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Questions? Please contact Membership Coordinator John Green, jgreen@ire.org, 573-882-2772, or visit www.ire.org/membership to apply online.

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THE IRE JOURNAL

TABLE OF CONTENTS
MARCH/APRIL 2007

ABOUT THE COVER
The family farms that once covered the American landscape are changing.

Cover Story
Pages 12-23

Cover photo
U.S. Department of Agriculture

THE IRE JOURNAL

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Editor's love of business reminds us of importance of supporting our mission

BRANT HOUSTON

I met Mike Levine two years ago at a workshop on watchdog journalism at the Poynter Institute in Florida.

Mike was the executive editor of the *Times-Herald Record* in Middletown, N.Y., a mid-sized newspaper with a reputation for both hard-hitting and compassionate journalism.

He was at Poynter with about 30 other editors and publishers to talk about the importance of watchdog journalism, to listen to investigative reporters talk about how it's done and to discuss how to do it better. He was easily one of the most enthusiastic and energetic participants.

During those three days in May 2005, the group concluded that watchdog journalism was our profession's "franchise," that it was a big part of our future in this time of traumatic industry change. At the same time, the initiator of the workshop, Rick Rodriguez, the executive editor of *The Sacramento Bee,* announced a new collaboration between IRE and the American Society of Newspaper Editors.

New seminars, called "Unleashing the Watchdogs," would provide training for mid-level editors on how to encourage and carry out investigative stories with their reporters. The seminars were scheduled to start in the fall of 2005.

Levine didn't want to wait until the fall. He wanted to be the first to host the series of workshops. Any scheduling difficulties would be overcome; he would make it work.

It was inspiring to have an executive editor pressuring us to get that training to his staff. Within weeks, we had arranged for a watchdog workshop for his editors *and* his reporters.

We were in Middletown last August with IRE's training director, David Donald, and several volunteer IRE members doing sessions for three days.

Shortly after the training, I heard from Levine again. He was pleased. He wanted me to know his staff was already using what they learned. He wanted to stay in touch, and he wanted to keep working with IRE.

Over the following months, he or his staff called us about stories they were working on, looking for resources, tips, or other members who had done similar work. When they completed an investigative piece, they told us about it and sent us copies.

It was a model workshop with model results.

In January, Levine died suddenly of a heart attack at the age of 54.

There was an immediate and incredible outpouring of grief and admiration for him from not only his staff, but also many of those he had worked with over the years. He had not just been an editor, but a coach, a mentor and a guide.

They noted the fine work Levine had done, winning awards at the *Times-Herald* as a columnist and editor before going to *ESPN the Magazine* as a senior editor. They recalled that he returned to the *Times-Herald* as executive editor in 2002 to lead the newsroom and to win more awards.

But, beyond the awards, they spoke of his contagious love for the news business and of how he reminded them of the importance of journalism and why they cared.

"Mike was one of the best newspapermen I ever knew, full of passion for our poor, imperfect craft. He wanted to make everything better – the paper, his own work, the work of the young and the region in which his work shone so brightly," wrote author and columnist Pete Hamill.

For IRE, Mike's drive for doing public service journalism was what we always hope for in our newsroom leaders. We looked forward to working with him in the coming years and to bringing him to speak at our conferences, to join with our top editors to keep investigative journalism alive and thriving.

We will miss him. We will especially miss his intense passion for the journalism that we do.

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.

WSJ stock option series nets Philip Meyer Award

2006 PHILIP MEYER AWARD

The winners of the Philip Meyer Awards were announced in January, with *The Wall Street Journal* bringing home top honors for "Perfect Payday," a series on backdated stock options for corporate executives.

"The judges were impressed again this year across the range of entries with the quality and impact of the work we reviewed," said Steve Doig, the Knight Chair in Journalism at the Walter Cronkite School of Journalism and Mass Communication at Arizona State University. "It's gratifying to see the innovative ways that clever reporters are applying social science techniques to journalism problems."

In the winning series, Charles Forelle and James Bandler of *The Wall Street Journal* used a statistical model to calculate the wildly improbable odds that options grant dates would just happen to be so favorably profitable to dozens of executives at some of the nation's best-known companies. Their stories about the scandal have spurred an ongoing federal securities investigation into rigged options at more than 100 companies to date.

Gannett News Service reporters Robert Benincasa and Jennifer Brooks won second place for a nationwide analysis that used health care data to identify disparities in the quality of care provided to heart attack patients.

The Philadelphia Inquirer team of Melanie Burney, Frank Kummer and Dwight Ott won third place for revealing a cheating scandal in New Jersey schools. The report led to the resignation of the district superintendent, an investigation and strict monitoring by the state department of education.

"The entries to this contest underscore how increasingly common it is these days to see such techniques used to produce powerful journalism built on solid evidence beyond just anecdotes," Doig said.

Named for Philip Meyer, the Knight Chair in Journalism at the University of North Carolina in Chapel Hill and the author of *Precision Journalism*, the Meyer Awards honor the best use of social science research methods in journalism. Entries in this year's contest employed a wide variety of methods, ranging from statistical and geographic analysis to demographic studies.

"The Meyer Award entries this year show not only the increasing sophistication of journalists in using data analysis and social science, but also in the improved blending of those methods with more traditional approaches in reporting," said Brant Houston, executive director of IRE and author of "Computer-Assisted Reporting: A Practical Guide."

The awards are administered by NICAR and the Knight Chair in Journalism at Arizona State. The judges included journalism professors with extensive CAR experience and social scientists who are experienced in working with journalists. For details on the Meyer Awards, visit www.ire.org/meyeraward.

New electronic edition of *Uplink* unveiled

IRE and the National Institute for Computer-Assisted Reporting released the new electronic edition of *Uplink*, the bimonthly newsletter on computer-assisted reporting.

The January-February 2007 issue was the first edition to be published in full-color, interactive PDF format. The electronic version will completely replace the familiar vanilla-colored paper edition, beginning with the May-June 2007 issue.

The updated design offers many benefits, including searchable text, color graphics, links to IRE and NICAR resources and outside Web sites. Readers also get the convenience of a downloadable PDF, online access to recent issues and an annual archive on CD. Future plans for the new *Uplink* include expanded content between issues and multimedia features.

For a limited time, the electronic *Uplink* will be available for free download at www.ire.org/store/periodicals.html#uplink. Current subscribers should visit this page for details about receiving future copies. The regular subscription price is $40 for IRE members, $60 for non-members and $70 for institutional subscriptions.

MEMBER NEWS

Brad Branan is an enterprise reporter at *The Fresno* (Calif.) *Bee*; he was projects reporter at the *Tucson Citizen*. ■ **Anita Bruzzese**, managing editor of *The IRE Journal* and syndicated workplace columnist for Gannett News Service and USAToday.com, has a new book, "45 Things You Do That Drive Your Boss Crazy…and How to Avoid Them," (Perigee). ■ **Susan (Stone) D'Astoli,** formerly of WSB-Atlanta, is senior executive producer for investigations and special projects at KNXV-ABC15 in Phoenix. ■ **Bill Dedman** has joined MSNBC.com as an investigative reporter. He was the managing editor at *The* (Nashua, N.H.) *Telegraph*. ■ **J. Todd Foster** was named editor of the *Bristol* (Va.) *Herald Courier*. ■ **William Greenblatt**, staff photographer, United Press International, has won the 2006 Catfish Award from the Press Club of Metropolitan St. Louis. ■ **Steve Henn** and **William "Rocky" Kistner** of American Public Media won the Everett McKinley Dirksen Award for Distinguished Coverage of Congress for broadcast journalism from the National Press Foundation. ■ **Marisa Kwiatkowski** has moved to *The* (Munster, Ind.) *Times*. ■ **Harvy Lipman**, formerly of The Chronicle of Philanthropy, is now a senior writer covering nonprofits at *The* (Hackensack, N.J.) *Record*. ■ **Eric Morath** has left the *Oakland* (Novi, Mich.) *Business Review* and is a reporter at *The Detroit News*. ■ The National Press Foundation awarded **Brody Mullins** of *The Wall Street Journal* the Everett McKinley Dirksen Award for Distinguished Coverage of Congress for print journalism. ■ **Sarah Okeson** joined *Florida Today* in Melbourne, Fla., as an investigative reporter. ■ **Adrienne Samuels** is now at *Ebony*. She was at *The Boston Globe*. ■ A WBAL-Baltimore investigative team, including **John Sherman**, won an Alfred I. duPont-Columbia University Award for the series "Dirty Secret." ■ **James Wilkerson,** most recently with *The New York Times,* is the database editor at *The Des Moines Register*. ■ **Dan Williamson**, a former staff writer at *The* (Hilton Head, S.C.) *Island Packet*, is now the photo editor at the *Iowa City Press-Citizen*.

Send Member News items to Megan Means at meganm@ire.org and include a phone number for verification.

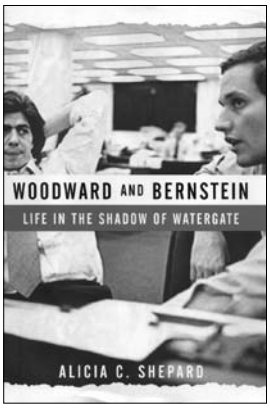
Library archives provide insider's look at private lives of Watergate exposé team

By Steve Weinberg
The IRE Journal

One important investigative reporting lesson to be gleaned from a new book about Bob Woodward and Carl Bernstein is that archives, normally haunted by academic historians, also can yield amazing documents for journalists.

That is what author Alicia C. Shepard, a longtime Washington, D.C., journalist, learned.

In 2002, Woodward and Bernstein sold their papers to the Harry Ransom Humanities Research Center at the University of Texas for nearly $5 million. Looking through the archives, Shepard came across drafts of Woodward-Bernstein newspaper stories and book chapters, interoffice memos and numerous other documents that helped her write a first-rate book.



WOODWARD AND BERNSTEIN: Life in the Shadow of Watergate
By Alicia C. Shepard
Wiley, 288 pages, $24.95

To add depth to her investigation, Shepard also mined the papers of veteran investigative journalist David Halberstam in the Howard Gotlieb Archival Research Center at Boston University to find Woodward-Bernstein references. In the Margaret Herrick Library at the Academy of Motion Picture Arts and Sciences in Los Angeles, Shephard used the papers of Alan J. Pakula, director of the movie "All the President's Men," to find anecdotes about how the Woodward-Bernstein saga was brought to the big screen through actors Robert Redford and Dustin Hoffman.

The timing of such a book is good for Shepard. Woodward and Bernstein are again in the news after Woodward's exposé of George W. Bush's presidency and with Bernstein's biography of Hillary Rodham Clinton expected before the 2008 presidential election.

Still, writing a biography of journalists is a dicey proposition for the biographer. After all, journalists are almost always observers, not participants. What they publish is almost entirely dependent on what other people say and do. So, why not write biographies of those other people – the movers and shakers – rather than chronicling the actions of observers?

Perhaps because, in the case of Woodward and Bernstein, it's a safe bet that journalists who made a significant difference in American history and who have achieved celebrity status have private lives that will interest the public.

This is not the first dual biography about Woodward and Bernstein. Fourteen years ago, writer Adrian Havill published "Deep Truth: The Lives of Bob Woodward and Carl Bernstein." It shed light on them as journalists and as human beings. Shepard, however, is able to tell the story more fully.

Shepard is the first journalist to rely heavily on Woodward and Bernstein's personal papers in the University of Texas archives. Perhaps most powerfully, Shepard is able to discuss the identity of the journalistic duo's previously secret source, Mark Felt, the man called Deep Throat.

Shepard teaches journalism at American University in Washington, D.C., and has written about the successes and failures of reporters and editors for many years, especially for *American Journalism Review*. Because she knows so much about the inner workings of newsrooms, her dual biography doubles as a primer on journalism. She grapples with the value and drawbacks of anonymous sourcing and with the interviewing techniques of Woodward and Bernstein.

Some of the information included in her book that proves interesting for investigative journalists:

- As a teenager, Woodward cleaned his father's law office for $11.75 per week. Alone there at night, according to Shepard, he "scoured divorce cases, IRS files, trial transcripts and fraud cases. These all fascinated him, though he often discovered that hypocrisy often pervaded people's actions."
- While a novice reporter at a small Maryland newspaper, Woodward used common sense to choose investigative pieces that could be completed without a budget. He put together an evaluation of all high school principals in Montgomery County. In another incident, Maryland Gov. Marvin Mandel became involved in an automobile accident and "told reporters he was meeting with Democratic leaders…no Democratic leaders could confirm that they'd met with him. It turned out that the married Mandel was off with his girlfriend," according to Shepard's account. What did Woodward do? He sought the gasoline records for the governor's car to find out how far it had been driven for the rendezvous.
- After a shooting at an embassy in Washington, D.C., *Washington Post* reporter Bernstein reasoned journalists that at the scene would not be allowed inside and would end up learning almost nothing. So, he used the telephone directory to call potential sources inside the embassy building.
- While editing Woodward-Bernstein Watergate exposés, Barry Sussman at the *Post* believed that President Nixon probably played a role in the scandal. As Shepard explains, "One simple line of thinking kept Sussman stubbornly on the story. He was sure that if there had been a scandal like Watergate at the *Post*, executive editor Ben Bradlee would have known. Sussman knew enough about how Nixon operated to realize that Nixon delegated little and was keenly aware of what went on inside his White House."
- Choosing the best voice for a story is not easy. Woodward suggested to Bernstein that they write "All the President's Men" in first person. Woodward made the suggestion after Robert Redford mentioned that a movie version ought to tell the story of the scandal through the minds of the reporters, rather than the minds of the perpetrators. "Rather than writing a whodunit, because that was already well-known, they would write a howdunit about the whodunit," according to Shepard. Bernstein balked, worrying that a first-person book would seem self-aggrandizing. He also worried about how to separate Woodward's actions from his own. Instead, using Norman Mailer's book "The Armies of the Night" as an inspiration, Bernstein proposed that he and Woodward refer to themselves in the third person.
- Thinking like a police detective or private investigator is sometimes vital. Shepard quotes Woodward as saying, "In the initial Watergate story, five burglars were arrested. What do you do? Do you go over and have lunch at the San Souci restaurant with some FBI official to find out what's going on? No. You study the five burglars and find out where they're from, where they live, where they work, who they talk to, who they socialize with, what their background is, how old they are, what their children do, where they go to church, where they bank, who their neighbors are. It's exactly what TV's Columbo does."

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

SHAKY GROUND

Modern data gathering used to probe arcane property law

BY FRED SCHULTE
THE (BALTIMORE) *SUN*

When you buy a house in most cities, the seller throws in the ground beneath it. That's not so in huge portions of Baltimore, where an arcane system of "ground rents" exists.

These ground rents date to 1632 when King Charles I of England gave Cecilius Calvert all the land that's now the state of Maryland. Calvert, better known as the Second Lord Baltimore, did what any self-respecting lord did in those days: He charged tariffs to colonists who put up buildings on his soil.

This feudal practice grew in popularity in the early 1900s as developers built miles of low-cost row houses in Baltimore. Builders touted ground rents as a progressive way to keep home prices affordable for the working class. Instead of buying a clear title to the land, homeowners leased it from investors, typically for $100 per year or less in rent.

As long as homeowners pay the ground rent owner every six months, everything's fine. But, miss a payment, for whatever reason, and the law grants the ground rent owner the extraordinary right to go to court to seize the home, sell it and keep every cent of the proceeds.

Our three-part series, "On Shaky Ground," documented how this system, widely viewed as a harmless vestige of colonial law, increasingly has been used by small groups of investors to seize homes or extract huge fees from people who are largely ignorant of the law.

Business reporter June Arney and I found that in the past six years, nearly 4,000 lawsuits have been filed against Baltimore property owners over ground rents as small as $24. Most cases concluded with ground rent owners collecting fees that often ran to thousands of dollars.

In more than 500 cases, investors won rights to the properties, which ranged from boarded-up or vacant row homes to a 7,000-square-foot Victorian. The ground owners often sold the homes they acquired for thousands of dollars in quick profits. We saw some people end up on the street with their possessions piled up around them.

Perhaps more surprising: these lawsuits, called "ejectments," have been going on for years without anyone noticing except the people responsible for them, and they either wouldn't talk or told us that seizures were extremely rare.

Changing hands

We did our own numbers by finding a "data guy" in the circuit court system who sent us a text file with fields for the name of plaintiff, defendant, attorney, address of property and case disposition for all ejectments filed since 2000. We checked earlier years individually using public computers in the clerk of court's office.

Loading the files into Microsoft Access database manager, I sorted and found more than 300 persons or entities that had filed ejectments, including many limited liability companies with whimsical names such as "Morents LLC." The names of the owners of these firms are not public record.

We searched hundreds of court files, online property deeds, corporate records and federal civil and bankruptcy court cases involving these firms and individuals to identify the owners. In time, we were able to connect the majority of these lawsuits to four family groups or individuals. Obituaries and paid funeral notices from our paper and others also were helpful in identifying family ties.

The court data gave us fits. Many street names were misspelled, ZIP codes were missing and designations such as "street" were missing or confused with "avenue." We checked at least 2,000 addresses by hand and often entered correct ZIP codes or fixed other errors so we could see in which ZIP codes these suits were most common.

Unfortunately, Baltimore has more than 200 distinct neighborhoods with overlapping ZIP codes. We turned to *Sun* cartographer Christine Fellenz. She took the Access file and linked it to U.S. Census Bureau data by neighborhood using ArcMap geographic information system software. We ended up printing a full-page color map that traced the ejectments by neighborhood and clearly showed how they clustered in "gentrifying" parts of the city. This suggested that investors were going to court to take property in neighborhoods where prices had been rising rapidly.

Figuring out which properties changed owners over ground rent debts was daunting. The court disposition data was imprecise at best. It didn't capture how many cases ended with a writ of possession, the order granting the ground rent owner the home. We had to check each closed case docket by hand using courthouse computers to document more than 500 writs of possession granted by judges since the start of 2000.

We used property records to track down sales of these seized properties, which the ground rent owners often sold quickly to rehabbers who would fix the properties for rentals or resale.

Online property records (www.mdlandrec.net) also allowed us to track sales of ground rent deeds. Ground rents are considered real property, so each has a deed. Each sale is recorded in property records, and prices are set by a formula. A $96 annual ground lease is valued at $1,600, for instance, though investors often pay less than the par value.

We were able to establish that thousands of these deeds began to change hands in the late 1990s as property values started to pick up in formerly desolate sections of Baltimore. Many of the sellers were foundations, small investors or estates. The buyers were investors who often sued to take the home over unpaid rent shortly after buying the ground rent.

Out the window

We hit the streets to find the people caught in the ground rent trap and tell their stories. It took us all over the city, and we met many people who clearly did not understand the arcane law and fell victim to it as a result. We found people who had no idea that a home owned in the name of their deceased parents or other relatives was about to be seized because nobody bothered to contact them.

One person who stood out was Deloris McNeil, 59. She couldn't explain how she lost her West Baltimore row home after failing to pay a $96 per year ground rent. The new owner said she didn't have the guts to toss out McNeil but let her stay on as a renter in the home she used to own.

"Sometimes I feel like screaming at the top of my lungs," McNeil told us seated at her cluttered dining room table as she dabbed at tears with a crumpled tissue.

She was lucky compared to Thelma Parks, 56, who lived for more than two decades in Druid Heights in one of Baltimore's oldest neighborhoods of black professionals. She lost her house, which sits just blocks from the boyhood home of Thurgood Marshall, in a complicated ground rent case that she said nearly destroyed her life.

"It ruined every one of my plans," she said. "They all went out the window… I'm going to have to work until I fall apart."

While Parks rents in another part of town, her former home has been sold at least twice for as much as $128,000.

"Everyone is making a profit from it but me," she said.

Fred Schulte is an investigative reporter at The (Baltimore) Sun. He was investigative editor at the South Florida Sun-Sentinel, where his projects won dozens of journalism awards.

WSMV

Human error and flawed computer systems led to delays and misrouted calls to 911 dispatch centers.

NO ANSWER

Fatal flaws in 911 system found in computer analysis of responses

By Nancy Amons
WSMV-Nashville

Coyce Vaughn moved to Villa Maria Retirement Home so he could be just around the corner from St. Thomas Hospital. He had a bad heart and wanted to be closer to his doctors.

On the morning of Aug. 9, 2006, he pulled his emergency cord; the home's assistant administrator found him in distress and called 911. She got a busy signal. After 10 minutes, she gave up on 911 and called the police non-emergency phone number, telling them her patient was fading fast.

"Ma'am, they need to hurry," she said. "I'm not getting a pulse."

Vaughn died, though an ambulance had been just a few minutes away.

That morning, the entire Metro Nashville 911 system went down for 33 minutes. It was human error; a technician forgot to flip a switch. Everyone who called with an emergency got a busy signal. The outage was one of the many problems we uncovered during our investigation of the Metro Nashville Emergency Operations Center.

Our first story explained how one technician's oversight shut down the entire 911 system. Our second story reported on long delays in dispatching police. Our third story uncovered an unexplained glitch that was keeping callers waiting even when operators weren't busy.

Our computer analysis of 911 calls showed that, on average, three callers per day waited two minutes or longer for 911 to answer the phone. The problem occurred at random times, even when the dispatchers weren't busy – the operators never heard the phone ring.

We began an in-depth look into 911 in July 2006. A general assignment story triggered my curiosity. After a home had burned to the ground, eyewitnesses complained they had tried calling 911 for 15 minutes but never got an answer.

We decided to see if 911 kept statistics on how many people waited more than 30 seconds for someone to answer the phone. At first, the public information spokesperson was suspicious and uncooperative. We reminded her that an investigation we did of metro's EMS system several years ago had a positive impact. After our stories, even though they were painful, management increased staffing dramatically. EMS officials confirmed for her that we were tough but fair.

Eventually, she became very helpful and provided dozens of recordings of 911 phone calls, hundreds of pages of incident reports and more than half a dozen databases of 911 calls. The data had to be rerun many times because it was incomplete or incorrect. We stayed in daily contact as the spokeswoman answered questions, clarified data and provided additional reports.

Our first request was broad. We wanted to know about the weaknesses and strengths they had already identified and benefit from the data collection they had already done. I think this strategy works because the more you know before you start, the more focused your research can be. We made our first requests by phone calls and e-mails. We were not asked to file official requests under the Tennessee Open Records Act.

We asked what kind of reports the Emergency Operations Center generates, such as quality assurance reports, customer surveys, any reports about how many callers hung up before someone answered, reports about how long people waited on hold, records of anyone who filed complaints and minutes of any 911 committee meetings. The complaint files and the data ended up being the most fruitful for our investigation.

The most surprising finding came after 911 generated a report at our request using its own software and 911 data. We asked for a record of every call in which someone waited more than 30 seconds for an answer. The EOC had never run such a report.

That was a real shock to us. We wondered how they could not know this when it seemed to be such crucial information. The EOC representatives explained they had analyzed the data in other ways, such as watching trends in hang-up calls. It took them about two weeks to create a series of spreadsheets for us.

The EOC's staff ran a query using its in-house data collection system, called MajIC. They exported the data to a series of Excel spreadsheets, which I analyzed using Microsoft Excel and Access software. There was no charge for the data.

We found that during the first seven months of 2006, there were more than 10,000 callers who waited more than 30 seconds for someone to answer the phone. Of those, 685 people had waited two minutes or longer. That's a long time to wait when lives are on the line. The national standard is that 90 percent of calls should be answered in 10 seconds or less.

We expected that each of those callers would have a story to tell. We had the dates, wait times and phone numbers for each of the calls, so we started contacting the callers.

We found a woman who had called 911 after a transformer caught fire, which spread to the dry grass near a house. The neighbors put out the fire with a garden hose after they couldn't get an answer at 911. We found a motorist who listened to the phone ring and ring after calling to report an injured motorcyclist by the side of the road.

Ironically, the 911 system is set up to begin

recording these phone calls from the second the caller hears the phone ring. For example, a secretary at the Metro Codes Administration calls to get police back-up to help an inspector who's being threatened by a homeless man and his dog. The phone rings for one minute and 26 seconds.

"Unbelievable!" she says while the phone rings over and over again. "It's still ringing." The neighbors with the transformer fire ask each other incredulously, "Is no one answering 911?"

In one of the most disturbing cases, we listen to the anguished cousin of a teenager who had accidentally shot himself in the head. "I'm still on f***** on hold with 911!" the teen says, as his cousin lay bleeding. The family drove him to the hospital themselves after they gave up trying to get an ambulance. The teen died.

EOS officials were never able to answer our questions about what exactly was going wrong with their system. They had recently upgraded their computer system and had reported having problems ever since.

Hearing that, we used the Tennessee Open Records Act to request all e-mails and correspondence between 911 and the company responsible for the installation and maintenance of the new system. The e-mails revealed that the company mistakenly installed software written for someone else. Once, the computer stopped recording data, and another time, it mistakenly re-routed an unknown number of 911 calls to a back-up call center that was closed. Dozens of emergency calls were routed to desks with empty seats.

The rollover problem was indirectly the cause of the 911 system going down for 33 minutes the day Vaughn died. Bell South had been asked to set the system to prevent 911 overflow calls from rolling over to the back-up station when the facility was not in use. Bell South programmed the back-up site to send out a busy signal. However, no one reactivated the back-up facility when it did need to handle calls. Everyone who called 911 for 33 minutes that day got a busy signal.

That problem was blamed on human error, and Bell South and the 911 center blamed each other for the mistake. As for the problem of why more than 10,000 callers had their emergency calls delayed for more than 30 seconds – no one has ever been able to explain that.

After our series aired, a member of the Metro council called for a committee hearing investigating problems at 911. The hearing hasn't yet been scheduled.

Nancy Amons oversees the investigative team and specializes in computer-assisted reporting at WSMV-Nashville. In 2006 she was honored by the Association of Healthcare Journalists for a documentary on cuts to Tennessee's health care system, and won a Headliner Award for continuing coverage of dangerous guardrails. She has been an IRE contest judge for three years.

Tips

Advice for other reporters who want to do a 911 investigation:

- **Start early.**
  Allow plenty of time for a 911 investigation. You'll have to negotiate for the data, which may or may not be what you expected in the first few runs. We went back and forth for several months before we had data that we felt were accurate. As always, pull paper records, such as police and fire reports, as well as 911 audiotapes of any cases you think you will profile.
- **Expect resistance.**
  911 employees work hard, are under a lot of stress and take a lot of heat when something goes wrong. They won't always welcome media scrutiny. We countered this with a lot of face-to-face meetings. We wanted to let them know they weren't under attack.
- **Approach your subjects early. You'll need their cooperation.**
  This is not an investigation where you can reveal your findings to your subject late in the game. We had a series of sit-down meetings right at the beginning where I candidly explained what I wanted to look at and asked for their cooperation. Because you will need their data, reports, tapes and explanations on a daily basis, get your subjects involved right at the start. When my findings seemed impossible – like finding thousands of people who waited 30 seconds for someone to answer the phone – I approached 911 officials and asked what could have gone wrong with my numbers. They validated our numbers and helped us look for an explanation. By the end of the project, 911 officials felt we had worked together instead of feeling I had sucker-punched them.
- **Ask for reports that already exist.**
  I found out, for example, by reading the 911 Web site and minutes of 911 meetings that a quality assurance report is generated on a regular basis. This gave me tips on other areas to explore. By reading quality assurance reports, I learned that each month someone tracks how many callers hang up before 911 answers.
- **Ask for complaint logs.**
  We found the most compelling cases in the complaint files. Typically, a caller who was unhappy with their 911 experience would call or e-mail the 911 center, the police department or the mayor's office to complain. I read a two-page report from a citizen who complained about trying to call 911 for 10 minutes and getting a busy signal, and that "the patient died." That's how we found the case of Coyce Vaughn. His death and the 911 outage were never brought to the attention of the committee that oversees 911 or the City Council.
- **Follow up, follow up and follow up.**
  It took some pushing to get to the bottom of the Coyce Vaughn case. At first, complaint investigators called the complaint "unfounded" because it was a technical problem that caused the 911 system to go down. I kept pushing for written reports about exactly what piece of equipment failed, and, a 911 representative finally admitted the human error. Keep pushing for all the documents that may prove or disprove what you're told about what went wrong.
- **Know your privacy and public records laws.**
  Expect to be told you can't have 911 records for privacy reasons. Know what your public records laws say. At first, I was told I couldn't read complaint logs because they were records of medical service. I argued that I ought to be able to at least read complaints about police and fire response times. In the end, I got everything.
- **Don't sucker-punch your interviewees.**
  Before main interviews with 911 officials, give them plenty of time to research the cases you expect to profile. If there are any holes in your cases, or explanations, you want to know sooner rather than later. If they aren't familiar with the cases you want to ask them about, you won't get any comments worth using.
- **Check fairness.**
  After you do your story, ask the subjects if they believe the pieces to be fair. I do this because I want to maintain a good relationship and because I want the subjects of the story to know that I care what kind of impact the stories had on their agency. It's a hard phone call to make. I was ready for an earful and expected the station to lose some good sources, but 911 officials thought the stories were complete and accurate.

HIGHER ED

Series details hidden audit findings exposing community college fraud

By Ryan Gabrielson
East Valley (Mesa, Ariz.) *Tribune*

Community colleges typically are not on a higher education reporter's front burner. Compared with four-year universities, the curriculum is mundane and their mission is somewhat pedestrian.

Last August, I was considering how to balance my coverage between Arizona State University, one of the nation's fastest-growing higher education institutions, and the Maricopa County Community College District, which is already the largest system in the country.

Then, I received an anonymous letter claiming a massive fraud recently had been unearthed at Scottsdale Community College, one of the district's 10 campuses. The letter said an audit report had detailed the fraud, but the document had not been publicized. Later, the revelations in the audit would surprise even MCCCD's top officials on the governing board.

I immediately sent the college a request under Arizona's public records law for all audit reports concerning the performing arts institute referenced in the letter. The auditor's findings were startling: falsified enrollment; misuse of scholarship money and public property; and travel improprieties were widespread.

The community colleges now had my full attention, and my editors gave me time to begin investigating. In late October, we published a four-day series detailing how internal auditors at MCCCD had found misconduct and serious ethical lapses at multiple campuses during the past five years. District records – particularly internal e-mails – documented how officials allowed malfeasance to go unpunished. Even when evidence of criminal activity surfaced, the officials chose not to inform law enforcement.

After we published our stories, the school launched an investigation, and state lawmakers began considering a new agency to oversee the state's community college districts**.** In January, the Maricopa County Sheriff's Office launched a criminal investigation, which is still ongoing, and served warrants at the campuses in Mesa, Scottsdale, Avondale and the district's headquarters in Tempe.

Out of control

Created in 1999, the Maricopa Institute for Art and Entertainment Technology at Scottsdale Community College was to be the district's premier performing arts program. By the time it folded in 2005, an auditor found the institute was in debt and had hardly any real students enrolled.

The audit reports allowed SCC administrators space to provide their own comments. In this case, they complained that the inquiry had taken too long to complete; they had first requested the audit three year earlier.

Why would an audit, even one as complex as this one, require years to finish?

I submitted another records request to ask for all the materials the auditor had created and used in the process of investigating the performing arts institute.

Reviewing more than 500 pages of records, I learned the auditor had been pulled off the SCC project to work on other fraud inquiries. In all, during the 2003 school year, the auditor's office launched five special investigations into assorted malfeasance.

Despite the fact that MCCCD has 10 colleges, more than 200,000 students and 11,000 employees, it has only three auditors to track down fraud and monitor district finances.

"The investigation that pulled me from your project mushroomed out of control ... with employee theft, event deficits, travel improprieties and unauthorized revenue waiving," auditor Jody LaBenz wrote in an e-mail to administrators at SCC.

By early September, the story had become much larger than the Scottsdale program. To decide what to do next, I sat down with Patti Epler, the *Tribune's* metro and projects editor, and CeCe Todd, the education editor.

I'd only been covering higher education since July, after two years on the Scottsdale city hall beat, and I was concerned about beginning a large project so soon. But, Epler argued that with an election approaching – two of the community college district's governing board members were running for reelection – we had a responsibility to report what was happening. We decided to have the project ready to publish in late October.

I sent the district a third records request asking for all documents tied to every major fraud investigation conducted by the auditors during the past five years.

While waiting, I contacted people formerly connected to the performing arts institute at SCC, but few were willing to discuss what they had seen or taken part in, even though an auditor had exposed the problems, and the institute was defunct.

Many still worked at SCC and worried that talking to a reporter would get them fired. Community college faculty do not receive the same protection as their tenured brethren at universities.

Frustrated, I pushed them. What was the risk when the audit report had already blown the whistle for them?

"Nobody around here saw that," one college employee responded.

That message became a theme in the series.

To provide information on what they have uncovered, the auditors meet four times a year with an audit

Deanna Dent | East Valley Tribune

Ben Reynolds, a music business major at Scottsdale Community College, holds his homemade shirt protesting the corruption at the community college.

In the course of my investigation, I used

- Auditors' background materials, including e-mails, interview transcripts and other notes. These records gave me a three-dimensional picture of how the auditor proceeded through complex inquiries at the colleges. In some instances, they also gave me access to documents that would not have otherwise been public, such as a record of contributions to and withdrawals from the district's nonprofit foundation.
- Special service contracts, which the district uses to pay employees for extra work, such as leading a choir or coaching the tennis team. I entered information from these contracts into an Excel spreadsheet and used cross-tabulations to find discrepancies, such as when an employee was paid twice for work.
- Tuition waiver requests helped track when the colleges cover the cost of an employee taking a class. These records showed that professors were enrolling in classes they or their colleagues taught to keep the classes from being cancelled.

and finance committee made up of top district officials and two MCCCD governing board members. The idea behind the committee is that, if a particular college refuses to release information or make required changes, officials on the committee can force action.

However, the committee's meeting minutes showed that one governing board member, Ed Contreras, had missed every single meeting during the past four years. When I interviewed the committee's other board member, Don Campbell, he said he couldn't remember any of the fraud audits I was asking about.

The minutes showed that none of the fraud audits were discussed and that the committee received only brief summaries of the misconduct; no information was provided to the full governing board.

Reforms recommended

As I read audit after audit, another pattern emerged. No matter how well auditors documented misconduct, very little action followed.

Among the findings:

- At Phoenix College, an auditor found a top administrator who played favorites when deciding how to fund departments. He was transferred without reprimand to the district's headquarters, where he worked until leaving to take a vice president's job at a college in Riverside, Calif.
- At SCC, the performing arts institute director, Steven Meredith, enrolled his family and employees in classes to inflate enrollment and misappropriated scholarship money to cover costs.

  Further, during his career at the college, Meredith received more than $20,000 to direct operas that had never been cast, let alone performed. Meredith retired from SCC last June to take a college teaching position in Utah.
- At Mesa Community College, a secretary in the athletics department is believed to have stolen unknown thousands of dollars in travel cash. The auditor strongly recommended notifying law enforcement about this missing taxpayer cash, but the college allowed the employee to resign without further consequences.

After the series ran, MCCCD Chancellor Rufus Glasper launched a number of internal probes and created a blue-ribbon panel to recommend reforms. In the future, the district will fire any employee found to be involved in fraudulent activity, he says.

"There needs to be consequences for one's actions," the chancellor said recently.

Contreras, the governing board member who did not attend audit meetings, lost his re-election bid to Colleen Clark, a 23-year-old woman whose campaign signs failed to include what office she sought.

The governing board is expected to review all audits from the past two years to determine if they were handled appropriately. State lawmakers have said they intend to create a new agency this year to oversee Arizona's 10 community college districts.

Ryan Gabrielson covers higher education for the East Valley Tribune in Mesa, Ariz.

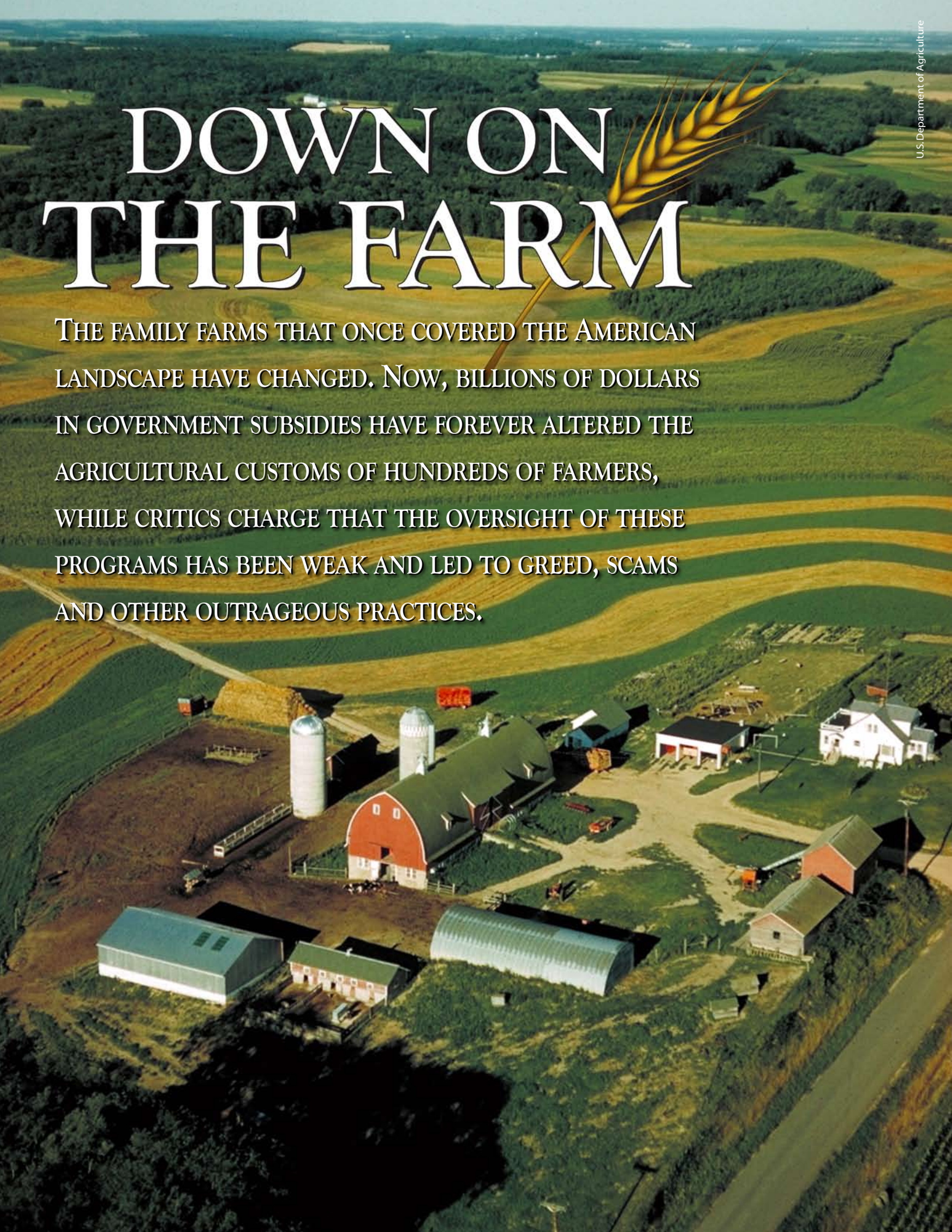
Jennifer Grimes | East Valley Tribune

The *East Valley Tribune* pressed officials, including Maricopa County Community College District Chancellor Rufus Glasper, after audit records revealed mismanagement and fraud throughout the district.

From the IRE Resource Center

Additional stories on higher education can be obtained through the IRE Resource Center (www.ire.org/resourcecenter). IRE members can order copies by e-mailing rescntr@ire.org or calling 573-882-3364.

- **Story No. 22563:** An investigation of the for-profit education business – and Leigh Valley College in particular – revealed a negative financial impact on students. The relationship between Career Education Corp., the U.S.'s second-largest education company, and Sallie Mae, the No. 1 student loan provider, showed that Leigh Valley College is setting up students for a debt spiral. Sam Kennedy, *The* (Allentown, Pa.) *Morning Call* (2005)
- **Story No. 22337:** The authors examine depressing trends in higher education, including declining standards, the emphasis on prestige over quality, and a reduction in government support for prospective students. John Merrow, Carrie Glasser, John Heus, Shae Isaacs, David Wald, Learning Matters Inc. (2005)
- **Story No. 22012:** Nepotism runs rampant in the Houston Community College System as board members' friends and family receive unearned job offers and promotions. The reporter also reveals that trustees used their influence to waive tuition for family members. John Harkinson, *Houston Press* (2004)
- **Story No. 21919:** Cheating at U.S. high schools and colleges is surprisingly common and often employs high-tech methods, such as text messaging or hand-held Internet devices. Administrators have their own high-tech methods of catching students who cheat, including a Web site that scans documents for plagiarism. The investigators also talked with students and parents to offer possible explanations for the trend. Charles Gibson, David Doss, Shelley Ross, George Paul, Jessica Velmans, Claire Weinraub, Ed Delgado, Alan Esner, Erik Olsen, Chris Whipple, Ann Reynolds, Naria Halliwell, ABC News-New York (2004)
- **Story No. 21507:** Academic plagiarism extends beyond students trying to raise their grades to professionals attempting to further their careers. The authors found several professors guilty of plagiarism, including one who allegedly built a career on it. Scott Smallwood, Thomas Bartlett, David Glenn, Scott McLemee, *Chronicle of Higher Education* (2004)



DOWN ON THE FARM

THE FAMILY FARMS THAT ONCE COVERED THE AMERICAN LANDSCAPE HAVE CHANGED. NOW, BILLIONS OF DOLLARS IN GOVERNMENT SUBSIDIES HAVE FOREVER ALTERED THE AGRICULTURAL CUSTOMS OF HUNDREDS OF FARMERS, WHILE CRITICS CHARGE THAT THE OVERSIGHT OF THESE PROGRAMS HAS BEEN WEAK AND LED TO GREED, SCAMS AND OTHER OUTRAGEOUS PRACTICES.

James M. Thresher | Washington Post

These homes in El Campo, Texas, stand on land once used to grow rice. Because of that, their backyards qualify for direct payments under federal agriculture programs as long as the owner does not develop the acreage.

CASH HARVEST

Series revealing extent of waste shapes subsidy debate in Congress

By Sarah Cohen
The Washington Post

When *The Washington Post* began asking farmers and ranchers about their federal subsidy payments, the answers sometimes came as a surprise.

"It's embarrassing," said John Phipps, who grows corn and soybeans on nearly two square miles of Illinois farmland. "My government is basically saying I am incompetent and need help."

Homeowner Donald R. Matthews found that he qualified for a stipend each year because his backyard in a new exurban Houston subdivision was once a rice field.

"They give all of this money to landowners who don't even farm while real farmers can't afford to get started. It's wrong," Matthews said.

Nico de Boer collected $40,000 intended for ranchers suffering in a drought. The money came from Washington because his farm is in a county that the shuttle Columbia passed over as it broke apart in 2003.

"We had no losses," de Boer said. "I don't know what Congress is thinking sometimes."

Three *Post* reporters spent 2006 examining what Congress was thinking and how its agriculture policies played out on the ground. We examined documents and databases and crisscrossed the country to answer the question. In the end, our efforts identified at least $15 billion over the past five years spent on wasteful, unnecessary or duplicative expenditures.

Many Americans had been vaguely aware of farm subsidies. Some remembered the groundbreaking work done in previous years by other newspapers and interest groups. But few knew the extent of the waste and the size of the loopholes built into the system by Congress and the U.S. Agriculture Department, or USDA.

Among the findings of our nine stories, published in waves from July through December 2006, were:

- Billions of dollars meant for working farmers have been sent to landowners who don't grow any crops. The recipients include wealthy landowners who build trophy homes on new suburban tracts, which are dubbed "cowboy starter kits" by local real estate agents.
- Farmers are able to collect billions in federal subsidies meant to boost their incomes during periods of low prices, even when they receive high prices for their crops. In 2005, the *Post* found, the government paid $3.8 billion, or $8 out of every $10 spent on the price support program, to farmers who received more for their corn than the government guaranteed that year.
- A drought relief program awarded $635 million – about half of the program's total – to farmers and ranchers who had not suffered a serious drought and suffered no losses.
- Tens of millions of pounds of government-owned powdered milk intended to help livestock owners in a handful of drought-stricken areas were diverted into the black market and sold in foreign countries and states with no drought.
- A handful of private insurance companies have made billions in profits from the Federal Crop Insurance Program by shifting their losses to taxpayers and keeping the most lucrative business for themselves. In 2005, 16 companies collected nearly $1 billion in profits and another $829 million from the government in administrative fees. As a result, it cost the government $3.34 for every $1 paid to farmers.
- A 1987 law intended to limit the amount that large farms can receive from subsidy programs was weakened when a key member of Congress told the USDA to change proposed regulations that would have closed loopholes. In 1999, Congress further weakened this law by ending limits on another key subsidy. Our analysis showed that, for the 2004 crop (the most recent full crop year available), taxpayers spent about $817 million in payments to farms that had already reached the stated limit.

Quick Look

Name of the series or story, and when it was published:
"Harvesting Cash," published over the period July 2 through Dec. 22, 2006

How the story got started:
Dan Morgan, a veteran *Washington Post* reporter who had covered agriculture in the past, wanted to explore how taxpayer money was spent in advance of this year's farm bill in Congress. Gilbert M. Gaul and Sarah Cohen joined him in the effort.

Length of time taken to report, write and edit the story:
18 months

Major types of documents:
There were dozens of FOIA records used for the series. Among them were requests for: data on 218 million checks paid to farm organizations; ownership records; correspondence and correspondence logs of public officials; minutes of county committee meetings; records of subsidy levels daily by county and crop; and insurance records by county, crop and policy.

Major types of human sources:
Farmers, lawmakers, former lawmakers, county and state officials and other USDA sources.

- Lawmakers defend the costly subsidies as necessary to preserve family farms and rural America. But our analysis found that they instead drive up land prices and kill off the very farms and rural communities they were supposed to help.

The stories began with a proposal from Dan Morgan, a veteran *Post* reporter who had covered agriculture in the past and wrote "Merchants of Grain," a 1979 book on the secretive families and companies that controlled the world's food supply. Morgan had watched too many agriculture "reforms" and wanted to explore the programs in advance of this year's required renewal of the farm bill, which governs most agriculture spending.

The newspaper's associate managing editor for investigations, Jeff Leen, agreed and asked me and Gilbert M. Gaul to join the effort.

Our first instinct was to focus on fraud and misdeeds in the programs run by the USDA – everything from crop insurance scams to people who broke the law by exceeding limits on how much aid an individual is allowed to collect annually.

But we learned very quickly that taking money for nothing in farm programs didn't require anything illegal. It just required understanding the rules well enough to exploit them. Focusing on the illegal also missed the big picture: the systematic waste and abuse built into the programs from years of lobbying by farm-state legislators and farm groups.

That was where we decided to focus our efforts.

A similar pattern

The first hurdle – obtaining meaningful records on subsidy payments – was considerably easier than in many other projects of this scale. The *Post* had successfully sued the USDA a decade ago over detailed records identifying each government payment, including the identity of those who received them. First released in 2001, the basic payment records for most programs are available through the Freedom of Information Act, or FOIA. By threatening to take the case back to court last year, we also wrestled free the detailed ownership records of farm operations, which allowed us to see the beneficiaries of large conglomerate farms and complex partnerships.

Other records were more difficult to obtain. Claiming they had no way to retrieve the records, USDA officials ignored our request for historical price information. The prices were available county by county and day by day on the agency's Web site, so we harvested the data and recreated a database from it. In Texas, the government claimed it could not tell us how much went to ranches and farms affected by the Columbia space shuttle explosion. Instead, we reconstructed the data needed to find the recipients. The USDA also never found any e-mails responsive to several FOI requests and said they did not keep them unless officials printed them out and put them in a file.

We spent several months simply trying to understand the major programs and the ways the government's policies could be manipulated. We had to decode each of the payment formulas by collecting information on historical yields, prices, types of crops and subsidy rules before we could begin to look for trends or individual case studies. Morgan used the phrase "cracking the code" to describe the efforts to translate arcane statistics and jargon into stories.

Most, though not all, of the stories followed a similar pattern: interviewing experts and reading congressional testimony and correspondence, inspector general reports and other records to understand a subsidy and its weaknesses. At that point, we would often delve into the payment records – covering more than 200 million individual checks since 1990 – or other databases to find examples. We could then go out to the farms and confirm the examples on the ground while learning more about how the programs work and how farmers feel about them. Once we had confirmation, we were able to generalize the search to show the extent of the problem.

For the story highlighting the "cowboy starter kits," for example, Morgan had heard that people in Texas were getting rice subsidies without growing any rice. When he and Gaul visited one promising area, farmers at a lunch offhandedly remarked about a subdivision. More reporting led them to the location, and Gaul found the land records that confirmed the plot's history. Then I used the payment records to calculate totals of money-for-nothing subsidies by looking for farms that had collected the types of subsidies that carry no restrictions, but none of the other subsidies that they would have qualified for if they grew, or tried to grow, other crops.

For the drought payment story, we compared lists of counties that had been declared agricultural disaster areas with those that had received money. The differences shook out ranchers and dairy farmers, like de Boer, who received the drought money when they suffered no serious drought. We also laid maps from the U.S. Drought Monitor over maps of the payments to estimate the amount of money that went to areas with no serious droughts during the two years of the program.

Records obtained through FOIA showed that state USDA officials lobbied their county counterparts to find any disaster that would qualify for payments. Ranchers in one Texas county got $1 million for an ice storm that occurred more than a year before the drought measure was created. In Wisconsin, a winter snowstorm triggered millions of dollars in payments.

As always, the amount of material we brought to the stories far outpaced the amount of energy our editors felt readers could put into the stories – especially stories about far-away farms divorced from the day-to-day lives of our readers. Our editors, Leen and Larry Roberts, insisted that every program be stripped to its essence. They also insisted that each of our examples bring something new to the story or series.

Shaping the debate

The response to the stories was widespread. Hundreds of readers from around the country contacted us by e-mail, letter and phone. They included farmers, politicians and their staffs, USDA employees and government prosecutors. Most of the responders applauded the stories. Some suggested new stories or supplied information and records for future efforts.

After our story ran in July, Congress rewrote part of a pending disaster bill to require farmers to show a loss to qualify for aid. The stories also played a role in killing a disaster bill in November. The Bush administration used the findings of the stories to argue that aid might go to landowners who do not farm, and to farmers who suffered no losses.

In February, the Bush administration's proposal for the 2007 farm bill addressed many of the specific issues highlighted in the series, including the excess price support payments, the profits of insurance companies and the payment of subsidies to landowners who do not farm.

Sarah Cohen, database editor for The Washington Post, shared in the 2002 Pulitzer Prize for investigative reporting and the IRE Medal. She is a former training director for IRE and author of "Numbers in the Newsroom: Using Math and Statistics in the News."

Lois Raimondo | Washington Post

North Dakota Gov. John Hoeven addresses a rally outside the Capitol last fall. Debate over agricultural disaster assistance is influenced by lobbying agricultural groups and lawmakers eager to appeal to rural America.

FARMSUBSIDY.ORG

International effort leads way to shed light on tightly controlled EU subsidies data

By Kate Rainey
The IRE Journal

Data on agricultural subsidies have been tightly guarded information in the European Union. Although the money used to subsidize farms and agricultural businesses adds up to nearly half the EU's total budget, or the equivalent of €106 per citizen, most Europeans lacked access to information on where their tax dollars were going.

Today, that's changing, thanks to efforts by Farmsubsidy.org.

Founded by Nils Mulvad, the former executive director of the now-defunct Danish International Center for Analytical Reporting, and Jack Thurston, the executive director of EU Transparency, Farmsubsidy.org has a simple goal – to make it clear where the money from the EU's Common Agricultural Policy is going.

"Nearly all can see it's necessary to know who gets what to avoid misuse and analyze the consequences of payments," Mulvad said via e-mail. "It's not a good case to defend that you, in darkness, shall receive billions of Euros as it is now."

The Web site launched Dec. 1, 2005, and is run by an international team of activists and journalists. Since its inception, Farmsubsidy.org has compiled full or partial subsidy data from 17 of 25 EU member nations. The data featured on the site allows anyone with Internet access to identify the recipients of €48.5 billion in agricultural subsidies.

The site breaks down the information on a country-by-country basis and includes a tag stating whether each nation's release of subsidy information was good, partial or denied. Clicking on a specific country's link reveals the amount of agricultural subsidies given to that nation by the EU, a list of relevant articles and, if the data is complete, the top subsidy recipients. The Web site also offers analyses posted by Farmsubsidy.org staff members and links to news articles.

"The farm subsidy project is a significant step forward in Europe because it has not only exposed questionable practices in how subsidies are given out, but it has advanced the cause of creating a more open government throughout the continent," said Brant Houston, the executive director of IRE.

Creating opportunities

The data collected by Farmsubsidy.org enables journalists to investigate individual companies or industries, such as tobacco and alcohol across borders, Mulvad said. They can also use it as a platform to request specific information on subsidies from the authorities, and the organization will work with journalists who need help analyzing or using the data.

"This is a really good project to join," Mulvad said. "Here we can see the advantages of working together and cross-border. We have Danish farmers going together and investing in farms in Slovakia and Poland. And, we see this is all regulated from the EU. FOI work is a big part of the work done by investigative journalists, so it's easy to share documents and work together on this."

Farmsubsidy.org obtained the data by submitting FOI requests to each country's government, some multiple times. The case in Denmark was rejected three times by the ombudsman, and court battles are currently in progress in Poland and Germany.

Despite its focus on the EU, Farmsubsidy.org creates opportunities for reporters who aren't working in or covering Europe. Staff members post information on the Web site from around the globe, including a link to the U.S.-based Environmental Working Group's subsidy data.

"I think any journalist could use the resource to background or dig deeper into corporations and subsidies," Houston said. "With the recent work by *The Washington Post* and *The Atlanta Journal-Constitution* (see stories on pgs. 13 and 19) on subsidies, all journalists now have a much higher platform to start from."

The hard work of those involved is already paying off**.** In November, Mulvad was named 2006 European Journalist of the Year by *European Voice*, a weekly newspaper published by The Economist Group.

Farmsubsidy.org's work also prompted the European Commission to identify transparency of information as a key objective, pursuing it through the European Transparency Initiative.

And, beginning in 2009, the EU will make public all available data on agricultural subsidies. This groundbreaking release of information means that every reporter, editor and farmer in the EU will be able to find out exactly how agricultural subsides are spent.

Disturbing trends

Farmsubsidy.org members also have used data to spur change in how subsidies are distributed in Europe after analyses revealed disturbing trends. An investigation of Danish practices ended the nation's "help yourself" subsidy system, and FOI requests in the Netherlands revealed that the Dutch farms minister was receiving money for undeclared farms in France.

Perhaps most significantly, the work of Farmsubsidy.org and the EU's impending release of all subsidy data may be responsible for introducing the concepts of FOI and transparency to parts of Europe.

"FOI is a very important way of getting data and documents," Mulvad said. "We saw it in Denmark, when we 10 years ago started to work for access to data. This is a long fight changing the laws and practical way of thinking for administrators and journalists. The best stories need this access to raw data to see and present things concretely."

Farmsubsidy.org hopes to expand its work in 2007 and will continue to submit FOI requests to EU member nations, along with some outside the European Union. They also held a conference in Budapest in January highlighting the issue of transparency in the EU's agricultural policies.

"I think we're only in the very beginning of a long road," Mulvad said. "We're working to make very good regional breakdowns of data and will soon include schemes on the Web site. We hope to have more power to go into analysis for helping with specific requests from journalists."

Kate Rainey is a graduate student at the Missouri School of Journalism and editorial intern for The IRE Journal.

ORGANIC SKEPTICISM

Reality of organic produce questioned in stories looking at oversight, abuses

By Paula Lavigne
The Dallas Morning News

The next time you contemplate spending twice as much for organic raisin bran, you might want to reconsider.

Shoppers pay premium prices for organic food, and the selection is growing, but a *Dallas Morning News* investigation found that there is no guarantee that they're getting what they pay for.

My investigation of the $16 billion U.S. Department of Agriculture (USDA) organic label industry found several problems, including:

- Farmers who sprayed banned chemicals on crops.
- Animals that didn't have access to open space.
- Handlers who knowingly sold non-organic products as organic at the organic price.
- A USDA system regulating the industry riddled with holes.

After our stories ran, the USDA yanked at least one organic certifier from the program, and readers continued to phone in tips of other violations.

Bending the rules

It was my own skepticism about organic food that started my investigation. I had been wondering if the organic chicken breast for $8.99 per pound – twice as much as regular poultry – was really what it claimed to be. Also, I have a strong interest in agriculture because it's a vital and global, yet often overlooked, industry that is always innovating.

Friends and relatives who work in agriculture agreed that even people in the industry had doubts when it came to the truth behind the organic products. They said some farmers and processors were jumping into organics because they saw how profitable it could be. In some areas, supply was scarce, and demand was soaring.

Switching to organic growing is costly, and sources told me some people bend the rules so they can get into the market sooner.

I decided to focus on how often farmers and processors cheated to earn organic certifications. I started by trying to track down someone in the National Organic Program, or NOP, which is buried within the Transportation and Marketing branch of the Agriculture and Marking Service division of the USDA. That's an important distinction because the agency makes it quite clear that, despite what consumers might think, organics is an industry marketing program, not a food safety or nutrition program.

At the time, the NOP was a four-year-old program with a staff of about 10 people, though it used some staff from other departments.

At first, NOP officials seemed willing to help. Neil Blevins, associate deputy administrator for compliance, safety and security, told me how to word my Freedom of Information Act request in order to get all records of any time anyone cheated. The official wording was, "records of suspensions and revocations of certification and accreditation of operators and agents" and "notice of noncompliance letters."

I talked to him in April 2006. He said it might take a month because the agency was working on a similar request, but he said I would get documents as they were available. As of press time, no documents have been received.

That first request also asked for records of all complaints, which people could file when they thought someone was misusing the label. I also asked for all other FOIA requests filed to the program to determine if anyone else was working on the story and a list of all certified organic operators (farms, ranches, processors, handlers, etc.).

The USDA didn't have a single list of all operations certified to use the USDA organic label. Instead, it gave me about 70 documents provided by organic certifying agents listing their clients.

U.S. Department of Agriculture

Organic or ordinary? While consumers are increasingly willing to pay for organic products, some people in the industry question whether the organic certification system has enough oversight.

A certifying agent can be a state agriculture department, private company or foreign government agency. Like third-party organic police, 95 agents inspect organic operations in the United States and abroad and determine who gets USDA organic approval.

Documents came in Microsoft Word, Microsoft Excel or PDF format, and they varied in the details they provided for each client. I pulled them all into two Excel files – one for U.S. operations and one for other countries. In some cases, I had to go back to the agency (not the organic program) and ask for the document in English. I actually received one document from a certifier in Israel that had Hebrew characters in the spreadsheet.

At the same time, I started to interview people. I talked to some of the early pioneers, including people who used to be on the National Organic Standards Board, which is an advisory board to the USDA NOP. I interviewed consumer groups and some certifying agents, such as agents with the Washington State Department of Agriculture, who told me about some violations they had detected.

It became clear that my focus was changing. The more I talked to people, the more they told me that the problem wasn't the farmers and processors who broke the rules but the lack of enforcement that posed the greatest risk to the industry's reputation.

They pointed the finger at the certifying agents and the USDA for not enforcing the rules and for letting rule-breakers go unpunished. Even certifying agents themselves agreed that some of their colleagues were to blame.

Also, my sources pointed me to two reports that criticized the NOP. Reports from the USDA's Office of the Inspector General and the American National Standards Institute pointed out several management failings and criticized the lack of certifier oversight.

I made another FOIA request for all audits of certifying agents, which are done by the compliance branch of the marketing service, after learning of them through National Organic Standards Board minutes.

Verifying information

I received 216 audits as PDF documents on a CD. There was no way to automate transferring the information into a spreadsheet because the format and content of each audit varied. So, I read each audit and manually entered information, including the name, date, type of audit, contact information, type of certifier, recommendations and problems found.

USDA auditors had assigned severity levels for violations, and I created further subcategories to examine those problems by type. Some of those were missing records or inspection reports, allowing use of banned chemicals, conflicts of interest, missing performance evaluations, rules that conflicted with the USDA, erroneous inspection records and miscellaneous other problems.

The bottom line was that auditors had pointed out several violations that were never corrected. The same problems occurred year after year. Some certifiers were ignoring – intentionally or out of ignorance – violations on farms and factories they inspected, and they were bending the rules themselves by ignoring conflict of interest rules, failing to translate documents into English, using unqualified inspectors and issuing certificates to operators that didn't meet organic standards.

For example, one audit noted that a certifier allowed an organic dairy to give calves antibiotics, and it certified a sugar as 100 percent organic when it was not. Auditors also noted other violations in procedure and paperwork. The auditors recommended the USDA either revoke or suspend a couple of accreditations, but the agency hadn't taken action.

Almost four years into the program, auditors hadn't visited all the certifiers outside the United States, but it was a struggle to find out why.

USDA officials with the organic program proved difficult to work with because only the public relations spokeswoman, Joan Shaffer, and the division administrator, Barbara Robinson, would talk to me; no one else was allowed to speak with the media.

When I tried to contact the director of the organic program, Mark Bradley, and ultimately offer an off-the-record conversation, he forwarded my e-mail to the communications staff. I was trying to find out what organic program officials were doing with the information from the audits and whether they planned to investigate further.

It was difficult to cross-check information. That became a problem because even top USDA organic officials would give "factual" answers that I later found to be inaccurate. I circumvented this by getting information from employees in USDA departments outside the organic program, most of whom did speak on the record. People in the industry and on advisory boards also keyed me into the agency's inner workings.

Competitive industry

I began to keep a daily log of everyone I interviewed, every e-mail sent and every document received. I also recorded several conversations.

Whenever the organic program had to report findings to another USDA agency, such as the Office of the Inspector General, I went there to get records. These other USDA employees freely spoke with me, and I found them to be extremely congenial and cooperative. I also received a lot of help from state departments of agriculture, especially officials in Texas and Washington.

Although USDA information shaped the premise, the bulk of the story came from more than 125 interviews with people in the industry.

Stories about cheating and lax enforcement came from soybean farmers in Texas, blueberry growers in Canada, dairy operators in New York and certifiers in China, to name a few. I talked with dozens of farm-

Quick Look

Name of the series or story, and when it was published:
"A Natural Question," July 16, July 22, August 2006

How the story got started:
When my local grocery store expanded its organic selection almost overnight, I was curious about whether organic really lived up to its claim. I ran my idea by some people who worked in the agriculture industry, and they reinforced my doubts. Newspapers were running lots of stories about organic food, but none addressed its enforcement. The story also affected our target audience of middle- to upper-middle class suburban readers with children.

Length of time taken to report, write and edit the story: I started the project in March, and the first installment ran in July.

Major types of documents:
FOI requests to the USDA resulted in lists of certified organic farms, ranches, processing plants and some retail stores; complaints regarding misuse of the label; and audits of certifying agencies who inspect and approve organic operations.

A few FOI requests remain unfilled, including my request for records of all violations, suspensions and revocations. The agency agreed in April to give me the records, but, as of December, I had not received a single document.

Other documents used included two audits of the National Organic Program, one from the USDA's Office of Inspector General and one from the American National Standards Institute; a consumer study by the Hartman Group; industry statistics from the Organic Trade Association's annual survey; several research reports from other branches of the USDA, including reports on organics and Chinese agriculture.

Major types of human sources:
I interviewed about 125 people for the first story. They included Barbara Robinson, the USDA executive who heads up the National Organic Program; several other sources in USDA departments outside the NOP but who had knowledge of organics; several certifiers in the United States and in foreign countries; dozens of farmers, ranchers and plant operators in the United States, China, Dominican Republic, Costa Rica, Mexico and Canada; executives in organic companies, including Dean Foods in Dallas and others across the United States and Canada; organic retailers, including Whole Foods and Wal-Mart; shoppers at a Whole Foods in Plano; agriculture scientists; agriculture law experts and legislators.

ers, ranchers, plant operators, certifiers, inspectors, scientists, agriculture lawyers and legislators.

Farmers and inspectors – who provided the best information – were reluctant to talk at first, but many agreed to an interview because they were worried about what was happening to the integrity of the industry.

I also interviewed representatives of retailers, such as Whole Foods and Wal-Mart, and organic businesses, including Dean Foods in Dallas, which produces Silk soymilk and Horizon Organic products.

Organics is a competitive industry, so I found it helpful to ask a lot of questions about the competition. It wasn't difficult to find people who would rat someone out or help me track down who was buying from whom and where.

It was vital to get beyond the talking heads and talk to the people who have real money invested in this industry. A lot of my calls were completely random, whereas others came from asking at the end of a conversation, "Who else should I talk to about this?" or "Who would disagree with you?" and following up those referrals.

Some might say I over-reported because only a small slice of the people I interviewed made it into the story. But I needed that critical mass of examples and experience to let me write with confidence about the enforcement gaps.

I enlisted the help of colleagues and some professional translators to help me conduct interviews in Spanish, German and Chinese. I spoke with certifiers and inspectors all over the globe, including one inspector in Japan who told me several stories about inspecting Chinese organic farms.

I did some interviews in person, bringing photographer Lara Solt and videographer Lee Powell with me. The package included two multimedia presentations. We investigated an organic dairy west of Dallas and tagged along with a Texas Department of Agriculture inspector conducting an organic recertification of a vegetable farm.

U.S. Department of Agriculture

Research found that 66 percent of shoppers bought organic food on occasion. Dairy products from these Holsteins on a Maryland farm are sold under the nationally distributed Horizon Organic label.

The story benefited from good timing. Stores, including Wal-Mart, were packing their shelves with organic products, and the issue spoke to that uber-demographic: suburban soccer moms. Market research reports showed that having children was one of the biggest triggers for buying organic. The same reports said that 66 percent of shoppers bought organic foods on occasion.

Condensing the complicated certification process into a tale for the average reader posed a writing challenge, but the story came together with the perceptive questioning and writing flair of two great editors, Kamrhan Farwell and Chris Buckle.

Readers responded, as did the industry. A week after publication, the USDA yanked one certifier from the program. (An anonymous tip – not the USDA – led me to that information.)

Several other tips came in. One resulted in a follow-up story about a Texas bean dealer who passed off $300,000 worth of regular beans as organic to several buyers, according to a certifier's investigation. I found businesses that had purchased these fraudulent beans by looking for lawsuits that had been filed against the company. Those customers led me to others.

In this case, the certifier was the Texas Department of Agriculture, and it released its investigation report and notice to revoke the bean company's certificate. All certifiers are required to send information about violations on to the USDA.

That led me back to pressing the agency on my first FOIA request for records of violations, including all notices of noncompliance and any suspensions or revocations of organic certificates. When I made that request in April 2006, USDA officials said they would give me the records but not until fall. The agency also asked for an initial deposit of $560, which the *Morning News* paid in May. In November, our attorneys demanded the records.

At that point, the USDA pulled a stall tactic I've yet to see from any federal agency. The agency stated that it would have to print a public notice in the *Federal Register* stating its intent to release the records before it could release them to us. This is a process that can take months. It is usually used to publish notices of rules that an agency plans to adopt. FOIA does not require such a notice.

Until the USDA releases its violation records, it's unknown how many other fraudulent organic products have made it to the stores and into consumers' shopping baskets.

Reporter Paula Lavigne investigated the organic industry while working for The Dallas Morning News. She has since taken a job with The Des Moines Register in Iowa.

U.S. Department of Agriculture

Organic certification is exclusively a marketing program for products, such as these tomatoes. The certification is not tied to any nutritional or food safety standards.

W.A. Bridges Jr.| Atlanta Journal-Constitution

Nearly 200 U.S. farm operations collected more than $1 million each in a single year, the investigation found.

FARM FIASCO

Billions in aid ripe for abuse; international impact probed

By Ken Foskett
The Atlanta Journal-Constitution

Big changes down on the farm have caught the American public and media napping.

Throughout the past 25 years, annual taxpayer spending on agricultural subsidies has climbed from a relatively modest $3 billion or $4 billion to between $15 billion and $25 billion, depending on crop prices.

The typical American farm has undergone radical change. Mom and Pop have traded tractors for minivans and full-time jobs in town, while field work has been taken over by multimillion dollar farming operations.

Often these enterprises are still run by "families," but that term likely includes, as we found, elderly mothers living in nursing homes or thespians in New York City.

In fall 2005, we set out to answer some basic questions about what happens to the billions in aid we deposit directly to "farmers" across America and especially in our home state of Georgia. We wanted to find out who benefits and who loses under a system that encourages farmers to plant hedge row to hedge row without bearing the consequences of unwise planting decisions or overproduction.

Our search for winners took us to the largest farming operations in south Georgia, where taxpayers subsidize farmers who purchase a dozen

Quick Look

Name of the series or story, and when it was published:
"Cotton Bailout: How your tax dollars turn markets upside down, prop up big growers and squeeze small farmers," Oct. 1-4 and Oct. 8

How the story got started:
Cotton subsidies were singled out by Brazil, and confirmed by the World Trade Organization, as the most trade-distorting and illegal form of government aid to farmers. In 2005, national reporter Dan Chapman visited Brazilian farmers, economists and government officials and proposed reporting on how a key Georgia product impacts lives around the world.

Length of time to report, write and edit:
About nine months to report and write, plus three months to edit, design, fact-check and develop online content.

Major types of documents:
The series mined federal data and records kept in Washington, D.C. and in Georgia. Farm Service Agency records kept at the state level, mostly minutes of state committee action, were released through FOI after being redacted for "personal" financial information on farmers who were receiving government aid.

USDA released virtually nothing without a FOIA request, even minutes of public meetings. The National Appeals Division (NAD) of USDA, which arbitrates disputes between farmers and USDA, released thousands of pages of records; some records that USDA withheld were found in NAD case files. A limited number of Georgia records were obtained under state sunshine laws at the state Department of Agriculture.

Reporters also compiled property records, tax records and UCC filings to establish the acreage farmed by individual growers (information regarded as confidential by USDA) and to show how they used government aid as collateral for bank loans.

Major types of human sources:
Reporters interviewed and worked alongside several dozen Georgia farmers. They also interviewed farmers, government officials, NGO workers and development experts in Mali and Brazil. The reporters used trade experts and key USDA personnel. A farm economist at the University of Georgia helped develop the model to show how subsidies affected a typical farmer's bottom line. Sources within the state Farm Service Agency bureaucracy provided numerous leads.

W.A. Bridges Jr.| Atlanta Journal-Constitution

Reporters followed the story to Mali to see the global impact of U.S. cotton subsidies. Mali farmers struggle to compete against U.S. farms.

"Our stories also explained how the payments encourage American farmers to flood world markets with their crop, depressing prices for subsistence farmers and other growers overseas. Subsidies breed poverty, anger and, according to experts, terrorism. The series highlighted how seemingly mundane decisions here can have deadly consequences abroad."

new John Deere cotton pickers – $300,000 each – every year.

The losers, small struggling farmers trying to compete against such operations, were often no more than a cotton field away. However, we found some of the biggest losers in the impoverished West African nation of Mali, where farmers working with bare hands struggle to compete against Georgia's megafarms.

Following the IRE rule of thumb that free government money invariably breeds abuse, we also wanted to nail down some of the alleged fraud schemes that, we were told, went largely unchecked.

Analyzing more than 182 million payment records from the U.S. Department of Agriculture, or USDA, we found:

- Half of all subsidies go to just 5 percent of eligible farmers.
- Nearly 200 U.S. farm operations collected more than $1 million each in a single year. That's nearly $250 million to a group that could fit inside a grade-school cafeteria.
- Subsidies drive up rural land prices and prevent small growers from farming more land.
- Rich Americans and institutions, some of which are miles from the nearest farm or have no apparent need for government aid, collect hundreds of millions of dollars.

We reported that farmers abuse subsidy limits imposed by Congress and rarely get punished. One Georgia farmer kept $10 million in allegedly improper subsidy payments despite overwhelming evidence of a scheme to get around program rules. In another case, we showed how one farmer increased his legal subsidy limits fourfold simply by reorganizing into multiple entities that were each eligible for subsidies.

We also found that the overseer for the USDA subsidy programs in Georgia steered hundreds of thousands of dollars in disaster aid to his own orchards, thanks to the lax oversight that permeates the system.

Our stories also explained how the payments encourage American farmers to flood world markets with their crop, depressing prices for subsistence farmers and other growers overseas. Subsidies breed poverty, anger and, according

to experts, terrorism. The series highlighted how seemingly mundane decisions here can have deadly consequences abroad.

The family farm

Payment data obtained from the USDA helped give us the big picture and led us to some interesting stories in Georgia. Local sources steered us to instances of subsidy abuse.

Megan Clarke, our computer-assisted reporting specialist, undertook the monumental task of sorting and processing 182 million payments spanning 12 years, from 1994 to 2005. She began by isolating cotton subsidy payments to Georgia. We learned that 4 percent of Georgia farmers gobble up half of all subsidies distributed in the state, a figure even more skewed than the national distribution.

The database also listed some familiar names that we wouldn't have thought to call farmers, such as CNN founder Ted Turner, Georgia Gov. Sonny Perdue and the former CEO of Coca-Cola. We dubbed these so-called farmers "city slickers," and they became the basis of an article we reported about landowners who live far from the farm but still collect crop subsidies.

Beyond the incongruity of millionaires accepting government handouts, the findings highlighted a fundamental flaw with current U.S. farm programs: they benefit landowners more than farmers. That's because cropland owners can collect a subsidy even if they don't grow a crop or if they contract with a farmer to farm the land and split the subsidy.

Clarke also looked at Census data for counties with heavy concentrations of subsidies. Over a period of 10 years, we noticed a dramatic drop in the actual number of farmers in these counties, despite tens of millions of dollars in direct cash payments. In some of these counties, subsidy payments exceeded welfare payments by more than three to one. What was happening?

Interviewing dozens of farmers in south Georgia, we learned that small family farmers were giving up because they couldn't afford to buy or rent more land, the central requirement for agriculture. Development pressure on cropland was partly to blame, but so was the explosion of subsidies that occurred after the 2002 federal farm bill, which distorted land values by attaching an economic benefit quite separate from the actual production of crops.

Two of the three major types of subsidies are calculated not on actual farm production, but on the historical productivity of the land. Payments on historical yield benefit the landowner, not necessarily the farmer. The formula gives the land an economic value quite separate from normal supply and demand or the land's suitability for crops. It's the equivalent of a Texas oil well that guarantees the owner money year in and year out. In farming today, investors snap up farmland based on the subsidy and use the payments from Uncle Sam to pay the mortgage or generate yearly fixed income.

Subsidies have put land purchases out of reach for small farmers. Rents on subsidized land also are high because landowners know how much the renter can collect in subsidy payments for farming the land. We learned of annual bidding wars that pitted neighbor against neighbor – sometimes even family member against family member. Inevitably, rented land goes to the highest bidder. And, just as inevitably, the highest bidder is the biggest farmer who's already receiving hundreds of thousands of dollars in subsidies.

The end result? The big get bigger, and the little guys, the ones federal subsidy dollars are supposed to protect, get out.

Breaking the rules

Despite lax rules, some farmers push payment limits too far, even for the USDA.

One of the biggest payment limit abuse cases in USDA history occurred in south Georgia. The case stemmed from a 1999 audit by the USDA's inspector general. Auditors unraveled a network of suspicious farming operations that were receiving subsidies and funneling the money to one farmer, W. Hamill McNair. One supposedly independent operation receiving subsidies was run by McNair's octogenarian mother, who was living in a nursing home. This operation subsequently was inherited by McNair's three daughters, including an aspiring off-Broadway actress and musician in New York.

The alleged activity was so serious that auditors initially forwarded the case to U.S. attorneys, but they declined to prosecute. It was left to the USDA to dock the operation for subsidy abuse and collect back payments and interest that totaled $11.2 million by 2004. McNair settled for $1.3 million, twelve cents on the dollar.

What really intrigued us, however, was something else we'd learned: In the midst of settling with the USDA, a new farming operation had suddenly sprung up in McNair's hometown that included his son-in-law and brother-in-law, both of whom were part of the USDA's initial case. The USDA's regional inspector general told us that he was planning to audit the new operation in 2004, but had called off the audit after McNair's settlement.

By 2006, the new farming operation, called River Rock, already had collected more than $3 million in subsidies. We wanted to pick up where the USDA left off. Was McNair behind the farming operation ostensibly run by his relatives and collecting subsidies?

A treasure trove of documents kept by the National Appeals Division, the USDA's dispute resolution arm in Washington, D.C., provided hundreds of key documents about the initial 1999 findings against McNair and the 2004 settlement. One document prepared by auditors showed that McNair's net worth exceeded $14 million. Another detailed how subsidy money passed through entities controlled by relatives and ended up with McNair's businesses.

"Some of the issues we chose to highlight, particularly the ineffective subsidy limits and the trend of large farms to soak up most of the money, will accelerate as agriculture becomes more expensive in the United States."

Results

Based on interviews with local sources, we knew that one of the biggest abuses in farm programs were farmers who collect more subsidies than their legal entitlements. This area of our project, farmers who evade payment limits, involved one of the most arcane and convoluted aspects of federal farm programs.

Congress imposed tougher payment limits in the 1980s in response to a public backlash against farmers receiving million-dollar payments. At first reading, the laws appear to limit individual farmers to $180,000 per year. But, in practice, the law contains numerous loopholes and other mechanisms that permit farmers to collect as much as they want.

The principal culprit is the so-called three-entity rule, which allows one farmer to collect subsidies through as many as three "entities." The law has permitted farmers to organize and reorganize the structure of their operations to keep receiving more subsidies.

The payment data led us to one south Georgia farmer who had joined the million-dollar recipient club in just four years. Peeling back the layers of the operation, we discovered that it had always been just one working farmer. But, he increased his subsidy payments by first adding his mother to his farming operation, then adding his 18-year-old nephew and finally bundling everyone together in a general partnership. The mother was full-time manager of the local school cafeteria. The nephew was a full-time college student at the University of Georgia. Under USDA rules, each was able to qualify as a farmer, allowing the operation to collect more subsidies.

In Georgia, we found that River Rock was claiming McNair's business telephone as its principal contact number on a form submitted to state regulators for boll weevil control. McNair and his son-in-law declined comment.

In what we were certain would be a futile effort, we tracked down the brother-in-law, who was listed as one of River Rock's principals. To our surprise, the brother-in-law told us how he handled River Rock's books.

McNair, he said, made the farming decisions and was River Rock's principal partner. We subsequently interviewed the brother-in-law twice more, and the story didn't change.

We wrote a story that showed how the USDA let McNair off the hook not just once, but twice, after failing to follow up on an audit of River Rock. By the time we published, River Rock had already collected more than twice the subsidies than McNair had been required to refund in the initial scheme.

Key Documents

To reduce the time and expense of obtaining USDA payment data, interested news organizations might consider tapping the resources of The Environmental Working Group, an advocacy group in Washington that makes public an online database of farm subsidies at www.ewg.org.

USDA officials largely rebuffed our requests for specific records on individual farmers. These include farm operating plans, acreage reports and disaster applications. But they did release one useful document that's generated for every state that gets subsidy payments. Called the Payment Limitation End-of-Year Review and generated by the Production, Emergencies and Compliance Division, it's a list of farming operations that state offices are supposed to review for payment-limit compliance. The list is generated by a computer that looks for anomalies in large operations, such as the addition of new members or a sudden increase in subsidies. Operations on the list are not certain to have evaded pay limits or broken rules, but it's a good place to start looking.

We also found that USDA and FSA officials were cooperative and open to answering questions, which is not always the case in every federal bureaucracy.

Some of the issues we chose to highlight, particularly the ineffective subsidy limits and the trend of large farms to soak up most of the money, will accelerate as agriculture becomes more expensive in the United States.

The issue has global impact. Emboldened by Brazil's success against the U.S. cotton program, other countries, including Canada, are now challenging U.S. subsidies as illegal under World Trade Organization rules.

Ken Foskett is an investigative reporter for The Atlanta Journal-Constitution.

FARM RESOURCES

By *The IRE Journal*

If you're looking for more information on farming or agriculture, check out these stories and tipsheets available through the IRE Resource Center (www.ire.org/resourcecenter):

Stories

- **Story No. 22305:** A three-part series examines the "mega-farm" phenomenon and its potential impacts on Hancock County, Ohio. The reporter interviews people who work on or live by these operations to discuss the pros and cons. Bob Moser, *The* (Findlay, Ohio) *Courier* (2006)
- **Story No. 22035:** The authors examine whether the United Farm Workers union has improved the plight of farm workers in California's San Joaquin Valley since its inception more than 40 years ago. They find that the UFW is not a typical union but a collection of non-profit and for-profit businesses and social services. Matt Weiger, Rosario Ortiz, Henry Barrios, Casey Christie, *The Bakersfield Californian* (2004)
- **Story No. 21958:** A moratorium on new hog farms in North Carolina led the pork industry to target South Carolina counties as potential farm sites. Based on advice from state officials, a South Carolina hog farmer took advantage of legal loopholes and deceived the public about the size of the farm he intended to build. Mc Nelly Torres, (Florence, S.C.) *Morning News* (2002)
- **Story No. 21404:** Farmers who don't fulfill the soil conservation plans developed with the Natural Resources Conservation Service are supposed to lose federal subsidies. But loopholes in the 1996 Freedom to Farm Act make it easy for farmers to avoid penalties. John McCormick, Jerry Perkins, Perry Beeman, Blair Claflin, *The Des Moines Register* (2002)
- **Story No. 21047:** This series on North Florida's farm labor revealed that workers in the nation's second richest farm state often suffer brutal conditions, long hours, slum housing, low pay and abuse. The report suggests the lack of reform may stem from the fact that half the state Legislature's House Committee on Agriculture was then staffed by farmers or those with connections to the farming industry. Ronnie Greene, Nuri Vallbona, Elisabeth Donovan, *The Miami Herald* (2003)
- **Story No. 20700:** The Minnesota Department of Agriculture investigates human exposure to pesticides, but reporters documented cases in which the agency ignored violations of state and federal law or simply notified violators of their actions without assessing penalties. Dan Gunderson, Kate Smith, Minnesota Public Radio (St. Paul, Minn.) (2003)
- **Story No. 19720:** Although massive livestock farms revolutionized food production in the U.S., they have harmed the environment and public health, caused an uproar about animal treatment and put small farmers out of business. Operators of large livestock farms can go years without inspections and must repeatedly violate rules to face penalties. Mike Wagner, Ben Sutherly, Laura Bischopp, Ken McCall, Dale Demesey, Martha Hilo, *Dayton* (Ohio) *Daily News* (2002)

Tipsheets

- **No. 2681:** "Investigating European Farmbusinesses: Networking is the Key," Brigitte Alfter, Danish daily *Information*. The author provides tips on investigating the agriculture industry in the U.S. and the EU, along with useful Web sites.
- **No. 2652:** "Farming Subsidies are Key to Investigate Fraud in EU," Nils Mulvad, Danish International Center for Analytical Reporting (DICAR). This tipsheet explains how DICAR investigated EU farming subsidies and how reporters negotiated for and analyzed the data. It also shares the investigation's results.
- **No. 2086:** "Investigating Agriculture: Down on the Farm," Christine Stapleton, *The Palm Beach* (Fla.) *Post*. This tipsheet shows how to identify federal agencies that oversee farming and offers tips on locating data and understanding regulations. It also lists Web sites with agricultural data and includes a printout from the U.S. Department of Labor on available information.
- **No. 1098:** "Investigating Agriculture: Essential Web sites," Duff Wilson, *The Seattle Times*. This tipsheet provides useful Web sites for journalists investigating agriculture-related stories. It also includes Web addresses for Listservs and discussion groups.
- **No. 1014:** "Barnyards and Boardrooms: Miscellaneous 'Tips' for Covering Biotechnology and Modern Agriculture," Bill Lambrecht, *St. Louis Post-Dispatch*. This tipsheet offers 10 tips for reporting on biotechnology and agricultural issues.

Past issues of *The IRE Journal* include articles by journalists detailing their investigations of farming. Those include:

- "Farm Felonies: Crop fraud scams cost taxpayers millions, political connections hinder prosecutions," John Burnett, National Public Radio. Burnett discusses the frequency of crop insurance fraud, as the agricultural industry lacks regulation and is ripped off by thousands of people. He also explains how to present the story in a way that will resonate with the audience. (March/April 2006)
- "Fateful Harvest," Duff Wilson, *The Seattle Times*. Wilson, now a reporter for *The New York Times,* identifies the sources he used to write a book about how toxic heavy metals, dioxins and radioactive waste are recycled as fertilizers. Wilson's book was awarded a certificate in the 2001 IRE contest. (July/Aug. 2002)

There are also a number of Web sites that offer farming data and statistics:

- **National Agricultural Statistics Service (www.nass.usda.gov):** This free government data source is run by the U.S. Department of Agriculture. It provides statistics on national, state, and county level agricultural data, along with data from the Census of Agriculture, conducted every five years.
- **Food and Agriculture Organization of the United Nations (http://faostat.fao.org):** FAOSTAT offers data on food and agriculture for 200 countries, covering topics such as production, trade, consumption and prices. Limited access to data is free, but a paid subscription is required for full access.
- **Economic Research Service/U.S. Department of Agriculture (www.ers.usda.gov/Data):** This Web site provides data sets on individual states, commodity costs and returns and food consumption, among others. It also allows users to create profiles of individual states or the entire U.S. on specific topics of interest.
- **Farm Subsidy (www.farmsubsidy.org):** This free Web site offers full or partial data on agricultural subsidies in 17 of 25 EU countries. Users can find out how subsidies are distributed and to whom. The site also includes news updates posted by the staff and links to relevant articles.
- **Environmental Working Group (www.ewg.org):** This organization conducts environmental investigations, including disclosure of American farm subsidy payments and a searchable subsidy database, and posts the results online. Archives are available back to 1995, and many reports include interactive Web sites and maps.

Chris Oberholtz | The Kansas City Star

Insurance complaint records led reporters to consumers like Donalda Martinez of Garden City, Kan., who bought auto coverage from an agent and discovered after a winter accident that her agent pocketed the premium.

IRKED CONSUMERS

Insurance complaint stories offer roadmap for others

BY MIKE CASEY, MARK MORRIS AND DAVID KLEPPER
THE KANSAS CITY STAR

Consider these stories about consumers and insurance companies:

- A Kansas woman couldn't believe her health insurer tried to stick her with a $16,000 hospital bill because she went to a hospital that the insurer didn't cover. The woman didn't have much choice. She'd been knocked unconscious in a church softball game, and paramedics took her to the hospital that provided the best treatment.
- An Ohio man spent 30 hours just trying to get an auto insurer to pay $500 for his damaged pickup. He said insurance companies, figuring a lot of people will give up, just delay payments.
- An Indiana man said he was "getting hosed big time" when his home insurer wouldn't pay for a damaged roof.

The Kansas City Star presented these consumers' stories and many others as part of its three-day series that examined the $1 trillion a year insurance industry. We looked at insurance from the consumers' point of view and had no problem finding people willing to talk about their troubles.

We found that thousands of consumers across the country file complaints each year against insurers over low-ball offers, claim delays and other problems. The newspaper also discovered that insurance agent fraud is widespread and getting worse. We showed that those who regulate the insurance industry often come from the industry, resulting in lax oversight.

Readers responded well to the series with scores of positive e-mails, phone calls and letters. Although the newspaper spent 11 months on the series, you can write similar stories without that type of time commitment.

Here's how we developed the series and how you can write similar stories:

Do some database digging

The foundation of the series was the analysis of a national database that detailed 600,000 consumer complaints against insurers from 2003 through 2005. The analysis – the first by a newspaper – provided a window into everyday disputes over money ranging from pennies to hundreds of thousands of dollars.

The data came from the public Web site of the National Association of Insurance Commissioners, or NAIC. The Kansas City-based organization receives complaint information from the states.

Getting the information, however, was not easy. We offered to buy the database, but the NAIC refused. However, the organization did give the newspaper permission to use information off its Web site, www.naic.org.

Using a software program designed to harvest information off Web sites, we obtained nearly 35 million electronic records that detailed the number of complaints against companies, why consumers complained and how regulators responded to those complaints.

We turned to journalist John Perry of The Center for Public Integrity to serve as an outside database consultant. He assisted in copying the records, and projects reporter Mike Casey performed the data analysis. It took nearly four months to obtain the data and another six for the analysis.

The results identified companies with the worst and best complaint records among the 20 largest auto, home, life, individual health and group health insurers in the country. For example, Allstate Insurance Co. – the "Good Hands" people – had the most complaints for claims handling in the country.

In any database-driven story, the key to making the findings compelling is to locate real people and tell the stories behind the statistics. Those stories were in the consumer complaint files at state departments of insurance.

Casey got thousands of pages of consumer complaints from seven states. They provided stories about people such as Christa Mazur of Indiana. Just days after her infant daughter died, she got calls from bill collectors demanding payment for medical bills. Her health insurer wasn't paying all the claims. Mazur complained to regulators, and the insurer paid. Mazur was still angry.

"We lost our only child," she said. "You're trying to tell people we'll work with you to pay the bills. They're threatening you with collection, and the insurance company is ignoring you."

To help readers evaluate companies' customer service records, we published the complaint ratings for the 2,400 largest auto, home, life, health and annuity providers in the country on our Web site, www.Kansascity.com.

Examine enforcement and political connections

Insurance is complicated, and consumers often rely on agents. Unfortunately, thousands of Americans are victimized by agents; reporter Mark Morris investigated the problem by examining enforcement actions.

He found the story of Donalda Martinez of Kansas, who paid her auto premiums to her agent, who pocketed the money. Martinez found out she had no coverage after a costly accident.

"You're driving around and believe you have insurance," Martinez said. "You have a card, but you don't have crap."

Morris also discovered that regulators don't always police insurance agents very well. The owner of a Kansas auto repair shop, for example, was ripped off by a bogus health insurance company. Unknown to the Kansas Insurance Department before our report was the fact that the agent who sold the policy was a convicted sex offender.

Reporter David Klepper focused on regulation of insurance and the industry's lobbying power by using campaign contribution records, consumer complaints and lawsuits. He found the insurance industry spent $119 million lobbying federal officials in 2005 – more than the auto industry and commercial banking industry combined.

Klepper also documented a revolving door of insurance industry representatives taking jobs as regulators, then rejoining insurance companies. We illustrated the problem with a story about one Nebraska insurance regulator who didn't take action against a Nebraska company that failed to pay on legitimate claims. The regulator was a former official of the insurance company.

Narrow the focus

You don't have to analyze millions of computer records to do an insurance story. For example, you could look at only auto or health coverage. That reduces the intricacies you have to learn about different types of insurance.

The first stop is your state insurance regulatory agency, which will have booklets and Web sites with information about the different kinds of insurance. (See breakout.)

Many state insurance departments also have information on their Web sites that will allow you to quickly identify companies with good customer service records and those with poor ones. Some states publish charts that show the number of complaints against each company by the type of insurance and its total premiums in the state. These charts often provide a ratio based on a company's complaints and premiums.

The ratio is the most important number because it accounts for the size of a company. The companies with the most premiums often have the highest number of complaints because they're big. The state charts will calculate the ratios for you, and a state analyst can explain the methodology.

Also, even though many of the states put the companies in alphabetical order rather than by complaint ratios, you can still determine who has the best and worst complaint ratios using Microsoft Excel or other spreadsheet programs. Put the name of the company in one column and the complaint ratio in the other. Then, sort the complaint ratio in descending order. Further, if you put the premium information in a third column, you can do a separate sort to look at the customer service rankings among the companies in top five or 10 companies.

You can even do this without a computer by using the state's complaint records and adding follow-up reporting by checking complaints, lawsuits and interviewing people.

CONTINUED ON PAGE 27 ➣

HELPFUL WEB SITES

www.naic.org – The Web site for the National Association of Insurance Commissioners has complaint information as well as helpful information about different kinds of insurance.

www.iii.org – The Web site for the Insurance Information Institute has good statistics about the industry and explanations about different kinds of insurance.

www.ambest.com – The Web site for the A.M. Best Co. evaluates insurance company finances and has more information about the industry.

www.jdpower.com – The Web site of J.D. Power and Associates rates insurance companies' customer satisfaction.

www.consumerreports.org – The Web site for the magazine has helpful information about insurance.

www.healthinsuranceinfo.net – The Web site has useful information about health insurance – particularly individual health plans.

www.consumerfed.org – The Web site for the Consumer Federation of America has a lot of information about consumer issues.

All states have their own insurance departments and some have excellent Web sites for information about insurance. Here are a few states *The Star* used:

www.ksinsurance.org – The Kansas Web site has some very helpful information about different kinds of insurance.

www.tdi.state.tx.us – The Texas Web site logs enforcement actions by Texas and other states against insurers.

www.ins.state.ny.us – The New York Web site has very detailed self-help books to understand insurance.

FALLING STAR

Valuable lessons abound when investigating college athletics

By Chris Ison
For The IRE Journal

When Gary Russell took a handoff and scampered 61 yards to set up a winning field goal against the University of Michigan in 2005, he became the emerging star that University of Minnesota coaches knew he could be.

When he flunked out and left the university months later, he became the centerpiece of a bigger story about the university's record of recruiting academically fragile athletes. The investigation by the *Star Tribune* in Minneapolis offers some valuable tips about how to gather information that can bring breadth, depth and context to such stories. It also shows how Big 10 universities are wildly inconsistent in complying with their states' open records laws.

Tip: Look behind the news release

The idea came from a two-paragraph news release. The university athletics department announced last February that Russell no longer was enrolled, but it gave no reason.

Football beat writer Chip Scoggins had heard that Russell had become academically ineligible. He had Russell's cell phone number, so he got an interview and wrote a short story in which Russell acknowledged that academic issues forced him out. But Scoggins wanted the deeper story about *how* a player who meant so much to the team's future could have fallen so fast.

"He was probably the most high profile college football player that flunked out last year," Scoggins said. "He scored more rushing touchdowns last year than (the University of Southern California's) Reggie Bush, who won the Heisman Trophy. I just felt like … if this kid wasn't going to play, it was worth knowing what was happening."

Russell had been reluctant to provide details, so Scoggins began working on the former player and his family. He placed several calls per month to the family for five months. Finally, in July, they invited Scoggins to their home in Columbus, Ohio, for an interview. There, Russell would provide him with his school transcript and other records, and he told Scoggins about favors done by people connected with the football program, which sounded like possible violations of NCAA rules.

Tip: When officials make excuses, check them out

While Scoggins was pursuing the Russell story, sports reporter and editor Dennis Brackin and reporter Jay Weiner were chasing another story. Last March, despite a poor season on the court, the athletic director had given the Minnesota basketball coach a vote of confidence. One reason he cited was the coach's willingness to "walk the talk" when it came to academic integrity. It was an oft-heard virtue – commonly used as an excuse for losing. Boosters, including longtime *Star Tribune* columnist Sid Hartman, often suggested that the university's commitment to high academic standards made it tougher to recruit top athletes and compete in the Big 10.

Brackin and Weiner decided to see if that was true. Months later, they would realize that their work and the Russell story fit together perfectly.

Tip: Make records requests early and often

In April, Brackin began requesting SAT and ACT scores for athletes in seven sports: football, men's and women's basketball, men's and women's hockey, baseball and wrestling. They knew names could be redacted to protect student privacy. They sent records requests to each of the 11 Big 10 schools so they could compare the University of Minnesota to its competitors.

Not surprisingly, some universities dragged their feet or flatly denied the data requests. In two cases, separate universities in the same state differed in complying with public records laws. For instance, the University of Michigan said it didn't have to provide information, but Michigan State provided it. In Indiana, Purdue University denied the request, but Indiana University complied.

Some schools took months to comply, but the University of Iowa received a records request on a Thursday and faxed the data to the paper the next Tuesday. Wisconsin was almost as fast, and it separated the data by type of sport without even being asked.

The reporters pressed the reluctant schools by sending repeated e-mails, challenging their interpretation of the law (with advice from the newspaper's legal counsel), refining their requests and making phone calls. Brackin said the phone calls were the key to establishing a more informal and personal relationship with the schools' spokespeople, clarifying issues and seeking solutions. He suggests creating a "tickle file" with reminders to follow up on records requests.

"Put a note in your calendar: 'Call Monday.' I called until I became a pest," Brackin said. "I got the feeling their attitude was, 'If we let it go, they'll forget.'"

They worked on the story while covering their regular beat work. The process provided a refreshing diversion from the usual routine, Brackin said, plus the promise of adding an in-depth project that would stand out at year's end.

"If you're waiting for records, it can take a long time without getting results," he said. "Do this in your spare time. It's more fun."

Tip: Use school officials' PR efforts against them

The hometown school was one of the most difficult to handle. The University of Minnesota initially refused to break out test-score data for the football team because officials claimed it might enable readers to identify which students received which scores, though the football team's roster included more than 80 players. Reporters wanted the data broken out because they believed that football, which awards the largest number of scholarships, likely had the worst academic record.

They were still fighting for the data in August, four months after their first request. Brackin had called or e-mailed the university "at least 20 times" seeking the data. He began to copy the university's chief legal counsel on each e-mail.

Then, they got a break in the form of another university news release. On Aug. 14, the university's public relations office announced that four women tennis players had been named scholar-athletes by the Intercollegiate Tennis Association. The release noted that the athletes must receive at least a 3.5 GPA to be eligible for the award, and it named the players. Brackin dashed off an e-mail to the university that day. He noted that naming the four players from a roster of only 14 could allow readers to deduce that the other 10 didn't meet the grade-point criteria. He wrote: "The university itself routinely sends out academic award releases that, like this one, are a contradiction to your stated concerns about guarding the privacy of university football players."

Three days later, the university provided the entrance exam scores for the Gophers football team.

Tip: Compare SAT to ACT scores

One obstacle emerged as reporters tried to compare entrance exam scores among schools. Some use ACT scores, and others use SAT scores. Weiner found a source who referred him to "concordance tables," which are used to compare scores from one type of test to those of the other. An article by The College Board, which developed the SAT, includes such tables and explains the reliability of the process. (The report, "Concordance Between ACT I and SAT Scores for Individual Students," by Dianne Schneider and Neil J.

Dorans can be downloaded using the site search at www.collegeboard.com/research.)

Using an Excel spreadsheet, the *Star Tribune* compared average scores and looked specifically for players who scored below 18 or below 16 based on ACT scoring. Experts said scoring below 18 is a predictor of potential academic trouble. Those scoring below 16 would be considered "academically fragile."

The newspaper published its story on Oct. 2 with this headline: "Academic standards lower for U athletes: A review of test data shows the U ranks high in admitting athletes with low scores and rates poorly in graduating them." The university had admitted more scholarship athletes who scored 17 or below on the ACT than seven other Big 10 schools that responded to the paper's data requests. (Four schools never sent data. The paper decided not to make legal challenges.)

Over five years, the football program gave scholarships to 16 players with ACT scores of 15 or below. That was more than Ohio State, Wisconsin, Indiana and Illinois combined. Minnesota also was last in the Big 10 in seven sports for graduation rates.

"The numbers appear to refute a chronic complaint from boosters that poor records on the field are the result of tougher academic standards at Minnesota than at other Big 10 schools," the story said.

The next day, a second story used Russell as a primary example under the headline "How far U reached for a falling star." It showed courses Russell had failed, including one called "Alcohol and College Life," which he retook, earning a B minus. He flunked out of school after just four semesters. Russell also told Scoggins about favors done for him by people connected with the football program. Weeks later, the university said it was looking into whether members of the football staff violated NCAA rules by aiding Russell.

Tip: Don't bail out after the story

Scoggins continued to cover the football team, though he paid a price for a while. Coaches virtually quit talking to reporters from the newspaper, and Scoggins had difficulty getting one-on-one interviews with some players.

"I still keep coming over there," he said. "If they don't talk to me, I'm still going to cover the team … I'm still putting out daily stuff."

And, he learned that reporters often outlast coaches anyway. The university bought out the basketball coach's contract on Nov. 30, just seven disappointing games into the new season. It fired the football coach 31 days later after a fourth-quarter collapse in the Insight Bowl.

Chris Ison is a visiting associate professor at the University of Minnesota School of Journalism and Mass Communication and former projects editor at the Star Tribune.

Insurance

CONTINUED FROM PAGE 25

Personalize the story

Once you've selected a focus, you need people to illustrate your story. Start by requesting consumer complaint files from your state's insurance department. If you read 20 or so complaints about a specific company, you'll likely see trends such as delays in payments, denial of claims or canceling customers' policies.

A word on the availability of complaints: they're open records in some states and closed in others. However, people file lawsuits against insurance companies, and those records are public.

If you're interested in examining agent fraud, departments of insurance often publish a list of enforcement actions on their Web sites. Putting the names of agents in one column of a spreadsheet and the reason for disciplinary action in another will help you identify files to request.

It's also a good idea to check those agents against criminal and civil records, as well as looking at previous disciplinary actions against those agents to judge regulators' effectiveness.

Use available resources

Detailing the influence of the insurance industry in your state capital can be daunting. It means digging through campaign finance records, legislative histories, statutes, committee minutes, corporate governance histories and lobbyist expenditures.

But a few groups make analyzing campaign finance data easy. The Institute on Money in State Politics Web site (www.followthemoney.org) provides state-level campaign finance data in an easily searchable format that can save weeks of research. In fact, we found several instances in which the Institute keeps better records than the states themselves. The Center for Responsive Politics (www.opensecrets.org) maintains a similar federal database.

Both Web sites allow you to focus on campaign spending for particular states, candidates, reporting years and industries.

All the time saved by using these resources gives you more opportunities to use good old-fashioned shoe-leather reporting. Some things you can look at include: the success or failure of legislation that benefits the industry and hurts consumers; the backgrounds of members of the state insurance legislative committees – many come from the industry; and the background of your insurance commissioner.

Insurance may sound like a dull subject, but it doesn't have to be. It's something all of us need to drive a car, buy a home and protect our health. Because it's so essential, readers will appreciate your efforts to help them save money and protect their interests.

Mike Casey is a projects writer for The Kansas City Star, Mark Morris is the federal courts reporter and David Klepper covers the Kansas Legislature and state government. View the insurance rankings and the series at: www.kansascity.com/mld/kansascity/news/special_packages/insurance_series.

WATCHDOG JOURNALISM

Watchdog Journalism

This training program for small to mid-sized newsrooms or bureaus of larger papers is made possible, in part, by generous grants from the Chicago Tribune Foundation, the Ethics and Excellence in Journalism Foundation, and the *Las Vegas Sun*, Barbara J. Greenspun, publisher. To learn more and register for upcoming events, visit www.ire.org/training/watchdogjournalism.

Unleashing the Watchdogs

(Primarily for editors)

These workshops, held in partnership with the American Society of Newspaper Editors, feature top editors and trainers sharing techniques, tips and years of experience on how to get watchdog journalism done, especially from reporters covering beats and daily stories. The workshops cover how to guide reporters in the effective use of the Internet, open records laws, computer-assisted reporting and anonymous sources.

- April 14-15 – Syracuse, N.Y., hosted by S.I. Newhouse School of Public Communications, in collaboration with NewsTrain
- April 17 - Tacoma, Wash., hosted by *The News Tribune*
- April 27-28 – Oklahoma City, Okla., hosted by *The Oklahoman*

Better Watchdog Workshops

(Primarily for reporters)

These workshops help journalists learn the investigative skills that keep government and business accountable and to produce enterprising and informative stories.

- March 24-25 – Spokane, Wash., hosted by the SPJ Region 10, Inland Northwest Professional Chapter
- April 14 – Long Island, N.Y., hosted by Hofstra University and the SPJ Region 1 Chapter
- April 14-15 – Syracuse, N.Y., hosted by S.I. Newhouse School of Public Communications, in collaboration with NewsTrain
- April 16 – Tacoma, Wash., hosted by *The News Tribune*
- April 27-28 – Oklahoma City, Okla., hosted by *The Oklahoman*

CRIME WAVE

Data proves rising murder rate in Houston cannot be blamed on Katrina evacuees

BY MARK GREENBLATT
KHOU-HOUSTON

On one particularly hot Houston evening last summer, a crowd of frustrated citizens flowed over into the halls and aisles of Grace Presbyterian Church. They sensed a growing problem on the streets of Houston and wanted answers from the city's mayor and police chief.

"Failure is not an option," one frustrated citizen told the mayor.

The demands came nearly one year after Hurricane Katrina sent 150,000 evacuees to settle in Houston, and police admitted the homicide rate in this city had increased dramatically.

The official word from the public relations staff at the Houston Police Department: blame the evacuees from New Orleans for the murder rate increase.

As Houston Police Capt. Dwayne Ready told *The Washington Times* last October, "We recognize that the homicide rate is up as far as raw numbers and as well as percentages relative to the population. We also recognize that Katrina evacuees continue to have an impact on the murder rate."

Curiously, the police department remained focused on telling the public about the recent rise in homicides, but when pressed by an increasingly frustrated public about other crimes, the department would sometimes cite statistics showing an *overall* decrease in violent crime. Police sidestepped talking publicly about other violent crime trends or other neighborhoods. They told us they had only studied "the Katrina effect" as it related to homicides.

Executive producer David Raziq, producer Chris Henao, photojournalist Keith Tomshe and I wanted to know why. So, we decided to begin our own independent investigation of crime trends throughout the city. Our analysis would eventually cast doubt on claims that Houston's growing problem with violent crime could be blamed solely on the evacuees. In fact, we saw strong evidence to the contrary.

Data adds detail

We began by requesting the most detailed incident-level data available in Houston for every crime committed in the city throughout the last three years. Each crime record we received contained information on the offense date, an incident number, offense code, police beat, census tract, city, county, time of offense, day of week, premise code and the address of the crime. We received the information on nearly 450,000 crimes in an ASCII plain-text file, which we imported into Microsoft Access.

To search for trends, we honed in on the offense code assigned to each incident. The offense code is a numerical description of a specific kind of recorded crime. We had to use the police department's data dictionary to decipher what each code really referred to because the records track several hundred different kinds of crime.

The offense code would provide details critical to our analysis. The Houston Police Department had told the public the number of serious assaults was down across the city. It was a true statement – but only if you lumped all kinds of those assaults together.

Examining the more detailed offense codes revealed the larger story because it showed the total number of "assaults" that were really shootings or stabbings compared to those that were much less serious. It turned out that the number of less serious assaults were down. But, we discovered a dramatic increase in the worst of the worst: aggravated assaults with deadly weapons.

We continued our research by transferring our findings to Microsoft Excel spreadsheets to look for changes over time in the number of incidents for each offense code. Looking at the rate of change, our calculations showed that the number of aggravated assaults with deadly weapons in Houston had actually gone up by 22 percent in just two years' time.

For example, during the first seven months of 2004, Houston saw 1,804 incidents of aggravated assault with a deadly weapon – the kind of assault that is so serious one expert called each incident "a failed attempt at murder." By 2005, that number jumped by 9 percent to 1,976 incidents. The surge accelerated to 2,209 in 2006.

Digging deeper, we uncovered more disturbing trends in other crimes. Home burglaries by forcible entry were up more than 25 percent over the last two years. Robberies of gas stations were up 73 percent in one year and the surge in this crime also began a full year before Katrina.

Revealing hot spots

We also wanted to know how these crime surges were changing our neighborhoods, block by block. In order to look for hot spots, we used ArcView GIS mapping software to show the location of all 6,000 incidents of aggravated assault with a deadly weapon.

The process took us longer than we would have liked because the police department's data needed an excessive amount of editing and fact-checking to make the mapping possible. We used police beat and census tract information to help verify the accuracy of our map. We decided to plot each year's incidents separately so we could look for neighborhood shifts in this crime over multiple years.

Once we had our maps together, we asked Dr. Ned Levine, the author of a program called CrimeStat, to work with us as we continued to narrow in on hot spots.

CrimeStat is a spatial statistics computer program. It was funded by grants from the National Institute of Justice and is used by police agencies across the nation to discover crime trends. It allowed us to see statistically significant relationships among clusters of incidents, going beyond what Excel or Access would reveal.

For instance, looking at a spreadsheet alone, we never would be able to see relationships among incidents that might be 15 feet away from each other but in different ZIP codes. CrimeStat has a number of different ways to search for hot spots. We chose a function called "nearest neighbor," which allows you

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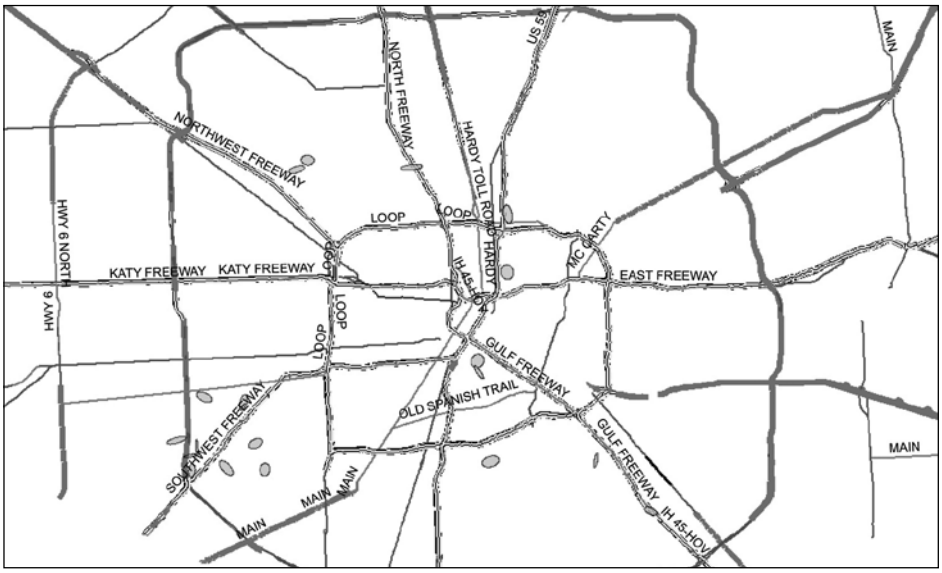


An online map allowed Houston residents to look up serious crimes in their neighborhoods.

to spot areas that have a certain number of incidents within a set distance of each other.

The research collaboration uncovered a number of new hot spots that had sprouted up all over Houston, and it showed shifts in where clusters of crime were occurring. It was information we knew residents in those neighborhoods – not to mention the police force – would need to know.

However, before rushing to air the story, we wanted to make sure we were right. We asked two criminologists at the University of Houston Downtown and a third expert in crime analysis to check our work. All three researchers confirmed we had run the numbers correctly. What's more, they confirmed the crime surges we discovered were "significant events" that obviously had begun before Hurricane Katrina struck. They concluded that some of the more serious forms of violent crime were indeed on the rise in Houston.

Finally, we took our findings to the Houston Police Department. We presented our analysis to the department's top public information officer, who shared our numbers with the department's crime analysis division.

"They don't have any heartburn over it," Ready said. "So, I would agree it is probably a fair reflection."

The police remained steadfast in telling us that violent crime rates were down if you used overall numbers and considered population. Ready told us he thought his department already knew about all of the hot spots we discovered. He did not provide any documentation when we asked.

With that said, we were finally ready to reveal the city's new hot spots for violent crime. If Houston police knew about them, they certainly had not told the public yet.

In addition, whether or not they attribute the action to our story, the city of Houston recently announced a new task force intended to curb the rising trend in robberies of gas stations throughout Houston.

Online information

We knew we would never have enough on-air time to tell our viewers about crime trends in every neighborhood throughout the fourth largest city in America. We went to our Internet staff and asked them to help us create an interactive map that people could use to zoom in on their own neighborhoods.

It was the first time we had ever tried to take detailed maps and make them searchable online to a hyper-local level. Although other news organizations had tackled similar projects using expensive software, we didn't have time to buy it or train our Web staff.

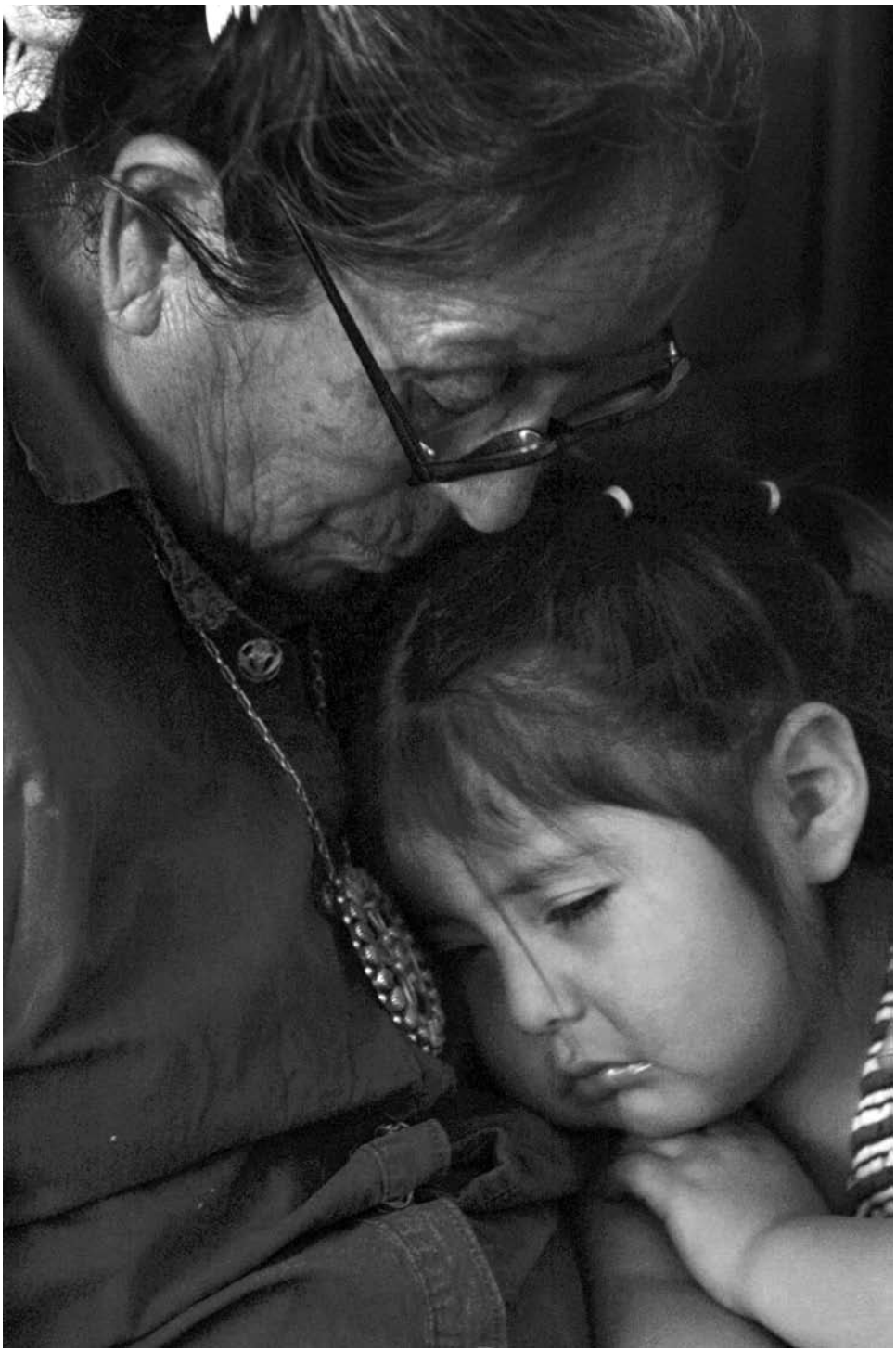
Instead, we came up with a quick and easy way to bring this information to the public that any news organization could use. We exported our maps to some relatively simple PDF files. Our Web staff then took those files and created a simple but extremely valuable way for our viewers to zoom in to see crime incidents along the very streets they live on. They did this by using Macromedia Dreamweaver, software nearly every Web design staff has. Our staff highlighted certain sections of a larger citywide PDF file we provided to them and linked different "hot spot zones" from the larger map to much more detailed PDFs that showed incidents street-by-street in those areas. All our viewers had to do was click on a zone, and they could get to the more detailed maps.

Almost immediately, we found out just how hungry our viewers were for local information like this. Our Web traffic for these searchable maps outpaced the number of hits a standard news story receives by more than 1,000 percent. Viewer after viewer wrote in to thank us for both the on-air report and for helping them to learn more about their own areas online.

We gave our viewers the tools and information they would need to make up their own minds about crime trends in their own neighborhood. What's more, we had expanded into a new era of how KHOU would communicate news and information online.

Mark Greenblatt is an investigative reporter for KHOU-Houston. His work has been recognized with four Edward R. Murrow Awards and an IRE Award, among other honors.

Gail Fisher | Los Angeles Times



This woman, holding her granddaughter, has lost six of her 10 children to Navajo neuropathy, a syndrome some scientists say is linked to uranium contamination.

OFFICIAL INDIFFERENCE

Uranium mines reveal environmental crisis for Navajos

By Judy Pasternak
Los Angeles Times

Reporting on a Navajo reservation is the closest you can get to being a foreign correspondent without leaving the United States.

For a series about damage to the Navajo land and people caused by abandoned uranium mines, I made five trips to what is essentially another country with its own language, customs and government. Photographer Gail Fisher and I took spine-rattling drives in roadless terrain, hiked up mesas during summer torrents and attended traditional healing ceremonies in bitter cold.

That was the easy part.

The project began in Washington, D.C., where I am based. Trolling for ideas on Capitol Hill, I followed a witness outside a Senate hearing room to ask about his testimony on an entirely different subject. He happened to be Navajo. As we talked, he mentioned that his father had been a uranium miner during the Cold War and faced an increased risk of lung cancer. I asked whether the environment also had been polluted. He said that it had been and still was.

When Deborah Nelson, then Washington, D.C., investigations editor, looked at my story list, the Navajos piqued her interest. John Carroll, then the paper's editor, thought it might merit a series.

In the end, we published four parts, chronicling 50 years of a federal government deliberately looking away from a slow-motion environmental crisis that it had created. Beginning in the 1940s, the United States pressed the tribe to let private firms gouge uranium out of the cliffs and plains to fuel atomic bombs. Federal inspectors let the mining operators leave without cleaning up, though their contracts specified the return of the land to the same condition in which they'd found it.

The government's urgency evaporated when it came to repairing Navajo water, soil and air. Strong evidence emerged that people are still dying today because of the long delays. The job remains unfinished.

The issue is particularly timely because mining companies want to resume extracting uranium from the rich local deposits, this time for nuclear power plants.

Fusion project

I wrote memos on my early reporting. Carroll, Nelson and Dean Baquet, then managing editor, all shared my inclination to present the information in narrative form. The material didn't lend itself to a classic "*Times*-has-learned, bullet-bullet-bullet" format. The power came from a cumulative layering of detail: about the Navajos' poverty and rural way of life, which led to more exposure than most readers could imagine; about the dawning recognition among government officials of the risks and the repeated decisions by their superiors not to get involved; and about the decisions by tribal officials to withhold information from their own people.

Without that rich backdrop, it might be hard

Gail Fisher | Los Angeles Times

This hogan, built of earth, stone and wood, is no longer occupied. Across the Navajo Nation, many hogans were made of uranium-mill waste, the radioactive residue of the nuclear arms race. Beginning in the 1940s, the U.S. pressed the tribe to let private firms gouge uranium out of the cliffs and plains.

for readers to understand why Navajos would use radioactive mine and mill wastes to build their homes (they were both practical and poor), or why they might drink water that collected in huge abandoned open pit mines (they didn't have running water and led a semi-nomadic life as shepherds).

This was a fusion project. I needed to use investigative techniques, the Freedom of Information Act, government and university archives and databases. But I also had to observe and interview deeply for details and drama.

The U.S. Army Corps of Engineers had put together a set of maps and databases from the one systematic attempt to quantify the pollution by scanning for radiation from the air and sampling water on the ground during the late 1990s. Researcher Mark Madden and I spent three days in the Corps' Los Angeles District office with two specialists who created the discs, and they walked us through the information. This was treasure, even though a dispute between tribal and federal officials had prematurely halted the effort.

We used these tables to describe the scale of the problem. One out of five water sources held dangerous levels of uranium, radiation or other mining byproducts in a desert where one-third of the people have no access to treated water.

The information also helped me figure out which communities to visit. For example, I had a report from an Environmental Protection Agency scientist who'd stumbled across a community of radioactive houses in the 1970s. A Corps map showed elevated radiation, still present in 2000, in a string of purple dots that paralleled the older map of the tested houses. Senior EPA officials in Washington had no record of what had become of the houses or their occupants. I interviewed the retired researcher who had been rebuffed by his superiors when he asked them to help. Then I went there myself and found that the occupants developed lung and breast cancer.

Times researcher Madden camped out at the National Archives to comb through files from a tribal suit in federal claims court. It sought an accounting of royalties for coal, gravel, timber – and uranium. Exhibits included many of the origi-

"This was a fusion project. I needed to use investigative techniques, the Freedom of Information Act, government and university archives and databases. But I also had to observe and interview deeply for details and drama."

nal contracts and leases. We also got mine inspection records from the Bureau of Land Management.

I am not a doctor or a scientist, so I relied heavily on a half-dozen volunteer consultants. One was Richard I. Kelley, a Johns Hopkins University geneticist and pediatrician who guided me through competing theories about a mysterious wasting syndrome among children born to mothers who, during their pregnancies, drank from old uranium pits. These pits collected rainfall, eventually becoming lakes that were used as water sources**.** Kelley helped me craft questions, reviewed medical records and journal articles and, in the course of this research, he changed his mind. He started out sure that the syndrome was inherited and ended up certain that it was an environmental disease.

Andrew Sowder, a federal radiation expert, took readings at two uranium houses in 2000 while on a fellowship at the EPA. For me, he calculated cancer risks and taught proper use of a radiation detector, which I employed at homes and old mines. I also logged locations with a global positioning system (GPS) device for possible graphics (and to help me return if I needed to).

Several federal agencies, most notably the Indian Health Service, resisted my FOIA requests. I tried feeding the IHS FOIA officers with examples of responsive documents that I was getting from other sources, but that didn't move them. Going up the ladder to the agency's deputy director got results but not the right kind; the deputy director issued a complete denial**.**

The Corps database showed uranium contaminating several wells installed by the IHS to provide safe drinking water. I was told that "a handful" of additional IHS wells had been closed by the tribe over the years because of high uranium levels. But, when I sought locations and water-quality information for those shutdown wells, disclosure was deemed a national security risk.

All IHS memos, e-mails, correspondence and reports were denied under internal personnel and attorney-client exemptions.

Times lawyer Karlene Goller and outside counsel Kelli Sager appealed to an assistant secretary at the Department of Health and Human Services, and they agreed that the information was public.

A source sent me copies of e-mails showing that only then did IHS regional officials begin asking various offices to search for documents. Seventeen months after my first letter, I received a pile of documents that filled a cardboard moving box.

Meanwhile, I spent time with Navajo families who were exposed for decades to radiation and heavy metals. Arranging interviews was an adventure in itself.

Getting results

It is not unusual for a Navajo to live without telephones, computers or electricity. We often relied on serendipity, but even an appointment offered no guarantees. Several times, contacts were summoned unexpectedly to a ceremony. A local activist arrived hours late after filling in a dirt road that had washed out and stranded an elderly parent.

One man drove photographer Fisher and me to his father's isolated dwelling for a scheduled evening interview, only to find that the sheep had escaped their corral, and his dad was hunting for them in the canyons. Without hesitation, the son saddled up a horse and rode off to help, leaving us with a group of strangers who didn't speak English but nonetheless made it clear that we weren't welcome. We took a long walk in the desert under a huge, low moon. Father and son returned just before midnight. We waited a bit longer while a relative finished her bath in the one-room hogan, then we finally went inside for a talk by the soft glow of a kerosene lamp.

As I was writing, *Times* editors were leaving (that's another story). National editor Scott Kraft stepped in as a sounding board for the first two parts until assistant managing editor Marc Duvoisin could take on the primary editing duties. Duvoisin suggested– wisely– that I completely restructure the

Gail Fisher | Los Angeles Times

This man digs a grave for his stepfather, who was a former miner in Red Valley and lost his battle with lung cancer. Health problems have persisted for decades, and little effort has been made to identify or assist affected communities.

last two parts and helped me polish all four.

The series got some results even before it was published. At one large reclaimed pit mine, I found that erosion had let high levels of radiation resurface. After I asked questions, the tribe confirmed my readings and repaired the problem.

After I made inquiries of Phelps Dodge, which had acquired one of the original uranium mine operators, the conglomerate hired historians to verify my facts. Phelps Dodge then stated that, if the tribe or government asks, the firm will "take responsible action."

After the stories appeared in late November, I got nearly 400 e-mails. One reader, John C. Hueston, contacted the tribe directly. As a federal prosecutor, he won convictions of top Enron executives. Now in private practice, he was hired in February to persuade the U.S.and the uranium industry, through settlements or lawsuits, to clean up the reservation, once and for all.

Judy Pasternak is a member of the Los Angeles Times national investigative team. She shared an Overseas Press Club award in 2001. A project with colleagues was a finalist for the 2004 Goldsmith award.

Gail Fisher | Los Angeles Times

On July 16, 1979, the channel of the Puerco River, which runs along the southern boundary of the Navajo reservation roared with 93 million gallons of radioactive water. The result was the largest accidental release of radiation in American history.

FATAL FREEDOM

Data shows rollback of motorcycle helmet laws increases fatalities

By Thomas Hargrove
Scripps Howard News Service

Sometimes a little good can come from very unfortunate events.

Veteran newspaper editor John Staed, an old friend, had to move his family to Anderson, S.C., last year to take a city editor job at the *Independent-Mail* after the *Birmingham Post-Herald* shut down in Alabama. Staed quickly noticed that many motorists in his new home were shunning safety equipment he thought was mandatory.

"People on motorcycles here don't wear helmets," he told me a few months later. "They were required in Alabama. Is that dangerous?"

Although it garnered little attention in the national news media, fierce political fights have been waged in many state legislatures in recent years as well-financed, extremely well-organized groups of motorcycling enthusiasts sought to rollback state laws that made safety helmets mandatory for motorcyclists. They say helmets ruin the otherwise joyous physical experience of riding a motorcycle.

"It's a freedom issue, man!" exclaimed Tennessee state Rep. Tim Burchett, a motorcyclist himself, who wants helmets made optional for adults in the Volunteer State. "If we really wanted to stop highway deaths, why not make the speed limit 20 mph and force everyone to drive Volvos?"

But the facts in our investigation were so compelling – showing states without helmet laws see a significant rise in motorcycle deaths – that they convinced a governor to veto a bill that would have rolled back helmet laws in her state.

Dead motorcyclists

To answer my friend's question on whether the trend is dangerous, I contacted the National Highway Transportation Safety Administration and asked for the latest data on motorcycle deaths in each state over the last decade. The agency's Fatal Accident Reporting System, or FARS, frequently updates accident reports over several years, so it's best to get an update when using these figures. Highway safety statisticians were very cooperative to this request. (FARS is also is available from the IRE and NICAR Database Library.)

Using Microsoft Excel, it took just half an hour to compare the rate of motorcycle deaths in the 20 states that still have mandatory helmet laws against the 30 states that have rolled back their laws to make helmets optional for adults. The number of deaths per one million population is 11.9 in states with mandatory helmet laws and 16.7 in states that no longer require them, a 41 percent increase in the rate of death.

During the 1980s and most of the 1990s, motorcycle deaths had been declining. They reached their lowest level in 1997 when only 2,116 people died. But, that trend dramatically reversed as motorcycle deaths doubled in eight years, reaching 4,553 fatalities in 2005.

Saul Young | Knoxville News Sentinel

Tennessee state Rep. Tim Burchett leads a parade of motorcyclists. For years has pushed for repeal of Tennessee's mandatory helmet laws.

There has been a 40 percent increase in the number of registered motorcycles during this period, although the total number of miles driven on motorcycles has declined slightly.

Six states, including Florida and Texas, have relaxed their laws since 1997. If rollbacks of helmet laws were contributing to this rising death rate, it seemed logical that states that recently eliminated the helmet law would experience a higher-than-average increase in mortality rates. That is exactly what happened. The numbers were particularly stark in states like Texas (115 deaths before the law change and 285 afterwards) and Florida (where fatalities rose from 160 to 432).

The National Highway Transportation Safety Administration has argued for years that declining helmet use is costing an estimated 700 needless deaths each year. But, the Motorcycle Riders Foundation, which has spent $1.6 million to lobby Congress on a variety of issues, convinced federal lawmakers to ban any lobbying by national traffic safety officials in favor of helmet laws. The anti-lobby ban was inserted in a massive 1998 transportation-spending bill.

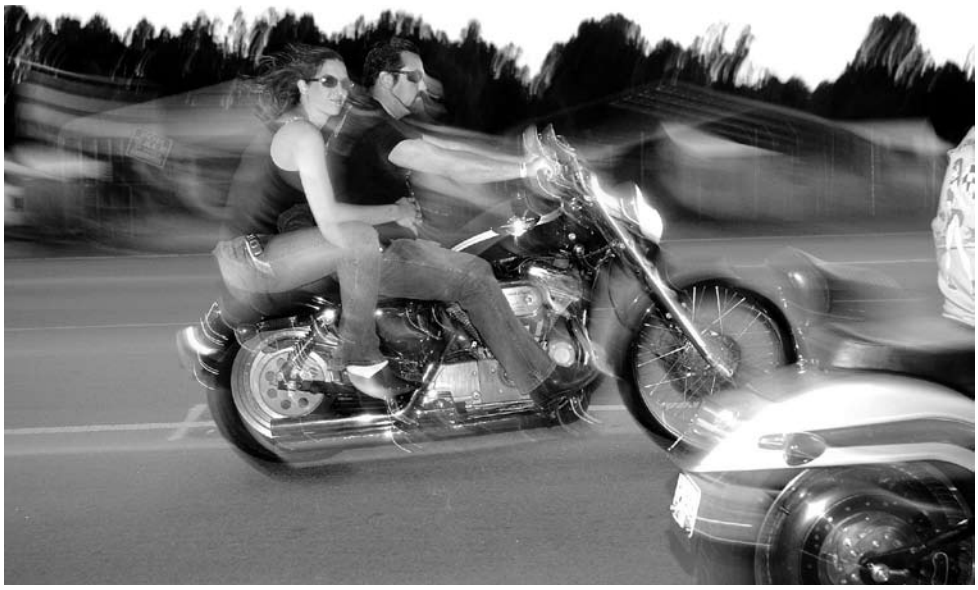
Motorcyclists themselves are contemptuous of federal statistics and statisticians.

"The federal government wants to take away our rights. They twist their statistics to meet their needs," said James "Poet" Sisco, president of the largest motorcycling lobbying group in Louisiana.

Who are these guys?

We decided to create a demographic profile of the people who are dying on motorcycles using

Kendra Waycuilis | Anderson Independent-Mail



Data analysis showed that South Carolina, where the law does not require adults to wear safety equipment while on motorcycles, has one of the nation's lowest rates of helmet use and one of the highest rates of motorcycle fatalities.

the Multiple Causes of Death File maintained by the Centers for Disease Control and Prevention in Atlanta. (The CDC mortality data is also available from the IRE and NICAR Database Library.) It is a magnificent database that details information from every death certificate. The most recent data available is 2003 with records of 2.4 million deaths. Of these, 3,697 were recorded to have died while riding motorcycles. (The FARS data showed 3,714 fatalities, so the CDC dataset had pretty good coverage.)

The data showed dead motorcyclists are overwhelmingly male (90 percent) and disproportionately white (87 percent.) Although teenagers and young adults are over-represented in car accidents, motorcycle accident victims are disproportionately middle-aged. Forty-six percent were in their 40s or older.

Even more intriguing, the death data show that 20 percent of motorcycle victims were currently divorced at the time of their death, a rate more than twice the national average. That profile suggests strongly that the rising motorcyclist death rate is affecting Americans who show classic symptoms of midlife crises by taking up the often risky pastime.

The association did not dispute the statistics, but it said more study is needed by an agency other than the National Highway Transportation Safety Administration.

Governor's veto

Scripps Howard News Service ran a package of stories entitled "A Fatal Freedom" on May 25, 2006. The articles appeared in dozens of newspapers nationwide. Although not planned, the project became an important element in Michigan politics because the state legislature had just passed a helmet rollback bill that was on the desk of Gov. Jennifer Granholm and awaiting her signature.

AAA issued a statement urging Granholm to veto the measure. AAA noted that: "The per capita rate of motorcycle fatalities in 2004 was 41 percent greater in states that do not require helmets for adult motorcyclists, according to a Scripps Howard News Service study of 2004 federal accident data. Seven of the 10 states with the lowest death rates have mandatory, universal helmet laws."

Granholm's office asked for and was provided with copies of Scripps' stories and statistics.

"On this issue, the evidence is clear," Granholm said in her June 22 veto letter to state lawmakers. "Motorcycle helmets save lives and reduce serious injury. States that have repealed this safety standard have experienced significantly increased fatality rates."

Thomas Hargrove is a national reporter for Scripps Howard News Service, a consultant on CAR techniques for 19 E.W. Scripps daily newspapers and co-founder of the Scripps Survey Research Center at Ohio University at the Star Tribune in Minneapolis, Minn.

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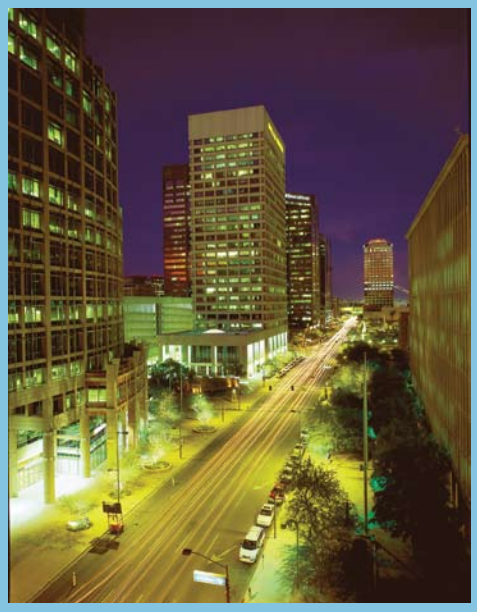
For IRE, the resulting Arizona Project brought national attention and stature. A tiny organization with little money flourished to become what it is today. Thanks to those who have gone before, IRE now has an organization strong enough to take on today's threats to investigative reporting.



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