all sorts of questionable commercial flights and other personal

CONTINUED ON PAGE 31 ➢

Dr. John Shumaker, University of Tennessee's president, made frequent questionable trips to Birmingham, Ala., aboard the university's airplane.

Plenty of election year left for pursuing campaign stories

By Aron Pilhofer and Derek Willis
The Center for Public Integrity

The Bipartisan Campaign Reform Act of 2002 not only radically changed campaign finance law, but it has changed the very way elections are conducted.

Candidates, interest groups and political parties all are trying to adjust to the new law, in some expected – and unexpected – ways. As political partisans try to find ways to game this new system, it is up to reporters to keep pace – a task that, unfortunately, is ever more daunting due to the complexity and scope of the new law.

With the current campaign cycle past the midway point, a few trends have emerged that may produce some interesting stories as Election Day nears.

The networked campaign

The biggest and most obvious change under the new law is the eradication of soft money – the unlimited, largely unregulated donations given to the national parties by individuals, unions and corporations. With a single action, Congress and the president eliminated a source of funding that, all told, amounted to about a billion dollars between 2000 and 2004.

At the same time, the law doubled the amount an individual can contribute to candidates from $1,000 to $2,000 per election (the primary and general elections are considered separately).

The net result is that so-called hard money – in particular individual donors of hard money – is much more valuable in the federal election system.

This trend can be a rich vein for stories, particularly as state parties adjust to the new system. Before reform, the vast majority of soft money raised nationally ended up in state party coffers because of a legal technicality allowing states to use soft money more efficiently than the national parties.

A number of state organizations became dependent on soft money to fund their activities. But with campaign finance reform, state parties have had to find entirely new ways to raise money. How state party organizations adapt to the new system is something journalists should follow closely.

On the national level, the Republican National Committee and President Bush have been extremely successful at raising large sums of money from a large number of individual donors by focusing on a developing network of contributors.

The Bush campaign's "Pioneer and Ranger" donor programs have helped him raise record-shattering amounts – more than $180 million so far. About a quarter of this money has been raised through his network.

While Bush may be the most visible, there are other federal candidates following his tactics. Locating those networks can lead to some very interesting stories, especially when looking at what these individuals may gain for their financial support.

The Washington Post, for example, recently did a relationship analysis of Bush's top fundraisers, and found that 40 percent had gotten a political appointment in return.

Revenge of the PACs

The renewed emphasis on hard money has led to a renewed emphasis on political action committees, particularly those whose business is to bundle contributions from like-minded contributors, such as EMILY's List and the Club for Growth.

With access to thousands of donors, these groups are able to raise funds from a national base of contributors and funnel that money to candidates who reflect their views. These groups can make or break a candidate.

In Pennsylvania, the Club for Growth backed a conservative Republican against moderate incumbent U.S. Sen. Arlen Specter, and came very close to beating him in the GOP primary. This trend, too, is well worth watching.

eCampaigns.com

This may be the first national election in which the Web plays a decisive role in determining a winner. Former Vermont Gov. Howard Dean was not the first candidate to make use of the Internet, but he was the first to use the Web as a central part of his strategy. Utilizing Web sites like Meetup.com, Dean raised more money in his campaign than any of the established Democratic hopefuls.

That achievement was notable because a large portion of that money was raised from small networks of donors who gave via the Internet. Although the Dean campaign fizzled after disappointing results in the early primaries, the other candidates were paying attention.

Both Bush and Democratic contender, Sen. John Kerry, D-Mass., have adopted similar strategies, with a great deal of success.

Still, the Web's influence may go beyond just fundraising. The 2002 reform law mostly exempts campaign-related activity over the Internet from regulation. That means campaigns and interest groups are free to post campaign-related advertisements and appeals on the Web, even if those ads are banned from television or radio.

Already, the Bush campaign has made use of this strategy. Earlier this year, the campaign posted an ad exclusively on its Web site, and then sent thousands of e-mails to potential supporters, directing them to the ad.

State parties resurgent

While federal election law puts new restrictions on what kinds of money state and local parties can spend in connection with a federal election, it also gives them the opportunity to take advantage of rules created just for them.

Under the new campaign finance law, when a federal candidate is on the ballot, state and local political parties can't spend money raised outside the federal system for a certain period prior to an election. That is true even for activities that do not appear to directly aid the federal candidate, such as voter identification and registration.

State and local parties have several options under the new law: raise and spend the funds they need through their federal committees; seek a special form of soft money called "Levin funds," which only state and local parties are allowed to raise; or spend money exclusively on state candidates.

In other words, reporters should be following both the federal and state parties.

At the same time, some state parties have decided to funnel all, or most, of their activities through their federal accounts, to avoid running afoul of the new law. Some state parties have even begun holding fundraising events in Washington, D.C., in search of "hard money" to help support federal candidates on the ballot.

A shift to their federal accounts is good news for reporters because those reports are filed in a database-ready electronic format at the Federal Election Commission.

To date, only a handful of parties have begun raising Levin funds, named after their congressional sponsor, Sen. Carl Levin, D-Mich. This is money raised exclusively from individuals who can support generic election activities during the period banning the use of state-raised funds.

Individuals may contribute up to $10,000 per year to any number of state and local parties that have set up specific accounts. But there are restrictions: Those accounts must be totally segregated from the party's other accounts and are not transferable to other committees.

Whether the number of state parties raising this kind of money grows or not is anyone's guess, but it's something reporters need to be watching.

Also, there has been a small uptick in the number of county party committees that have opened a federal account. County committees seem to be most active in larger states like California and Michigan. In Georgia, the state Republican Party has advised county parties to leave all federal race activity to the state party.

A word of caution when trying to assess the activities of state parties: Sometimes the state and federal reports contain the same information. There is no single standard for reporting at the two levels, and some states require parties to include at least some federal account activity in state reports, while others do not. When in doubt, check with the party financial people, rather than state campaign finance officials.

The new soft money

With the national parties no longer able to raise soft money, a number of interest groups have turned to a special form of nonprofit organization to fill the gap. So-called "527 organizations" (named after the section of the tax code under which they receive tax-exempt status) are political committees that operate outside federal or state election officials' jurisdictions.

These groups are nonprofit organizations whose purpose is to influence elections and campaigns. But because they do not directly advocate the election or defeat of a specific federal candidate, they are not subject to regulation by the FEC. They can raise unlimited money from virtually any source.

Because they are formed as nonprofit organizations and not as political committees, they report to the Internal Revenue Service and not the FEC. The Center for Public Integrity, which has been tracking these groups' activities over the past four years, has identified about 500 committees that have raised more than $500 million.

Many of them are affiliated with interest groups such as the League of Conservation Voters. Others are partisan committees formed to elect state officials, such as the Republican Governor's Association.

So, state and local parties seeking to fill the gap left by national party soft money may turn to committees like this as a new way to funnel unlimited funds to elections. Since many state campaign finance laws are less restrictive than federal laws, 527 committees can, and do, give to state and local parties. In fact, several organizations have been created specifically to help out on the state level, including the Republican State Leadership Committee and Grassroots Democrats.

Aron Pilhofer is the database editor at the Center for Public Integrity. He joined the center after serving as director of IRE's Campaign Finance Information Center. Derek Willis is a writer and data specialist at the Center for Public Integrity. Prior to that, he worked at Congressional Quarterly. Willis also helps write and coordinate the Extra!Extra! feature on IRE's Web site.

Perks

CONTINUED FROM PAGE 29

charges.

Given our previous experience in the investigation of the governor, we asked for a list of no-bid contracts and found Shumaker had hired a longtime friend as a consultant. He denied any business relationship with the friend, until we produced another document – a business proposal he had circulated in the financial community when he was president of the University of Louisville.

When he insisted that he had always maintained a strict ethical policy about any outside financial dealings, we obtained a deposition from his divorce in which he admitted to a questionable deal when he was president of Central Connecticut State University. In that case, he had accepted $10,000 cash from Hyundai Corp., after having negotiated a contract with the South Korean auto manufacturer for the university.

> "Given our previous experience in the investigation of the governor, we asked for a list of no-bid contracts and found Shumaker had hired a longtime friend as a consultant."

Within days, Shumaker resigned.

A subsequent legislative investigation confirmed that he had indeed altered the schedule that had been such a critical part of his defense.

Outrageous act

It was a similar story with our investigation of the self-dealing by a powerful state Senate chairman, Jerry Cooper. Charles Lewis from the Center for Public Integrity called it "an outrageous act by a sitting legislator – one of the worst I've ever seen, in fact."

Facing financial problems, Cooper found a buyer willing to pay $1.3 million for some industrial property he owned. His committee oversaw the state's Department of Economic and Community Development, and he convinced ECD officials to provide $300,000 funding for a railroad connection to the property.

Cooper insisted his main concern was bringing jobs to his community.

But we discovered an appraisal in ECD's files that indicated Cooper's land was essentially worthless to his buyer without the rail spur. So, when the Senate chairman asked ECD to pledge taxpayers' money, he stood to benefit directly from the deal.

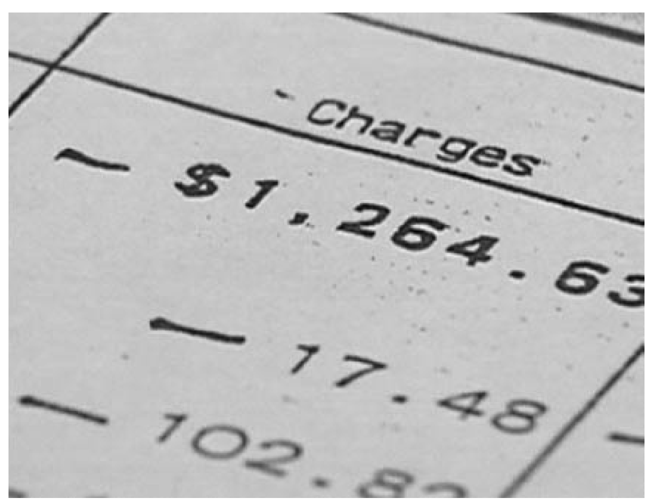
Wanting to make the case even stronger, we inquired about what other documents might exist outside of the file that had already been provided. It turned out that the internal ECD group that approved such grants kept minutes of its meetings – and there we found gold.

According to the minutes, money for the rail connection was approved "at the request of … Senator Cooper." Later, ECD added on a $500,000 equipment loan for Cooper's buyer. The committee noted its extreme reservations, including: the "project was of above-average risk," a "large amount of debt" was being incurred, "the deficiency of the collateral," and "the inexperience of the owner."

"How many Tennesseans, how many Americans, would actually get half a million dollars under these circumstances?" Lewis asked. "Ninety-nine out of a hundred of us would not get anything. But if we are friends of Sen. Cooper, well, that's a different story."

In fact, the buyer went bankrupt a short time later – and taxpayers were left to foot the bill.

Phil Williams is chief investigative reporter for WTVF-Nashville. Bryan Staples is photojournalist/producer for the station's I-Team. They are three-time IRE Award winners, including an IRE Medal. "Perks of Power" won an IRE Award this year.



VOTING RECORDS

Mapping and analysis provide deeper grasp of Justice Department's balloting investigation

BY SCOTT FALLON AND BENJAMIN LESSER
THE (BERGEN, N.J.) *RECORD*

Racial issues and Teaneck, N.J., seem to go hand in hand.

This tree-lined, middle-class suburb of 40,000 has had one of the largest black suburban communities in New Jersey for decades. It is a town that has a history of racial progress (in 1964 it became the first school district in the United States to integrate its school system voluntarily) and racial strife (in 1990 a black teenager was shot and killed by a white police officer, touching off months of unrest).

Through it all, Teaneck has had consistent black representation on the Township Council and Board of Education. So when the Department of Justice last year began investigating whether Teaneck's election system was unfair to black residents and therefore in violation of the 1965 Voting Rights Act, it caught many by surprise.

The Justice Department, acting on a complaint sent by an anonymous local resident, was examining whether Teaneck's at-large elections should be replaced with a ward system to ensure that the town's sizable black community (about 11,000 or 28 percent of the town's population) has better representation on the Township Council and Board of Education. At the time, there was only one black school board member out of nine, and the seven-member Township Council had not had a black representative since 2000.

We didn't want to wait for the Justice Department's conclusion. We wanted to investigate as well. Department officials were of little help. They were not offering anything on the investigation other than confirming its existence.

We had to find another route. First, we retraced the steps of the department investigators by contacting those who had been interviewed by the agency. Most were willing to talk about everything they had discussed with investigators. They also pointed us in the direction of others who had been interviewed.

Regression analysis

To get a sense of how the Justice Department conducted its investigations, we began looking at what the agency had done in other communities across the nation. A lot of this was done through online research from newspaper accounts, old DOJ press releases and finally interviews with the public officials, activists and former candidates in cities from Euclid, Ohio, to Santa Paula, Calif. The investigations were often very complicated. These were not Jim Crow-era Southern communities where disenfranchisement was obvious.

Once we had an idea of how the DOJ operated these investigations, we requested through New Jersey's public records law all the documents the DOJ had requested from Teaneck. Most of these were meeting minutes and election results going back to the early 1990s. Unfortunately, most of the election results were available only on paper. This meant manually inputting more than a thousand numbers into a spreadsheet thanks to Teaneck's 21 election districts and races that sometimes had as many as nine candidates.

We then contacted Alabama attorney Edward Still, who has specialized in Voting Rights Act cases across the nation for 30 years. Still explained to us that the DOJ investigators would be conducting a series of statistical analyses of recent Teaneck elections and the town's demographics.

UPLINK

In the July-August 2004 edition of *Uplink*, Benjamin Lesser offers a more technical analysis of how *The Record* conducted this investigation.

The number crunchers at DOJ would be seeking to answer three key questions. First, was there racially polarized voting in Teaneck? In other words, do whites overwhelmingly vote for white candidates and blacks vote overwhelmingly for black candidates? Second, do black candidates routinely run for office and lose? And, third, can a ward system be implemented that creates at least one majority minority ward?

We sought out the assistance of a pair of political science professors to assist us in answering the first question, whether or not racially polarized voting existed in Teaneck elections. Professors Bernard Grofman from the University of California-Irvine and David Epstein from Columbia University agreed to advise us.

After initial discussions with Grofman and after reading some academic articles on the subject, we learned that determining the presence of racially polarized voting would require doing some fairly complicated number crunching. After meeting with our editors to discuss the time and effort involved, we decided to give it a go.

The statistical analysis we set out to perform – regression analysis – is simply an attempt to determine the predictive value of the relationship that exists between two variables. In this case, our variables were the demographics of the voting age population and results for each of the 21 voting districts within Teaneck from several recent elections.

With a large dose of assistance from both Grofman and, more so, Epstein, we found that there appeared to be at least some level of racially polarized voting in four of the five elections we analyzed.

Answering the second question simply required reviewing election results. We found that since 1990, seven of the 22 black candidates for the Township Council and school board won while 56 of 90 white candidates had run successfully.

To answer the third question we utilized map-

Peter Monsees | The Record

Dr. David Diuguid, left, is photographed during a school board meeting in Teaneck. He is the only black elected official in town.

ping software, Acrview GIS 3.2, and were able to determine that one – or possibly two – majority black wards could be created in the northeast section of town, which is more than 65 percent black.

So, at the end of the day, what had we learned? And what could we tell our readers?

Digging deeper

As is the case with so many stories and especially those that deal with such a sensitive and complicated topic as voting rights, we found a mixed picture. Yes, there was racially polarized voting in some elections, but, as Epstein told us, racially polarized voting is not an uncommon occurrence. And, yes, blacks who ran for office over the past decade had struggled to get elected. However, the town also had a black mayor for six years in the 1980s and at least one black councilman for 22 years straight.

Further complicating the matter is that few black residents run for office. Only six of the 50 candidates who ran for the Township Council since 1990 were black. In the last 13 school board elections, 16 out of 64 candidates were black.

In addition, Teaneck's state assemblyman is black and has won by large margins in both primaries and general elections. However, experts caution that there are dangers in comparing results from local, state or federal elections.

Despite these complexities we were still able to tell our readers in Teaneck a great deal about what was happening in their town, why the federal government was conducting an investigation and what information that investigation might be uncovering. Rather then simply running stories highlighting conflicting assertions over whether Teaneck had a serious problem, we dug deeper and gave our readers a broader understanding what the investigation may mean to their town's future and, by extension, their own.

We had the benefit of a great news hook to drive our analysis. But you don't need a Justice Department investigation to conduct a similar analysis.

This type of story is the perfect combination of street and computer-assisted reporting. One doesn't work without the other. Our contacts in the community were key to assessing the overall mood of whether a black resident had as good a chance at getting elected as a white resident.

If there has historically been low representation by a minority group that makes up a significant amount of the population, this issue is worth exploring. Hit the streets. There may already be dissatisfaction with the local election system from a segment of the community that hasn't galvanized as a movement yet.

Scott Fallon is completing a fellowship teaching journalism and studying public affairs at Syracuse University. He has been a staff writer at The Record since 1999. Benjamin Lesser came to The Record in 2000 from the Albany Times Union. He previously worked in the IRE Database Library.

TV FOCUS

Newsroom-orchestrated stings, though popular with viewers, present concerns for stations

AARON BARNHART

Thanks to an unusual partnership with a controversial Web site, television stations in Kansas City, Detroit and Milwaukee have depicted dozens of men on camera allegedly soliciting sex from children in their communities.

The images shown have a great deal of shock value, but concerns have been raised about the technique, which remains controversial. Viewers have flocked to stations to watch the heavily hyped series. They show area men knocking on the door of a stakeout house, where a volunteer from the Web site "perverted-justice.com" had led them to believe an underage boy or girl was meeting them for sex. What actually awaited them was a TV news crew. The stories have been riveting and the ratings strong. More such shows are apparently in the works in various markets. Stations in Portland, Ore., and Philadelphia teamed up in February with "perverted-justice.com" volunteers.

"Unlike a conventional "bust," in which an individual is arrested by the police, this one results in a face-to-face encounter – between someone lured to a house and a TV reporter."

For TV, it's an effective way to call attention to an apparently widespread problem. Typically, a dozen or more men will show up at the door of the stakeout house in just four days of work. Some of the individuals who show up are prominent or related to prominent people, which makes their presence particularly newsworthy.

The motto of the Web site is "Exposing wannabe perverts on the Net." Its methods are surprisingly simple. A volunteer establishes an online profile as an underage female or male (e.g., "south-citygrrl," a 14-year-old girl). He, or she, signs in to a regional chat room at a popular site like AOL or Yahoo – and waits.

Why regional chat rooms? Because they "are the most ready and easy way for an individual to try to 'hook up with' underage females," the Web site's Fequently Asked Questions states. Every one of the hundreds of chatters allegedly "exposed" by the Web site has been an adult male.

It's not a "bust" until the alleged "predator" gives out his phone number and agrees to meet his mark for sex. Then the Web-based group takes an extra step: "Before anyone is posted on the site, they are chatted up by one of our underage-sounding phone verification specialists in order to confirm the number."

Usually, the target has sent a Webcam picture of himself, too. The site posts that picture, the full chat transcript, the offender's online handle and his verified phone number. Afterward, the target is offered a "right of reply," which is also posted to perverted-justice.com.

While some journalists have wondered if this constitutes "entrapment," FBI spokesman Jeff Lanza told me in February that whatever his distaste for such stings, they aren't entrapment. That, he explained, is a legal term applying only in criminal cases. No one was being charged with a crime here.

Although site volunteers never solicit strangers online, they did make inquiries to local TV stations beginning in late 2003 about doing so. For instance, in Kansas City, all four stations received offers from perverted-justice.com to team up on stings. One station, KCTV, followed up; the other three ran news reports examining perverted-justice's methods, with quotes from the FBI's Lanza, who was critical of the site.

The people behind the site recognized that their method of obtaining footage of individuals responding to e-mails from alleged underage children was tailor made for television. It now has a section of the site reserved for "group media busts." Unlike a conventional "bust," in which an individual is arrested by the police, this one results in a face-to-face encounter – between someone lured to a house and a TV reporter.

The site's Webmaster, whose online identity is "Xavier Von Erck," has been interviewed on camera by both CNN's "Paula Zahn Now" and the "CBS Eve-

CONTINUED ON PAGE 34 ➤

Aaron Barnhart is the TV critic for The Kansas City Star, a columnist for TelevisionWeek and runs TVBarn.com.

Housing for homeless

CONTINUED FROM PAGE 15

told us employees were completing an audit of the Department of Homeless Services. That audit was due to come out around the time of our reports, in late June. But Comptroller William Thompson did not release the audit until October 2003, and when he did, Mayor Michael Bloomberg and Homeless Services Commissioner Linda Gibbs were at his side.

They announced an effort "to increase the use of contracts with existing homeless facilities."

"Good government means transparent management and accountability," Bloomberg said. "And bringing more facilities into a formal contracting process will be better from every perspective."

Andrea Bernstein is political and investigative reporter for WNYC/New York Public Radio and a regular contributor to National Public Radio. Amy Eddings is currently WNYC's local host of NPR's "All Things Considered." "Handshake Hotels" has received an IRE Award for Radio Reporting, the Newspaper Guild of America's Heywood Broun Award, the Society of Professional Journalists' Sigma Delta Chi Award for Best Investigative Reporting, the RTNDA Regional Edward R. Murrow Award for Best Investigative Reporting, and the New York State Associated Press Broadcasters Association award for best enterprise reporting.

FOI report

CONTINUED FROM PAGE 15

California and Hawaii. For an excellent overview of how a well-known cluster of diploma mills operates, see www.hep.uiuc.edu/home/g-gollin/diploma_mills.pdf .

Review what your local candidates list as their educational and professional qualifications, and become the watchdog. Be sure to access property records and candidate filings to double-check residency qualifications, as candidates still play fast and loose with residency requirements. Be systematic: Build a database with each candidate's filings and then cross-check them against court records, tax liens and other documents to see what pops up.

You might think that in 2004, we would be past the elections chicanery of yesteryear: dead voters, fake names and illegal voters. Nothing could be further from the truth. One of the most reliable sources of election-year stories are the electoral records themselves.

The Des Moines Register reported in February on a referendum petition:

"TV sidekick Barney Fife, missing newspaper boy Johnny Gosch and the late John F. Kennedy Jr. are among the names on a citizens petition that will force a special Des Moines City Council election this spring.

"In addition to the phony signatures, at least one resident whose name appears twice denies that she signed the petition, which was delivered this week amid debate over the $150,000 cost to taxpayers for the May 11 vote.

"City Clerk Diane Rauh also believes a few pages of signatures represent one person's handwriting. She already has thrown out nearly 190 suspect signatures, but petition organizers still have enough to force a vote…"

And just because your state has tough disclosure laws does not mean they are being followed, as the *Fort Meyers* (Fla.) *News-Press* reported last November:

"None of the four members of Cape Coral's health facility authority and none of the four special masters – who hear code enforcement or unlicensed contractor cases in the city – have current reports on file with the Lee County Supervisor of Elections, according to a public records check by the *News-Press*. State ethics laws require the reports by July 1 annually…"

Finally, once the election is over, it's time to calculate the cost. Get the expenditures of local and state elections officials, and look for a fresh round of impropriety, or more optimistically, the low, low cost of electoral politics in your market.

TV Focus

CONTINUED FROM PAGE 33

ning News with Dan Rather." (Both outlets identified him on screen as if Xavier Von Erck were his real name, which it's not.)

As the Web site's profile has risen, so has the volume of complaints about its methods. Police and agencies for missing and exploited children note that very few of the men "busted" at the site have ever been brought to justice (about a dozen arrests out of more than 600 names posted).

The favorite phrase of FBI spokesman Lanza when referring to the Web site is "vigilante justice." Lanza also points out that men shown on the Web site can change identities, relocate, or otherwise avoid accountability for their actions.

Besides its anonymous and idiosyncratic public face, perverted-justice.com presents other concerns for TV stations.

The site's practice of posting personal information about the targeted men it shows, including phone numbers and city of residence, opens them up for online and telephone harassment. The FAQ file disavows any such intent: "We are about public exposure, not violence or harassment." But concerns remain about such conduct.

"You're moving from an observer of fact and recorder of history into someone who's creating history," says Charles Davis, Freedom of Information Center director at the Missouri School of Journalism. "I wouldn't argue with [the merits of the story] at all. But they do that kind of journalism at their own risk."

There is also a disconnect between the site's high rate of showing alleged illegal conduct and low rate of convictions. Though the Web site says it seeks to help exploited children and law enforcement agencies, groups representing those interests rarely return the compliment.

Perverted-justice.com operates on the belief that online sexual predators are a major problem. But another view is that the individuals depicted in their stings are easy targets who law enforcement has not gotten to first. The FBI in Kansas City has been vocal in its displeasure with KCTV; local authorities in Detroit have criticized WDIV for disrupting several ongoing investigations there.

Responded KCTV news director Regent Ducas: "Our story exposed the fact that law enforcement is ill-equipped to deal with this issue right now."

Member news

CONTINUED FROM PAGE 5

education reporter at *The Dallas Morning News*. For the past two years, she was a data analyst at IRE and NICAR. ■ **Julie Jargon,** a former staff writer at *Westword* (Denver), has been awarded the Livingston Award for Young Journalists in the National Reporting category for a series on cases of rape and sex assault in the Air Force Academy. Jargon is now a staff writer for *Crain's Chicago Business*. ■ **Louise Kiernan** of the *Chicago Tribune* has been named 2004-05 Nieman Fellow at Harvard University. She will focus her study on the role of women in the U.S. work force and its impact on labor-reform movements in the 20th century. ■ **Kimberly Kindy** has been named bureau chief of *The Orange County Register*'s Sacramento bureau. Kindy has been an investigative reporter at the *Register* since 2001. She will continue to do investigative reporting. ■ **Marc Perrusquia** and **Michael Erskine** of *The (Memphis) Commercial Appeal* were winners of the Society of American Business Editors and Writers' Best in Business contest. They won in the medium newspapers special projects category for the series "Habitat: Borrowed Dreams." ■ **Paul Raeburn** has published a new book, *Acquainted with the Night: A Parent's Quest to Understand Depression and Bipolar Disorder in His Children*, based on his personal experiences. ■ **Jonathan D. Salant** moved to Bloomberg News to return to the money and politics beat. Previously, he worked for The Associated Press covering transportation, communication and campaign finance. ■ **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.) *Times Free Press*. He was head of the Center for Media Initiatives. ■ **Alan Scher Zagier** and **Gina Edwards**, of the *Naples* (Fla.) *Daily News*, were part of the team that won the Scripps Howard Foundation's Meeman Award for Environmental Reporting for "Deep Trouble," a series about the Gulf of Mexico.

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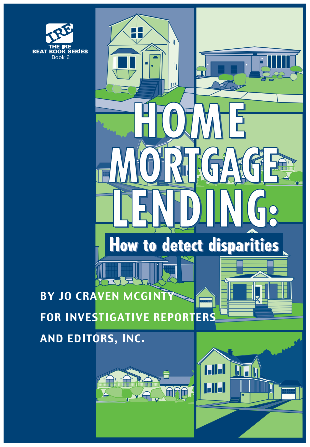

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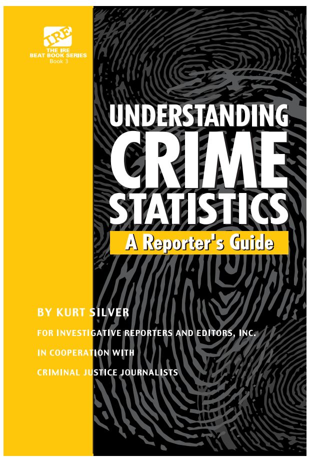

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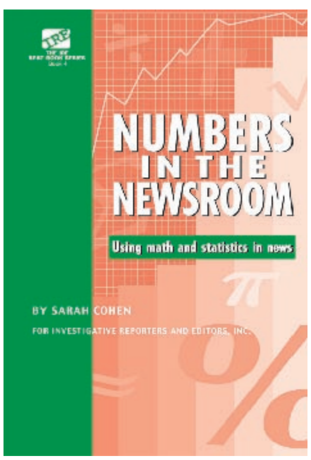

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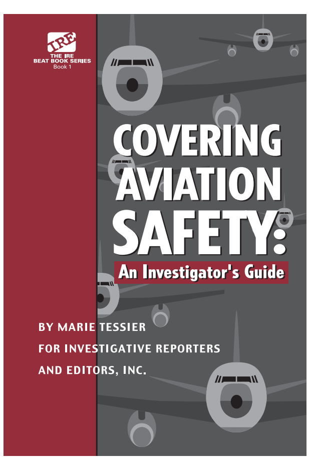

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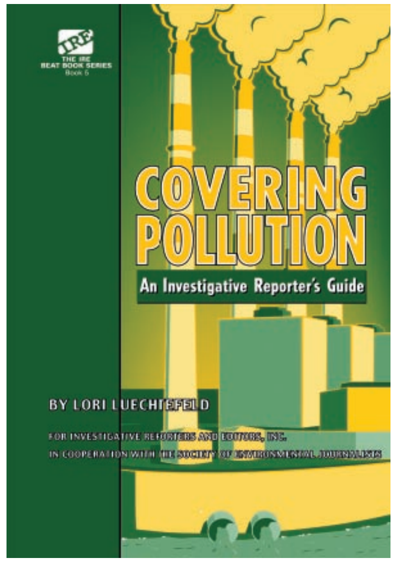

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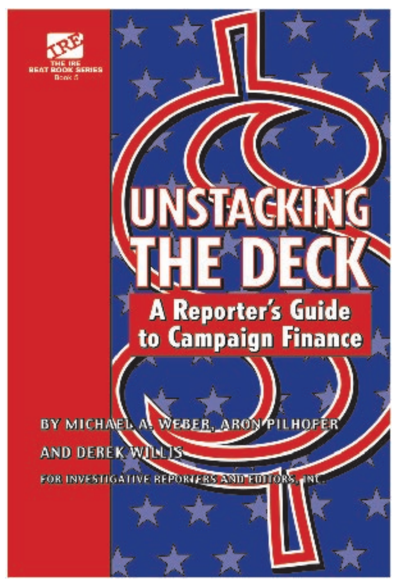

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