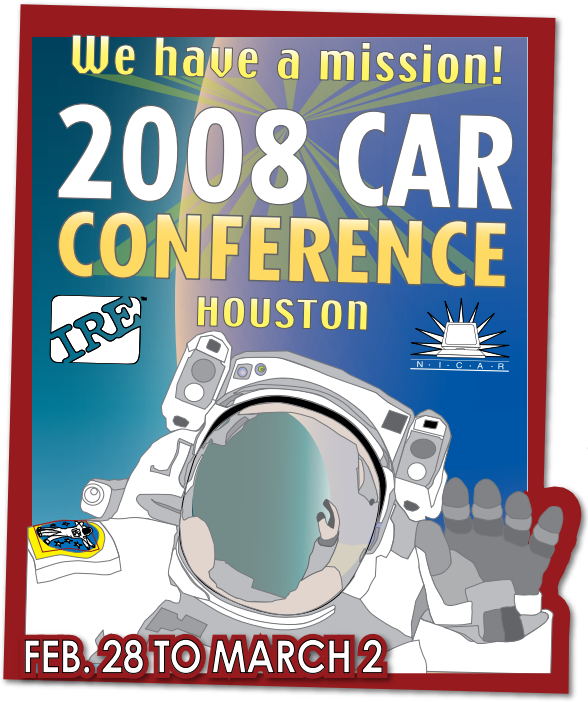
2008 CONFERENCES SAVE THE DATES



The Houston event will feature the latest in computer-assisted reporting, including a new Web track, plus IRE and NICAR's popular beat tips, a Mini Boot Camp and hands-on training for all skill levels. The event will be held Feb. 28 - Mar. 2 at the Doubletree Hotel Houston Downtown. Registration is now open at www.ire.org/training/houston08

The2008 IRE Conference brings together the best in the business to share the best work in all media and lay the foundation for the future of investigative journalism in a changing media world. It offers opportunities to hone reporting and editing skills, explore computer-assisted reporting, find a mentor and become inspired. Join us in Miami, June 5-8, at the InterContinental Miami Hotel. To learn more, visit www.ire.org/training/Miami08.

THE IRE JOURNAL

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THE IRE JOURNAL

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Help IRE meet 2007 Challenge Grant goal and support future programs

JAMES GRIMALDI
THE WASHINGTON POST,
IRE BOARD PRESIDENT

After more than three decades, IRE remains a grassroots organization composed primarily of working stiffs struggling to meet deadline. Today, IRE faces an important deadline in its $5 million endowment drive – and we need your help.

On December 31, our challenge grant from the John S. and James L. Knight Foundation comes to an end. Your contribution or pledge must be in by year's end to take advantage of Knight's promise to give $1 for every $2 donated.

The Knight Foundation's match will be applied in full for pledges over the next three years; you can pledge to donate by the end of 2010. To learn more, see pages 8-9 of this issue or visit www.ire.org/endowment.

The endowment drive was launched in June 2000 to ensure the future of IRE as an independent voice serving its members with state-of-the-art training, an up-to-date resource center, database library, and networking opportunities – all while keeping member costs low.

The endowment is more important than ever because newspapers, television stations and traditional media outlets have come under increasing financial pressure as our industry transforms. Many of these media companies have supported IRE with operating funds in the past, but some of that traditional support is weakening.

The strength of IRE has always been in its rank-and-file membership. We have been successful because so many members like you have donated their time to share their techniques and ideas with colleagues around the country.

Now we need you to share again.

More than 1,000 members have given to the endowment, which stands at more than $3 million in donations and firm pledges. We are optimistic that, with a combination of media foundations, institutional donors and individuals, we will make our $5 million goal.

While we are asking for your pledge now, you do not need to make the full payment this year. The Knight Foundation's match will be applied in full for pledges over the next three years; you can pledge to donate by the end of 2010. For example, if you pledge of $1,000 over three years by the end of this year, the Knight Foundation would contribute $500.

If $1,000 is a lot for your pocketbook, please consider joining our $25 Club – an idea that emerged from the work of longtime IRE member and former board member Nancy Stancill of *The Charlotte Observer*. The $25 Club asks you to pledge $25 this year and for each of the next three years ($100 total). That is the equivalent of donating the cost of one latte a month from your local coffee shop. (And a small latte, at that.) With the Knight match, that money would grow to $150. If 2,000 of our members make that pledge, we would raise $300,000.

When you give to the endowment, you may designate that your gift be applied to the General Fund, which allows IRE to use it where it is needed most, or choose one of our existing funds. In June, the IRE staff and the IRE board created a fund in honor of Brant Houston's 13 years of service as he moves on to the University of Illinois. (Brant is helping IRE through the transition until the end of the year as we pick a new executive director). The Brant Fund, as some have dubbed it, will promote international journalism training.

Finally, please spread the word about IRE to your friends and loved ones – folks who might not be journalists but believe in investigative journalism. Whatever you decide, please do it now. IRE needs your support immediately to make it in time for the Knight match. The deadline is upon us.

Contact James Grimaldi at irepresident@ire.org. Contact IRE development officer Jennifer Erickson at 573-884-2222 or jennifer@ire.org.

A leap year CAR conference in Houston

It's time to take computer-assisted reporting one step further. IRE and NICAR plan to do just that at the 2008 CAR conference, Feb. 28 to March 2 in Houston.

The CAR conference will offer four days of panels and three days of hands-on training that will focus all the talk about Web 2.0 into practical applications and cutting-edge techniques.

One track of panels will show how mash-ups, wikis, interactive databases on the Web and other applications can help build and present investigative and in-depth stories. The top practitioners in the country and the world will be in Houston to lead this exciting track.

The third annual Philip Meyer Awards (www.ire.org/meyeraward) for the use of social research techniques in journalism will be awarded. The conference provides opportunities to learn from the journalists involved in some of the most recent ground-breaking work.

Of course, there also will be panels at which beat reporters can learn about databases for their areas of interest and how to analyze those databases to produce high-impact stories on a regular basis.

Other sessions will address the interests and needs of editors – who need to know how to ask the right questions and bulletproof CAR stories – and of broadcast journalists who work under heavy deadline pressures. It will also tackle visual techniques — from charts to maps to social network analysis — that journalists can use to present stories.

And, of course, there will be the nonstop hands-on training featuring the best teachers in CAR. They will lead sessions for all levels, beginner to advanced, on smart Web searches, spreadsheets, database managers, mapping, statistics and even more advanced programming.

The conference will be held at the Doubletree Hotel Houston Downtown (http://tinyurl.com/2beuuv), beginning at 9 a.m. on Thursday, Feb. 28 and ending at noon on Sunday, March 2.

Watch for registration and program details at www.ire.org/training/houston08.

IRE members win awards

Throughout the year, IRE members have been honored by journalism organizations for the high quality of their work. Some of the winners are spotlighted below, with members' names in bold:

2007 National Press Club Awards

- **Charles Forelle**, **James Bandler**, **Mark Maremont** and Steve Stecklow of *The Wall Street Journal* won in consumer newspaper journalism for "Boardroom Abuse."
- Jennifer Kraus, **Bryan Staples** and Kevin Wisniewski of WTVF-Nashville won in consumer television journalism for "News Channel 5 Investigates: Bill Heard Chevrolet."
- **Charles Layton** of the *American Journalism Review* won the Arthur Rowse Award for Press Criticism for his body of work.
- **Philip Dine** of the *St. Louis Post-Dispatch* won the Edwin M. Hood Award for Diplomatic Correspondence in the print category for "Afghan Poppy."
- David Brancaccio, Simon Marks, **Kristin McHugh**, Keith Porter and Sam Litzinger of the Stanley Foundation and KQED Public Radio won the Edwin M. Hood Award for Diplomatic Correspondence in the broadcast category for "The Rise and Influence of Arab Media."
- **Elaine Grossman** took first place in the newsletter journalism category for analytical reporting for "U.S. Officers in Iraq: Insurgents Are Repeatedly Captured and Released," published in *Inside the Pentagon*.
- **Paul Salopek** of the *Chicago Tribune* won the Robert L. Kozik Award for Environmental Reporting in the print category for "A Tank of Gas, A World of Trouble."
- **Brody Mullins** of *The Wall Street Journal* won the Sandy Hume Memorial Award for Excellence in Political Journalism.
- **Alice Dembner** of *The Boston Globe* won the Joseph D. Ryle Award for Excellence in Writing on the Problems of Geriatrics for "After the Fall."
- **Jeff Burnside**, **Scott Zamost**, Pedro Cancio and Robert Hernandez of WTVJ-Miami won the Ann Cottrell Free Animal Reporting Award in the broadcast category for "Puppy Heartbreak."

SPJ Dateline Awards, sponsored by the Washington, D.C., chapter

- **Gary Emerling**, Marie Tyler, Jeffrey Sparshott, Jerry Seper, Amy Doolittle and Matthew Cela of *The Washington Times* won in the spot news category for daily newspapers for "What a Mess."

CONTINUED ON PAGE 33 ➣

MEMBER NEWS

DeWayne Bartels, Times Newspapers senior reporter, has been promoted to news editor of the *Peoria Times-Observer*, following the acquisition of the newspaper group by GateHouse Media. ■ The Center for Public Integrity's "Statehouse Revolvers" a state lobbying investigation, including team members, Leah Rush, **Helena Bengtsson, Kevin Bogardus, Joachin Sapien,** and **Susan Schaab,** won a Capitolbeat Award for in-depth investigation in the online media category. ■ Gillian Findlay, **Harvey Cashore**, Linda Guerriero, Jim Holt and Albert Lee of CBC News: the fifth estate won first place in the open television (greater than five minutes) category from the Canadian Association of Journalists for "Luck of the Draw." ■ **Mike Dunne**, a longtime environmental reporter for *The* (Baton Rouge, La.) *Advocate* and a founding member of the Society of Environmental Journalists, died on July 8. ■ **Deborah Gage**, **Kim Nash** and Sean Nolan of *Baseline* magazine won first place in the best case history category (circulation 80,000 or more) from the American Society of Business Publication Editors for "Serious Pain," the story behind the worst data breach in Oregon history. Nash is now a senior editor for *CIO* magazine. ■ **Elaine Grossman** now reports for National Journal Inc.'s Global Security Newswire. She previously was senior correspondent at *Inside the Pentagon*. Grossman also won first place in the investigative reporting category for the 2007 Editorial and Marketing Awards from the Specialized Information Publishers Foundation. ■ **John Maines** and **Megan O'Matz** of the *South Florida Sun-Sentinel* won the Capitolbeat Award for in-depth reporting (wire services or dailies with a weekday circulation 75,000 and over) for "License to Carry," a four-part series on concealed weapon permit policies. ■ **David A. Milliron** is director of media services for Caspio, Inc. He previously worked at *The Atlanta Journal-Constitution* as senior

CONTINUED ON PAGE 33 ➣

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

WBBM-Chicago

A six-month investigation showed that the Illinois American Water Company failed to inform fire officials about broken hydrants near schools.

OUT OF SERVICE

Story spurs repair of suburban hydrants

BY DAVE SAVINI AND MICHELE YOUNGERMAN
WBBM-CHICAGO

A house fire spreads rapidly – doubling in size every minute – so time is of the essence. Imagine, then, firefighters racing to your burning home desperately needing to soak and drown the flames, only to discover the closest fire hydrant does not work.

A six-month CBS2 investigation uncovered fire hydrants outside of schools and homes that are broken, rusted, leaking, frozen shut, or with water pressure too low to fight a fire. It's a grim discovery that has emergency crews concerned about public safety.

The investigation started with a tip about one faulty hydrant but expanded when the CBS2 investigative team reviewed hydrant maintenance records and physically drove through suburbs examining and documenting cracked, leaking and clearly malfunctioning hydrants.

"I can't sleep at night," said Tom Freeman, chief of the Lisle-Woodridge Fire Protection District. "We have absolutely an emergency situation."

For months, Freeman said, he had been calling and writing letters to the private company that owns and operates the failing hydrants, Illinois American Water. He had been trying to get the company to make repairs but had been unsuccessful until CBS2 got involved.

"If it [the hydrant system] is analogous to a body, I don't think it is dying," said Freeman. "I think it is dead, dead on arrival."

Illinois American Water, a Woodridge-based company, is owned by American Water, the largest private water utility in the nation. It is responsible for 8,000 hydrants in eight Illinois counties alone.

Since the hydrants are owned by a private company, records of defects and repairs are not accessible to the public. After many discussions, a company official agreed to allow us to review one year of records at the company's office. Each page contained a listing of about 50 hydrants, including numerous faulty ones. But, after just 10 minutes, the records were taken away. Fortunately, during that brief time, we held up documents for our photographer to shoot and were able to get at least some details about bad hydrants.

Back at the station, we reviewed our tape and found hydrants that hadn't been repaired for months. The company continued to refuse us further access to its records citing Homeland Security issues. However, the records we recorded provided enough evidence of problems to report to various fire departments.

"Most people had no clue this was going on," said Sue Srail of Lisle, Ill., who was concerned about the hydrants outside her children's schools. Srail has one son attending a junior high and another at an elementary school – both near hydrants that were not in working order. The hydrant at the junior high had low pressure, and the one outside of the elementary school had been broken for months.

Her 12-year-old son, Derek, worried about the length of time the hydrant in front of his elementary school remained broken. He noticed a black "out of service" tag on the hydrant in early April, but the CBS2 investigation found the hydrant had been broken since January.

Karla Teasley, president of Illinois American Water, said she believes no school children were in jeopardy because there were other working hydrants nearby.

"We're not perfect, we know that," Teasley said. "We know that we have more to do. But I think we have made significant improvements, and I think the important thing here is kind of the goal and what we're trying to do moving forward. We want to be an excellent water company."

The largest area serviced by Illinois American Water, with nearly 4,000 hydrants, is Bolingbrook, Ill. Our investigation revealed numerous fire hydrants in that community had been left broken for months, and local fire officials said they were not told about the problem.

"We weren't warned," said Bolingbrook Fire Chief Steve Shanks. "By not knowing what's going on, I believe that puts not only the citizens but my firefighters in danger."

In fact, Illinois American Water has failed to report problem hydrants since at least 2006. One hydrant in front of a house was listed in company repair records as "out of service" from September to December of 2006. Chief Shanks said his department was never warned about this and other broken hydrants until contacted by CBS2.

As a result of this CBS2 investigation, Shanks sent crews to check on questionable hydrants. He found some hydrants still didn't work – a year after the company discovered they were broken. For instance, two hydrants in front of Meadowbrook Manor Nursing and Rehabilitation Center on Remington Road listed in 2006 as "frozen" were still very difficult to operate.

Teasley said the water and hydrant system was owned by another company until Illinois American Water purchased it five years ago. Since then, she said, millions of dollars have been spent upgrading and repairing the system and the number of repair crews has been increased.

CBS2 investigators observed one of those crews. It was on a day in April when there was a water main break and hydrants in need of repair. But this particular crew was in their truck, sleeping.

"I can't believe a company would take that risk," said Srail about the non-working hydrants.

Since our investigation first aired in May 2007, a massive hydrant replacement and repair program has been implemented, leading to the discovery of even more faulty hydrants in front of more schools.

She is spearheading a grassroots effort in Lisle to get the water company to speed up repairs.

Chief Freeman wants to help Srail's efforts, but he has no control over the water company because it is a private company. The Illinois Commerce Commission regulates the business and recently ordered it to submit a plan detailing how it would make needed repairs. That plan is to include fixing hydrants, as well as water meters and the overall infrastructure.

Those repairs can be critical, said fire chiefs in several communities, especially in the case of hydrants like one found in unincorporated Wheaton. When the fire marshal opened it, no water came out. The hydrant was empty.

"We would probably be better off to bucket brigade the water because it is the only way you are going to get the fire out," Sue Srail said.

The hydrants in front of her sons' schools were finally repaired, a direct result of the CBS2 investigation. Illinois American Water officials say there is "no question" the CBS2 investigation has led to "positive results."

Since our investigation first aired in May 2007, a massive hydrant replacement and repair program has been implemented, leading to the discovery of even more faulty hydrants in front of more schools. Also, an Illinois law has been proposed to establish fines, guidelines and a deadline for private utilities that fail to repair faulty hydrants or notify fire departments of their whereabouts.

The award-winning investigative team of Dave Savini and producer Michele Youngerman joined WBBM-Chicago in 2004.

WBBM-Chicago

Alerted by reporters, fire departments flagged broken hydrants, but they have no authority over the private companies responsible for repairs.

WBBM-Chicago

Water company officials granted reporters only 10 minutes of access to hydrant maintenance records, but the results helped fuel a six-month investigation.

WATCHDOG JOURNALISM TRAINING

These training programs for small to mid-sized newsrooms or bureaus of larger papers are 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.

- October 15-16 – Minneapolis, Minn. Hosted by University of Minnesota
- October 26-27 – Indianapolis, Indiana. Hosted by Indiana University School of Journalism

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.

- October 15-16 – Minneapolis, Minn. Hosted by University of Minnesota
- October 26-27 – Indianapolis, Indiana. Hosted by Indiana University School of Journalism

ENDOWMENT NEWS

2007 goal in sight:
Dec. 31 deadline for John S. and James L. Knight Foundation Challenge Grant

If you've been putting off your support of IRE until it is needed most, now is the time to act. Knight sends IRE $1 for every $2 pledged or donated to IRE's endowment fund – the challenge will end on December 31.

Don't miss this excellent opportunity for your gift to grow immediately.

So far, more than 1,000 IRE members have risen to the challenge. Please join them and, in the process, help IRE continue its programs in support of investigative journalism and deliver additional resources for new initiatives.

IRE tops Challenge Fund for Journalism goal

With the help of IRE members, board of directors and staff, we raised nearly **$250,000** in new individual donations and memberships as part of the Challenge Fund for Journalism III, which concluded in May. That means we exceeded our original goal by nearly $50,000 and obtained the full $100,000 matching grant. *Many thanks to all who participated in the related membership drive and who donated over the past year to the IRE endowment fund.*

The Challenge Fund for Journalism helps journalism organizations broaden their base of financial support through challenge grants, fund-raising training and organizational development training. It's a collaboration of the Knight Foundation, Ford Foundation, Ethics and Excellence in Journalism Foundation, and McCormick Tribune Foundation.

New Funds in IRE's Endowment

Would you like to select the program that will benefit from your endowment donation? Please review the full list of funds within IRE's endowment by visiting IRE's Web site: www.ire.org/endowment.

New additions include:

Brant Houston International Journalism Fund:

Created by the IRE board and staff to honor Houston's many years of service to IRE, including 10 as executive director. The fund supports IRE's efforts to foster excellence in global investigative reporting.

Greg Reeves Memorial Fund:

This project supports a graduate student assistantship in the IRE and NICAR Database Library. It honors *Kansas City Star* reporter Greg Reeves, a computer-assisted reporting pioneer and long-time IRE member, who died of Amyotrophic Lateral Sclerosis in 2007. The memorial fund was created by former colleagues Mike McGraw of *The Kansas City Star* and IRE Executive Director Brant Houston.

New Fellowship to Benefit Freelance Journalists

In April 2007, a long-time IRE member created a substantial endowed fund that will benefit freelance journalists pursuing investigative stories. The first awards will be distributed in June 2008 and will amount to $1,000 or more. The donation was matched by the Challenge Fund for Journalism III (see above), and helped IRE exceed its challenge by nearly $50,000.

Watch for more information on the Freelance Journalism Fund and application details this fall. The deadline for applications will be March 1, and fellowship awards will be announced at the IRE Annual Conferences in June of each year.

For more information about our current endowment funds, or if you're interested in creating a new fund, contact IRE development officer Jennifer Erickson at jennifer@ire.org or (573) 884-2222.

BREAKTHROUGHS

Please make your annual contribution to IRE!

"There is nothing more important for a journalist than to seek the truth, speak for those who have no voice, and try to hold power accountable.

Investigative journalists have always felt this was more than a career – it's a trust, and a duty. In the age of blogs and the instant assertions of the internet, it is even more critical to have journalists who check and doublecheck and care.

Investigative Reporters and Editors has always been a place where journalists have learned these skills. IRE has and will always honor the mission and lead the way.

Please join me in supporting IRE during this important time in our history."

– Diane Sawyer
ABC News

FUNDING **IRE**'s FUTURE

2007 Annual IRE Endowment Appeal

Help us ensure that IRE's independent voice, state-of-the art training, up-to-date resource library, and vast array of networking possibilities for journalists continue into the future. Join the hundreds of IRE members who have donated and pledged to IRE's endowment fund.

And, for a short time longer, the John S. and James L. Knight Foundation will give $1 for every $2 you donate or pledge under a $1 million partial matching program. See your philanthropic dollars immediately grow!

IRE seeks donations from all audiences that value quality investigative journalism and recognize its importance in keeping governments, businesses and individuals accountable.

IRE depends on contributions to maintain and improve its services and to create long-term financial stability. At present, more than one-third of IRE's $1.4 million annual budget is funded through donations.

By achieving a $5-million endowment, IRE will ensure its uninterrupted support of investigative journalists and editors and will be able to focus its efforts on emerging programs. In short, a strong endowment will allow IRE to continue to foster excellence in investigative journalism, a mission essential to a free and democratic society.

All endowment gifts make a difference because, taken together, they form a strong foundation that continues to grow for years to come.

Join the $25 Club Help IRE make its full Knight Foundation match by pledging $25 per year through 2010 ($100 total - around $2.00 per month!). If 2,000 members join the Club, we would raise $300,000 with the Knight match. Please pledge today.

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

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

Name _____

Address _____

City _____ State _____ Zip _____

Company _____

Company Address _____

Wk Phone _____ Hm Phone _____

❒ I will pledge $_____ over _____ years.
❒ I will join the $25 Club ($25 donation now & each year for next 3 years.)
❒ My check is enclosed and **made payable to IRE.**
Please write "Endowment" in the memo line of your check.
❒ Please charge my credit card with the amount indicated
❒ VISA ❒ MasterCard ❒ American Express

Account Number _____ Exp. Date _____

Signature _____

I would like my gift to benefit IRE in this way:

❒ Endowment - general operations
❒ Endowment - specific program, services or resource area

Name area _____

Amount of gift $_____

❒ My company will match my contribution

❒ **CHECK BOX IF YOU DON'T WANT YOUR NAME DISCLOSED AS A DONOR.**

Mail or fax this form to:
Investigative Reporters and Editors, Inc.
138 Neff Annex, Columbia, MO 65211
PH 573-882-2042 • www.ire.org
FAX 573-882-5431

Daniel Kramer | Houston Press

Houston Press probed the stories behind Metro bus accidents that received only brief notice in years past and interviewed victims' family members. One man often revisits the site where his brother was hit.

RUN OVER

Bus investigation reveals contract drivers' spotty training and safety records

BY TODD SPIVAK
HOUSTON PRESS

Thirty-one-year-old attorney Jeffrey Yu-Chang Kao stood on a corner in downtown Houston late one afternoon in November 2003 waiting for the pedestrian signal to change. Meanwhile, a veteran driver for the Metropolitan Transit Authority of Houston sat idling behind the wheel of his empty bus, waiting for the left-turn arrow before he entered the intersection. Both got their green lights and proceeded.

Kao was halfway through the crosswalk when the turning bus knocked him 15 feet through the air.

"When his head hit the concrete," a witness told police, "it was like the sound billiard balls make when you break them."

Kao suffered a massive brain hemorrhage and died 39 hours later. His wife, Loan-Anh Tran Kao, a Harvard-trained attorney, was eight months pregnant with their third child.

In September 2005, she sent the *Houston Press* a short, plaintive e-mail, which prompted my four-month investigation into the city's bus system. The story, "Run Over by Metro," won a 2006 IRE Award for local circulation weeklies.

The widowed Kao said Metro never offered any apology. In fact, she said the authority's claims department hounded her with phone calls seeking to cut her a check and close out her husband's file. She expressed concern that Metro did not properly train its drivers. She also complained that the authority had no incentive to improve its safety record because the Texas Legislature limits Metro's liability to just $100,000.

My colleagues and I spent several hours interviewing Kao at her home and reviewing files she provided. I then searched newspaper archives for other fatalities involving Houston Metro buses in the last ten years. There were several short news items without any follow-ups.

As I dug further, I found a second unexplored problem. City bus contractor First Transit, has an even worse safety record and less accountability than Metro employees.

In December 2003, a 22-ton double bus knocked 47-year-old Carol Donnelly to the ground, crushed her beneath its left front tire and dragged her for 40 feet. The accident occurred just four weeks after Jeffrey Yu-Chang Kao's death and less than a mile away.

But there was one critical difference: the driver who killed Donnelly worked for First Transit, a private subcontractor headquartered in Ohio. Starting in 1997, First Transit had won two consecutive five-year contracts totaling $245 million to operate one-sixth of Metro's 1,400 buses and more than a dozen of its routes.

The investigation revealed that First Transit drivers consistently post a higher accident rate than Metro's and have caused some of the city's most grisly bus accidents in recent years. But commuters have almost no way of knowing whether First Transit

drivers are behind the wheel since they wear Metro uniforms and operate Metro buses.

And because there is no damage cap for subcontracting companies in Houston, the Donnelly family wasn't forced to settle for a measly $100,000. They received millions in restitution after a protracted legal battle.

In the course of my investigation, I discovered that Metro conducts no oversight of First Transit's operations. It neither oversees background checks on First Transit drivers nor ensures that they are properly trained. Metro representatives claim they do not even have access to First Transit's investigation files.

In May 2001, a First Transit driver rear-ended an SUV in stop-and-go traffic, causing 9-year-old Jennifer Rodriguez to burn to death. The bus driver, Clifford Wayne Kidd, hit the SUV going 54 mph and never even touched his brake, according to the police report.

Roger Allen, a Houston-based transportation consultant hired by the Rodriguez family's attorney, produced a scathing report that led First Transit to pay a $10 million settlement just before the case went to trial. Allen discovered that Kidd had no prior experience driving a commercial passenger bus.

First Transit, in violation of federal and state safety regulations, had not conducted a criminal background check on Kidd. His record included convictions for reckless driving and failure to obey traffic signals. The company did not investigate the accident or discipline Kidd. In fact, First Transit later promoted him to a supervisory position.

Metro has saved some $5 million a year through privatizing some of its routes and renewed its contract with First Transit only three months after Rodriguez's death.

"It's all about the money," said Allen, who proved invaluable to my investigation by detailing the types of records Metro is required to keep under federal and state law.

Starting in October 2005, I filed more than a dozen public information requests with Metro and First Transit under the Texas Public Information Act, seeking access to everything from driver qualification files to accident reports, pay scales for drivers, formal contracts, training materials and in-house investigation reports on fatal accidents.

Metro denied access to most of this information and sought a ruling from the open records division of the Office of the Attorney General of Texas. Metro initially estimated that viewing the requested information would cost a whopping $21,000, which I interpreted as an attempt to thwart my investigation. I filed multiple complaints with the attorney general, arguing that Metro had stalled the release of requested information, blocked access to public information and charged exorbitant fees.

First Transit replied in a letter that it was not subject to the Texas Public Information Act and warned that it would "initiate legal proceedings to protect its interests under the Act." I sought an opinion from the attorney general, arguing that First Transit's files should be public information since it performs the functions of a governmental body and is funded with taxpayer dollars.

In January 2006, the attorney general ruled in First Transit's favor, allowing the company to keep its records sealed, but against Metro, forcing the authority to open its files. In the end, the *Press* spent about $250 for Metro to compile and copy the information.

I spent several weeks reading through dozens of file boxes, which were littered with revealing internal memos and e-mails that offered a disturbing look into how Metro regards and compensates its victims. I discovered that Metro nearly always offered bus accident victims much lower amounts to settle cases than what was recommended by its own claims committee. This occurred even when Metro recognized that its drivers caused the accident.

And Loan-Anh Tran Kao wasn't the only one who felt hounded by Metro's claims department. Some survivors complained that Metro representatives pressured them to sign forms relieving the company of liability – all while they still lay in their hospital beds.

I also took a closer look at the statistics Metro frequently uses to brush off complaints about its operations. Metro makes a distinction between "accidents" and "incidents." An "accident," according to Metro, is when a pedestrian or passenger either dies or is transported from the scene to a hospital, or when a vehicle sustains damages exceeding $1,000. An "incident" covers everything else.

That means that Metro does not factor hundreds of collisions into its "annual accident rate," enabling it to misrepresent the actual number of bus crashes occurring each year.

But perhaps most appalling was the discovery that Metro disregards the safety recommendations of its own investigators. In August 2005, an industrial

Daniel Kramer | Houston Press

Loan-Anh Tran Kao lobbied for accountability and driver training after a Metro bus killed her husband, Jeffrey.

Todd Spivak | Houston Press

Three siblings mourn their mother, Domitila Leon-Herrera, who was run over.

accident occurred in a Metro garage that killed one employee and maimed two others. The primary causes of the accident, according to Metro investigators, were the "too cumbersome" rubber boots worn by cleaners while driving buses and the complete lack of formal training they received on how to operate a bus.

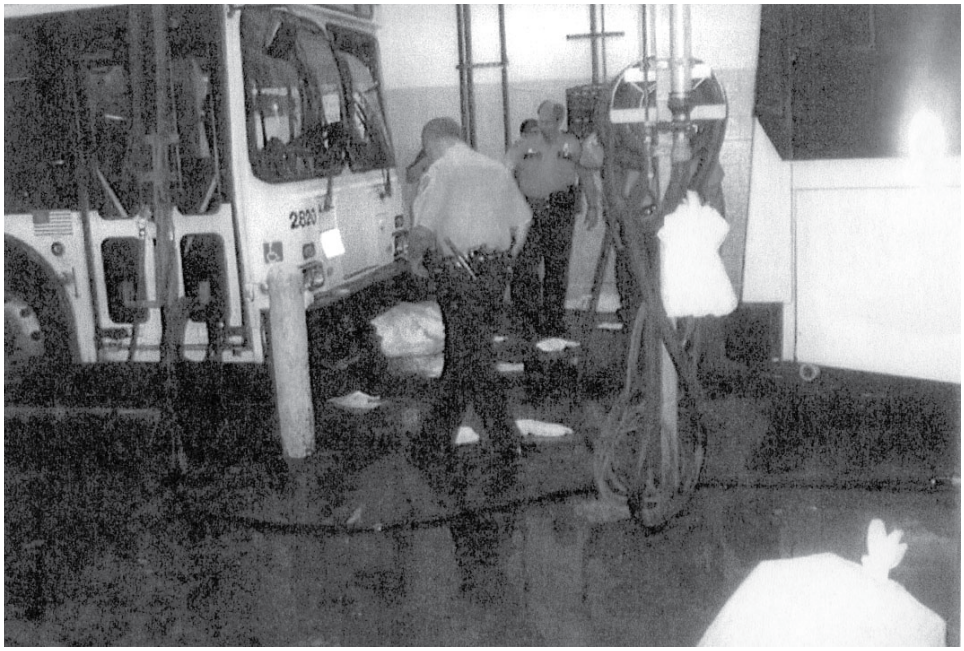
And yet Metro continues to require its maintenance workers to wear the boots when operating buses. And hundreds of bus fuelers and cleaners still have received no driver training.

The final step in my project involved tracking down survivors and families of victims. Nearly all of them initially declined interview requests because they did not want to relive their experiences. Finding them and persuading them to share their experiences required persistence, including knocking randomly on doors in their neighborhoods to locate them.

My protracted effort to gain access to survivors finally gave way to numerous interviews, including one with Roland Rodriguez, who rebuffed my requests for months before granting his first-ever interview in which he described the final harrowing moments of his daughter Jennifer's life. I also visited Clarence Santee Jr., the former Metro employee whose right leg was nearly amputated after surviving the 2005 industrial accident. And I unearthed the amazing story of Andrea Larsen, who was thrown 25 feet and then run over by a 26,000-pound bus, but managed to survive without any broken bones. She eventually proved her doctors wrong by running a half-marathon several years later. These and other compelling individual stories drove my narrative.

The story's publication garnered a surprising outpouring of support from Metro drivers who believe safety standards and procedures need to be strengthened. Unfortunately, Metro still has shown little inclination to improve its operations. A Metro spokeswoman wrote a response that criticized the tone of my story but did not counter any of its major findings.

Metropolitan Transit Authority of Harris Co.



Even after employees were killed in workplace accidents, Metro officials disregarded safety recommendations.

The investigation into the city's bus system entailed determining the kinds of records that were kept, prying them from a reluctant government agency and learning how to read and understand volumes of technical information. I then persuaded victims that their stories – though perhaps several years old and painful to recollect – needed to be told. Any enterprising reporter could have done this investigation since much of it was based on files that had been collecting dust for years.

Todd Spivak has earned numerous honors for investigative, news and feature reporting. In the last year, he won first-place awards from Investigative Reporters and Editors, the National Education Writers Association, the National Mental Health Association and the Association for Women In Communications.

HOLD THE PORK

FOIA trail shows Congress pleading for pet projects after swearing off earmarks

By Will Evans
Center for Investigative Reporting

After Democrats took control of Congress at the beginning of the year, they ditched Republican-drafted spending bills filled with earmarks and passed a massive appropriations bill they said was "earmark free." Given the controversy over earmarks – which factored into the Duke Cunningham and Jack Abramoff scandals – it seemed a bold step. Party leaders heralded it as a strike against "special interest pork" and a sign of change and reform.

At the time, the Washington press reported that some members of Congress were lobbying federal agencies behind the scenes to fund their earmarks anyway.

Which lawmakers were making the backdoor pleas for funding? Were they the same legislators who boasted about eliminating earmarks? What were they asking for? Did the agencies receiving requests succumb to pressure? For all the talk of earmark reform and transparency, none of the answers to these questions was publicly known.

To find out, I filed a few Freedom of Information Act requests asking a handful of federal agencies for all of their congressional correspondence related to earmarks since December 2006, when Democrats had announced their no-earmark plan. When one department responded quickly and it looked like I was onto something, I eventually sent FOIAs to more than 13 agencies. I detailed the results in a *Los Angeles Times* story (" Lawmakers try to save their earmarks"), written with *Times* staff writer Richard Simon, as well as on the Center for Investigative Reporting's Web site. The story and all of the agency documents are posted at www.centerforinvestigativereporting.org/articles/earmarks.

The day the Senate passed the spending bill, Majority Leader Harry Reid, D-Nev., congratulated Democrats for "cleaning up the fiscal mess" left by Republicans. Two days later, Reid wrote to multiple federal agencies asking them to base funding decisions on the Republican-crafted, earmark-laden bills that the Democratic measure had replaced. On a couple of letters he scrawled handwritten notes like, "Call if I can ever help."

Senate Appropriations Chairman Robert C. Byrd, D-W.Va., had proclaimed "Hallelujah" on the Senate floor when boasting of the spending bill's lack of earmarks. Soon afterward, he wrote to many agencies urging funding for a long list of pet projects in West Virginia, including the International Mother's Day Shrine building.

By the time our story ran, we had acquired copies of 122 spending requests from 52 senators and 205 representatives. Both parties were well represented.

As responses to my FOIA requests continue to roll in, I have been posting them online. The site lists lawmakers alphabetically with PDF copies of each letter they sent. It is intended as a resource for the public and other reporters, who can compare what their state's lawmakers requested in private to what they said in public. As Congress works to pass a new round of appropriations bills, and the earmark debate continues, the Web site will continue to serve as a reminder of how earmarks can go underground.

The biggest hurdle in the project was getting documents as quickly as possible from the backlogged, understaffed FOIA offices of federal agencies. My efforts to acquire those documents taught me a number of lessons:

Request early and often: The newspapers that originally reported on the behind-the-scenes congressional pressure soon moved on to other stories. That provided an opening to dig deeper. There are clearly lots of interesting public records behind many daily government stories. The trick is to think ahead about what can be uncovered even after the original story has run its course. Initially, I undertook somewhat of a fishing expedition, so I only made FOIA requests for documents from four agencies. As soon as I received my first response (six weeks after the request) I wished I had requested many more right at the beginning. Later on, it was a race to get the responses in time for the story.

Get to know your friendly FOIA officer: Calling before you file the request can help you find the right person and e-mail or fax number, so your request doesn't bounce from office to office, eating up time. Each agency has its quirks – some prefer faxes, others prefer e-mail or an online form, some work better when you file to a centralized office, others when you file to a specialized one. FOIA officers can sometimes give you tips on how to word a request – how to capture what you want but exclude documents you don't need that will ultimately slow down the process.

They can also help you navigate the FOIA bureaucracy. I found that the FOIA officers assigned to me were often just waiting for other staffers in other offices to gather the records; sometimes it paid off to give those offices a call, too.

I tried to bug the FOIA officers regularly – nicely but constantly. (A few agencies actually lost my requests, and I wouldn't have known if I hadn't called.) Building a rapport over the phone can't hurt. I think most FOIA officers only get the impatient calls and never any thank you's. They have no idea how important and valuable their jobs are. Remind them.

Expedite! Getting expedited status will bump

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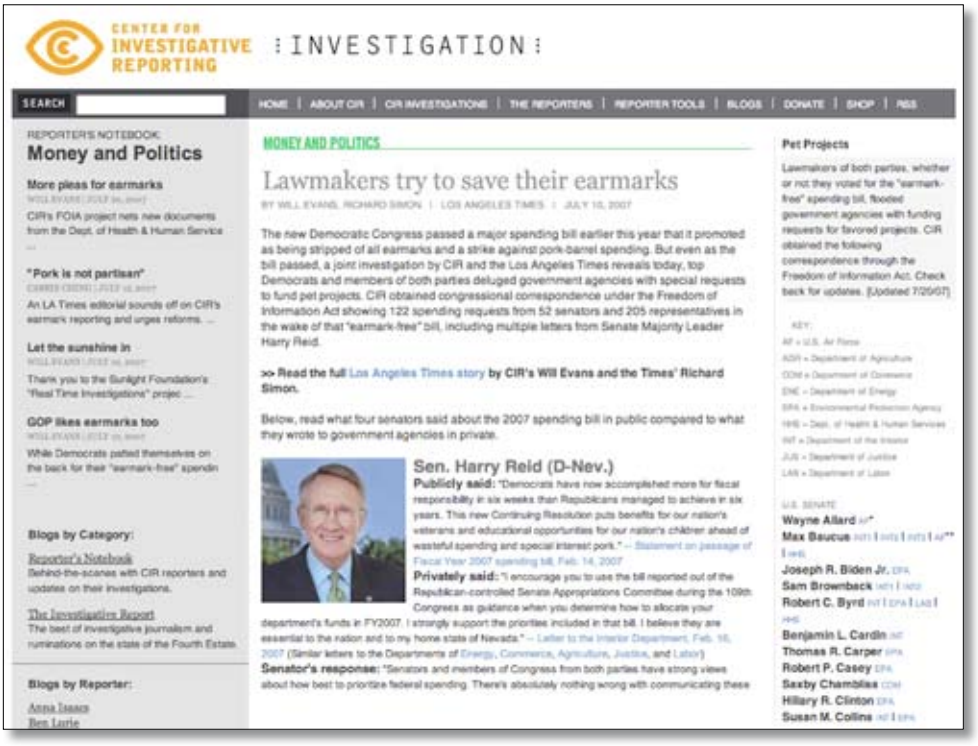


Making the Grade

Test anxiety isn't just for students. In the era of high-stakes standardized exams, school districts face critical pass/fail marks, too. News reports play an increasingly important role in helping parents and communities understand what all the ratings and benchmarks mean. News Web sites now host sophisticated school report cards detailing everything from math and reading performance to classroom spending. Probing the same data, journalists have challenged the accountability of charter schools, scrutinized widespread evidence of cheating on standardized tests, and raised questions about the tests as a profit-driven industry.

Tom Burton | Orlando Sentinel

Tom Burton | Orlando Sentinel

Unsuspecting Florida parents sent children to charter schools that performed poorly but dodged state accountability.

After the *Orlando Sentinel* ran its series on charter schools, state leaders defeated pork-barrel funding for charters and launched an independent investigation, which is still in progress.

QUICK LOOK

Name of the series and when it was published: "Charter Schools: Missing the Grade," March 25-28, 2007. In addition, we ran a teaser story on March 22 and reaction story on March 30.

How the story got started: Curiosity. Reporter Vicki McClure noticed that some charter schools with extremely low reading scores had no school grades assigned by the Florida Department of Education as part of its school accountability program. She requested financial audits of some charter schools and found some that were spending more on administration than instruction or had officials with business ties to the school. McClure made a formal proposal to the assistant managing editor for Metro News, Sean Holton, and he embraced the project and asked projects reporter Mary Shanklin and education editor Greg Miller to join her on the series.

Length of time taken to report, write and edit the series: About one year

Major types of documents used: Test score data for every school in the state; financial audits of every charter school; charter annual reports filed with the Florida Department of Education; IRS Form 990s; property records; corporate records filed with the Florida Department of State

Major types of human sources used: Current and former charter employees, current and former district employees, former state Department of Education employees, students, parents and lobbyists

CHARTER CHECK-UP

Series reveals public funding and test score data for unregulated charter schools

By Vicki McClure and Mary Shanklin
Orlando Sentinel

It was no secret that Florida's 300-plus charter schools operated free of most state regulations.

Lawmakers and former Gov. Jeb Bush alike have touted the free-market approach as key to improving the education of all students. Unfettered competition, the thinking went, would allow private operators to create a new type of public school that fostered innovation and forced regular public campuses to follow suit.

What no one had examined was how well the decade-long experiment was serving students and taxpayers.

The *Orlando Sentinel*'s year-long examination of charters found they often violated long-held standards for public schools. One school contracted students out as road crews; another let a felon convicted of grand larceny double as school bookkeeper and treasurer, and yet another asked students to teach classes.

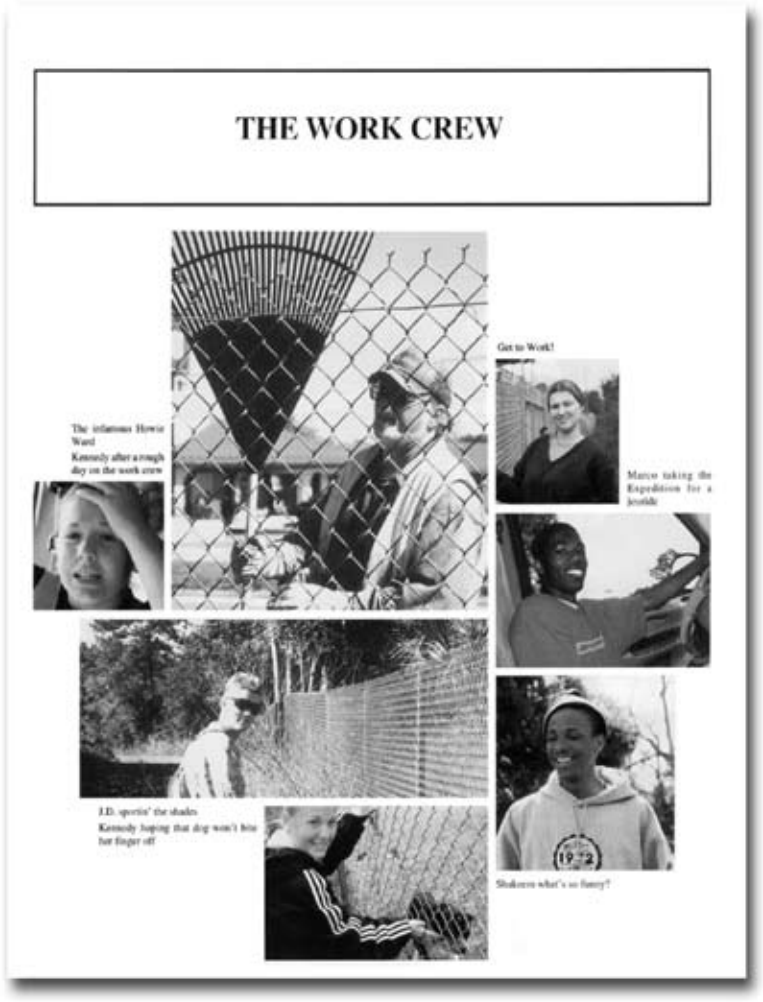
Key findings included:

- **Low performance**. A disproportionate number of charters are among the worst schools in Florida. They received about a quarter of the failing grades, even though they taught 3 percent of the state's students.
- **Fewer poor and disabled students**. A majority of charters were

STUDENTS FOR HIRE

Escambia Charter School made money by assigning its students to roadside crews. Its 2001-02 yearbook celebrated 'The Work Crew.'

Courtesy of Orlando Sentinel



Charter advocates with successful track records were concerned and sometimes willing to talk about newer or disreputable operators who might hurting the industry's public image.

doing what some critics predicted more than 10 years ago: serving primarily the affluent and the able while more harder-to-teach children remained in regular public schools.

- **Financial problems**. More than half of charter schools report they are running at a loss, and nearly half had financial arrangements with insiders that would not be allowed in regular public schools, such as board members renting a facility to the charter or doing business with the school.
- **Lack of accountability**. Charters were more than twice as likely as regular schools to avoid getting school grades on the state's annual accountability report, which means they often didn't have to face corrective steps. Some performed dismally for years without attracting any attention.

By 2006, charters received $560 million in taxpayer dollars annually to teach about 92,000 students – as many as would constitute the state's eighth-largest school district.

Unaware of schools' academic performance, some parents had enrolled their children in charters where only about one in every 10 students could read at grade level.

Dedicated charter teachers watched their schools financially collapse because of the mismanagement and self-dealing of those in charge.

Jim Warford, former K-12 chancellor at the state Department of Education, said his bosses at the governor's office and the state board of education discouraged oversight even when problems arose.

"The only good answer I got was: 'There is accountability because the parents are free to choose,'" Warford said. "It was intellectually indefensible that you could take a student out of a high-accountability district school and turn them loose into the Wild West of the free market that had no accountability."

The genesis of what became a year-long project came on test-score day. Education reporter Vicki McClure noticed some charter schools with extremely low reading scores had no school grades. She then requested financial audits of selected charters and found certain schools were spending more on administration than instruction or had officials with business ties to the school. Sean Holton, assistant managing editor for metro news, recognized the potential for the story and assigned projects reporter Mary Shanklin and education editor Greg Miller to help.

Insider knowledge

We spent months fighting the state for test score data, poring over financial audits, scanning expenditures into spreadsheets for analysis and tracking down key sources.

But the point at which the story really crystallized may have been at the Florida charter school industry's annual conference, which happened to be in Orlando.

The state handed out a publication titled "Florida's Charter Schools: A Decade of Progress." Our own research showed that, among the schools it profiled, one was partly operated by a convicted felon, while another pleaded no contest for hiring out students to clean roadsides for about 32 hours during class time while collecting money from the state Department of Education for teaching them.

At the conference, we also heard frank comments and invaluable confessions about charter school practices. The first session of the conference was a round-table discussion at which a charter operator admitted to a group of more than 100 colleagues that she turned away low-scoring students to boost her school's grade on the state accountability report.

During a luncheon, keynote speaker Willard T. Fair, the chairman of the state board of education, declared that he distrusted local school boards to be the primary overseers of charter schools. The state

Making the Grade

Legislature had just created a new commission to monitor them, so Fair exhorted operators to switch to this new quasi-school district. A majority of the commission's members had ties to charter management companies and the interests that support them. The law also allowed charter advocacy groups to form a district of sorts and oversee their own members.

The state board of education decides which school district can retain oversight of charters.

"It's going to be hard, very hard, to think about granting any authorization to any local school district. I don't trust them. That's why I need a law to protect me from them," said Fair, co-founder of a Miami charter with former Florida Gov. Jeb Bush.

At a conference break, an emerging source told us that the founder of one of Florida's most financially and academically challenged charters was taking thousands of dollars a month from the school for his pension and life insurance policies.

Perhaps the main thing we learned from the conference was that charter advocates with successful track records were concerned and sometimes willing to talk about newer or disreputable operators who might hurting the industry's public image. They wanted the system changed to weed out bad schools.

Data on the Web

The series spanned four days and included multiple Web features, such as a searchable test score database for parents to compare local charters with regular public schools (www.orlandosentinel.com/charterschools).

We also posted all audits online. Before our series, the state had not even tallied the amount of tax dollars charters received, much less made audits so easily accessible. We also built a financial database to show how much was being spent on education and instruction at individual charters and whether any related-party transactions had been disclosed.

Reaction to the series was immediate.

State Sen. Don Gaetz, chairman of the pre-K-12 education committee, said he would launch a study of charters, including hearings and an investigation of accountability and performance guidelines for the next legislative session. The results, he said, would fuel law changes.

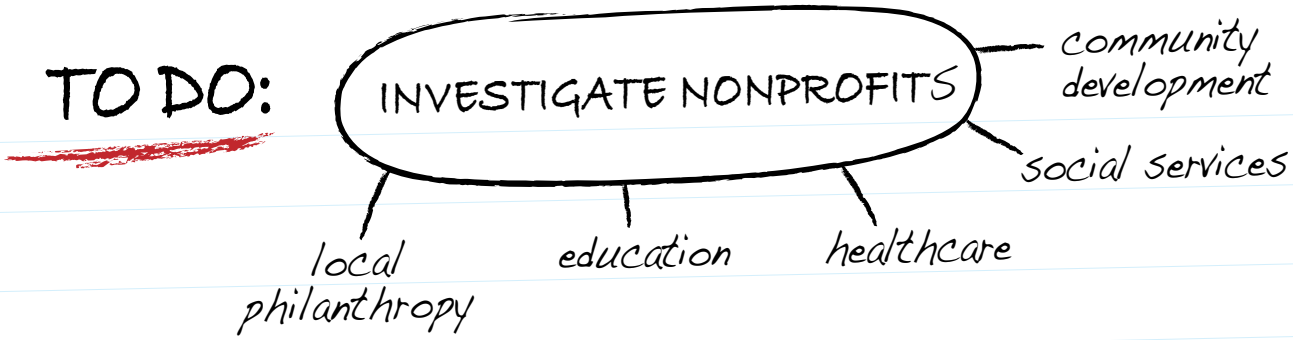
Newly elected Gov. Charlie Christ vetoed a $1.5 million proposal for a charter advocacy group to form its own school district, as well as other pork for individual charter schools. School districts such as Brevard County started closing the worst offenders.

"The series, for the first time, held the architects of the schools and the school leaders themselves accountable for spotty academic performance, conflicts of interest and questionable expenses," said managing editor Mark Russell.

Vicki McClure is a computer projects reporter for the Orlando Sentinel; she has covered local government and education for eight years at various publications. Mary Shanklin, a member of the investigative team, has covered government, real estate and education at the Sentinel for more than 18 years.

Tips for exploring charter schools:

- Request test data that states produce to comply with No Child Left Behind standards; Florida compiles these in a School Public Accountability Report. States must report the percentage of each school's students reading and doing math at grade level to the federal government, even if the portion is zero.
- Request audits from the local school board, state or any other entity that oversees charter schools. Look for related-party transactions, located in the audit notes section, identifying school officials who have business dealings with the organization they are overseeing. Analyze expenditures to see how much money is being spent on education versus administration.
- Go to the property records to see whether any board members, school employees or management companies own charter school facilities.
- Get IRS 990 forms for charters, which are formed by nonprofit groups in a number of states. The tax forms disclose, among other things, employee names and salaries. You can search for records on GuideStar (www.guidestar.org); also, nonprofits are supposed to provide their most recent return upon request.
- Manually look through either the school districts' or state's charter files. They contain all sorts of little gems, and the task allows you to better develop sources.



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AGAINST THE ODDS

Data analysis finds cheating patterns not pursued by Texas education officials

By Holly Hacker
The Dallas Morning News

Cheating experts said they'd never seen anything like it before.

At Jesse Jackson Academy in Houston, 53 of 55 students gave such incredibly similar answers on a state math exam it looked like they had copied off the same source. At Forest Brook High School, also in Houston, half of nearly 200 answer sheets on a state science test were eerily alike.

"Mind-boggling," is how one expert, David Harpp, a professor at McGill University, described it. "Total corruption."

Overall, a *Dallas Morning News* investigation found that test scores of more than 50,000 students over two years showed evidence of cheating on the state's multiple-choice exams. Students were most likely to have suspicious scores in 11th grade, when they must pass the tests to graduate. Cheating was concentrated geographically, too, in the Dallas and Houston school systems and several charter schools, including Jesse Jackson (named after the school's founder, not the civil rights leader).

"The evidence of substantial cheating is beyond any reasonable doubt," said George Wesolowsky, a professor at McMaster University in Canada who assisted with our analysis.

As any education reporter knows all too well, test scores are incredibly important. Parents pore over them when deciding where to buy a home. Some teachers and principals receive bonuses or promotions for boosting their students' scores. They measure schools' performance on federal No Child Left Behind standards. In many states, Texas included, students must pass certain exams to advance a grade or graduate.

So, from the principals to the pupils, there's enormous pressure to succeed. Yet for all the weight that test scores carry, often little is done to ensure their accuracy and integrity.

This wasn't the first time my *News* colleague Josh Benton and I had uncovered cheating on the Texas Assessment of Knowledge and Skills (TAKS). In 2004, what started as a story on one troubled school district evolved into a statewide investigation that found evidence of cheating at nearly 400 schools. Those schools had wild, statistically unlikely swings in their test scores. They'd have dismal scores one year and stellar the next. Or the same group of students in a given year would bomb one subject, like reading, and ace another, like math.

Several school districts launched internal investigations in response to the series, which won the Hechinger Grand Prize for distinguished education reporting. Only a few of them resulted in teachers or principals being disciplined. In most cases, schools were cleared.

And in Wilmer-Hutchins, the district that started it all, the Texas Education Agency found that teachers and administrators had doctored students' answer sheets or had students help each other. When the state sent monitors to observe testing the next year, TAKS scores plummeted. The state later shut the district down because of cheating and other problems.

The state also hired a test-security firm named Caveon to look for cheating on the 2005 TAKS. (Our original stories looked at 2003 and 2004 scores.) The company flagged 700 schools that had big jumps in test scores, students with lots of similar answers or other indicators of possible cheating.

Based on Caveon's findings, the state said it would conduct investigations. But in the vast majority of cases, the investigations consisted of sending schools a questionnaire about their test-security policies and never setting foot on campus. Nor did the state look at student answer sheets.

Skeptical, Benton and I decided it was time to do some investigating of our own. He had written about experts who detect cheating on multiple-choice tests like the TAKS, and we found a couple of them who agreed to help. We worked mainly with Wesolowsky. He had developed a software program that uses complex statistics to detect cheating on multiple-choice tests.

QUICK LOOK

Name of the series:
"Faking the Grade," June 3-5, 2007

How the story got started:
This was actually a follow-up to a 2004 series that found cheating on the Texas Assessment of Knowledge and Skills. We wanted to see if cheating was still happening, especially after the state had cleared nearly all schools flagged by a test-security firm.

Length of time taken to report, write and edit the series:
We worked on this over about six months, but not full-time until the last month or so.

Major types of documents used:
Two years of student-level test scores for the whole state; state records on cheating investigations, charter school complaints, teacher certification and school performance ratings; reports from the test-security firm hired by the state; tax filings for nonprofits (IRS Form 990s), school audits; academic studies on cheating

Major types of human sources used:
Cheating and testing experts in the U.S. and Canada; school administrators, teachers and students across several school districts; and Texas state education officials

Using open-records laws, the *News* got student-level test data for the whole state from 2005 and 2006. It included the actual answers, like "A" for question 1, "B" for question 2 and so on.

Wesolowsky fed all the scores into his program, which compares answers for every possible pair of students in a school and flags pairs with suspiciously similar answers. For example: Suppose two students take a multiple-choice test with 40 questions, and they answer 37 the exact same way. The program calculates the odds of that happening if those kids answered independently, with no cheating. If the odds are extremely unlikely, the students' answers are flagged as suspect. The program factors in the difficulty of the questions, how the entire class performed and other considerations.

At our request, Wesolowsky used very conservative methods to decrease the chance of false matches. Students needed lots of common answers, not just a few, to be flagged.

Although 50,000 students' tests had evidence of cheating, that doesn't mean they all deliberately copied answers. And, undoubtedly, some cheaters copied answers from unsuspecting test-takers who did legitimate work. But most students, according to experts we consulted, either copied themselves or had

But we did hear from a couple of former teachers at one Fort Worth charter school named Theresa B. Lee Academy (run by the same people who run Jesse Jackson Academy), who said educators routinely changed students' answer sheets.

their answer sheets changed by school staff.

In addition to the cheating experts, we also talked to students, teachers, principals and state officials. We heard a lot of the same explanations from schools: The teacher must have taught students the wrong things, so they all guessed the same wrong answers. Kids studied together. Similar answers could have occurred by pure chance.

Nope, our experts said in each case. For starters, two-thirds of Texas schools showed absolutely no evidence of cheating, not even a single pair. If studying together were a factor, you'd see far more schools flagged. Plus, studies show that studying together doesn't lead to more similar answers.

If teachers were at fault, then most students should get all the same questions wrong. That didn't happen in most cases. Plus, it's pretty hard to teach wrong answers to questions the teachers and students have never seen.

Our two main experts also noted that cheating students almost always sit together. Once students are moved apart and given different versions of the test, cheating disappears. In Texas, schools generally don't keep seating charts, and students all take the same test.

In most cases, the cheating involved individual pairs or small groups of students – a pair here, a trio over there. But in a few cases, like at Jesse Jackson and Forest Brook, an overwhelming number of students' answers were incredibly similar. So aside from the statistical equivalent of lightning striking the same place 10 times, those students were either all copying one source, or an adult was doctoring answer sheets.

After our first round of stories in 2004, several state and school district officials criticized our work, questioning our methods and saying we were exaggerating the problem. This time around, we didn't get that kind of feedback.

But we did hear from a couple of former teachers at one Fort Worth charter school named Theresa B. Lee Academy (run by the same people who run Jesse Jackson Academy), who said educators routinely changed students' answer sheets.

In June, shortly after our stories ran, the commissioner of the Texas Education Agency announced her resignation after learning that the governor would not reappoint her.

The state has announced more changes intended to boost test security. And, amid a growing backlash over standardized tests, the state Legislature voted to phase out the TAKS tests in high school and replace them with "end of course" tests that better measure what students are actually studying. Students will need a minimum average score to graduate – but instead of putting all the pressure on just 11th grade, it will be spread out over three years.

Meanwhile, on the 2007 tests, the state found that an Amarillo elementary school teacher leaked part of a state writing test to other teachers ahead of time. According to investigators, the teacher said he believed other districts were doing the same, and that Amarillo's students deserved advance notice as much as any other students in the state.

And of the 700 schools flagged by Caveon, the state found evidence of cheating at only two this year, including Theresa B. Lee but not Jesse Jackson. Forest Brook High, which received more flags from Caveon than any other campus, also was cleared.

Still, as a precaution, the state sent monitors to Forest Brook for the 2007 tests. Scores plummeted. Yet the state continues to insist there's no evidence of cheating.

Holly Hacker covers education for The Dallas Morning News. Prior to joining the paper, she worked at IRE and NICAR while earning a master's degree at the Missouri School of Journalism. Before that, she wrote for the St. Louis Post-Dispatch and Ventura County (Calif.) Star.

WHAT TO LOOK FOR

Here are some ways to look for systematic cheating on standardized tests:

Similar answers
Students who keep getting the same right and wrong answers on multiple-choice tests. The more that happens, the less likely it is due to pure chance.

Big gains or drops in test scores
Schools that have terrible test scores one year and super ones the next. Or in the same year, a school that bombs math but aces science. Schools can make steady gains over time, but huge leaps deserve a closer look.

Erasure analysis
A few states have student answer sheets (with bubbles filled in with a No. 2 pencil) scanned for excessive erasures, which could indicate a student or teacher changing lots of wrong answers to right ones.

GET THE RECORDS

- Get school-level test scores from your state or district. Don't just settle for the percent of students who passed – get the actual scores (raw or scale scores) from which the pass rates were derived. This makes your analysis more detailed and reliable.
- Ask for student-level data. In Texas, we obtained answer strings showing how each student answered each question. With that, we could look for tests that were so similar that it suggested some type of collusion. See if students are tracked by classroom. (In Texas they're not.)
- If you can get student-level data, consider getting demographic information, too, such as gender and socioeconomic status, and whether students are in special education. But the more detail you get, the greater the chance that some scores will be suppressed because of federal privacy laws. It's a trade-off.
- See if your state or district keeps copies of "incident reports" or other forms that teachers are supposed to fill out if they see or suspect cheating.
- Get an expert's help. For our stories on cheating on multiple-choice tests, we worked with George Wesolowsky, a professor at McMaster University in Canada. He developed a statistical program that looks for pairs of students with unusually similar answers that point to cheating. We also had two other professors review our findings and Wesolowsky's method.
- Graphics, graphics, graphics. Test scores don't exactly scream "great photo potential." Our stories included graphics of sample test questions, suspicious answer strings and a map of schools that were heavily flagged for cheating. We also used social network analysis to show pairs and groups of students who all had suspiciously similar answers.

Kari Goodnough | Bloomberg News

Thanks to a grading mistake on standardized tests, this young reader's school, Jerry Lee Faine Elementary School in Dothan, Ala., was put on probation.

STANDARD ERROR

Testing industry undercuts quality control for profit margin

By David Glovin and David Evans
Bloomberg News

America is in a testing frenzy. Students in 92,000 U.S. schools will take at least 50 million standardized exams this year – and likely many millions more. The tests, mandated by state and federal law, are used to measure students' learning, evaluate public schools and teachers and assess college hopefuls. In the workplace, the job prospects of stockbrokers, lawyers, educators and many others are tied to their performance on standardized exams.

"The whole teaching system is based on the results of those tests," Deputy U.S. Education Secretary Raymond Simon said.

When my colleague David Evans and I set out to investigate the standardized testing industry, we began by relying on three key sources of information. We talked to education and testing experts. We used open records laws to obtain copies of e-mails between education officials in 15 states and the companies that develop and grade standardized exams. And we read test companies' financial statements. We found that financial statements can be as valuable in education reporting as they are in business reporting.

As often occurs in education reporting, we ran headlong into privacy obstacles. In Ohio, hundreds of students had been mistakenly failed on standardized tests in 2005. Yet none of the schools with the affected students would disclose the students' names. A few education departments refused to turn over error-related documents to us because, they said, a testing company's trade secrets or confidential information about the state's testing program might be revealed.

Despite these obstacles, the records we were able to collect made clear what the experts were telling us: Mistakes occur in the development, administration and grading of high-stakes standardized tests; not every error is discovered quickly; and mistakes might not be reported promptly to the public.

We used spreadsheets to track errors and count the number of test-takers affected by them. Our data showed that at least 500,000 people were subject to mistakes on college admissions tests, promotion exams and other important assessments. We told some of these people's stories in our main story, "How Test Companies Fail Your Kids," and in two of our three sidebars.

"Employees took shortcuts," an executive at Harcourt Assessment, one of the world's largest test companies, said in a letter to Hawaii school principals after the company made grading errors two years in a row. *Bloomberg* obtained this and other explanations for recurring errors through open records requests.

After examining company finances, we came across one explanation for why scoring errors were occurring. Profit margins on many of the K-12 tests mandated by federal law are as low as 3 percent. Companies in the competitive testing industry seek to be low-bidder for multimillion-dollar state con-

QUICK LOOK

Name of the story and when it was published: "How Test Companies Fail Your Kids," December 2006

How the story got started: Interest in the standardized testing industry on the part of reporters and editors

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

Major types of documents used: Financial statements of public companies, e-mails and other correspondence between state education departments and testing companies (obtained through FOI requests), lawsuits involving testing companies and state education department records

Major types of human sources used: Testing experts, educators, students, financial analysts, state officials, employees and executives of testing companies and lawyers

Mike Mergen | Bloomberg News

The College Board reported that SAT scoring errors affected about 1 percent of 2005 test-takers. Anxiety about an erroneous low-score, made Shane Fulton of Yardley, Pa., take the college entrance exam a third time. He's suing the grading firm Pearson Assessments.

tracts, resulting in razor-thin profits and reductions in costly quality control.

We also investigated why companies stay in the testing business when profits are elusive. The answer came in part from the quarterly and annual financial statements issued by publicly traded testing companies. Another source: taped public conference calls that top executives hold with investors and analysts when their company issues financial results.

After reviewing these sources, we found that testing companies may earn profits of 20 percent or more by selling test preparation materials – largely practice tests – to school districts around the country. Often, it's easier for a company to sell its high-profit practice tests that help students prepare for exams after the company wins low-profit standardized testing business in that state. We concluded that it is as if the high-stakes standardized exams are loss-leaders that generate sales of profitable test preparation materials.

"It's standard business practice, the equivalent of razor companies giving away razors so they can make money selling blades," a critic of the industry told us.

Test preparation is among the fastest growing parts of the testing industry, as schools seek to ensure that they and their students pass standardized exams. To illustrate the impact, we wrote about an 11-year-old from Florida who took dozens of practice tests in the months leading up to the state's standardized reading and math exams. According to the assistant principal in her school, one test even gave her practice filling in answer-sheet bubbles for the high-stakes exams.

"My daughter has such test anxiety, she can't take a test anymore," the girl's mother said.

Unlike high-stakes standardized exams, which are scrutinized by state officials for errors and other problems, we reported that the test preparation materials inundating schools vary in quality. Some help students learn. Others are poorly designed and include questions that are confusing, misleading or simply erroneous. As one testing consultant admitted, the questions included on the less important practice tests are often the flawed questions that didn't make it onto the actual exams.

In a sidebar, "Desperate for a Pass, Schools Leave No Test-Taking Aids Behind," we told the story of a maker of prep tests whose revenue has surged from zero to $10 million in five years as the company sold exams in a dozen states. On its Web site, the company offered a study to show that its prep tests are well designed and help raise student scores. What the company didn't say was that its founder and president co-wrote the study.

Teachers "are being sold a bill of goods," one testing expert told us.

David Glovin has covered Manhattan federal court for Bloomberg News since 1999. Before that, he worked as a courts and education reporter at The Record in Bergen County, N.J. He is a lawyer and previously served as an Assistant District Attorney in Brooklyn, New York.

David Evans is a senior writer for Bloomberg Markets magazin, based in Los Angeles. In 2006, he won an IRE medal and a George Polk Award for a series of stories about how poor people are exploited in experiments to test new drugs.Evans spent five years prosecuting fraud for the CFTC before joining Bloomberg in 1992.

Call for Entries

Philip Meyer Journalism Award

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The contest recognizes the best journalism done using social science research methods.

All entries are placed in IRE's Resource Center story library so IRE members can learn from others' triumphs and troubles.

For more information and entry forms visit: www.ire.org/meyeraward

POSTMARK DEADLINE: October 31, 2007

The *Post* highlighted Philadelphia's Strawberry Mansion High School's steps toward school reform, using changes such as lower enrollment, the arts and personalized classes. Principal [Lois Powell] Mondesire calls school security from inside a classroom. Classrooms are locked and barred when not in use to prevent theft of school property.

CRACKING THE SYSTEM

More than test scores failing in district infamous for its dysfunction

By Dan Keating
The Washington Post

Like other new schools in the District of Columbia, Kelly Miller Middle School came with a $150,000 in-house broadcast system so students could televise their daily announcements. But three years after the school opened, it had never been used. The principal was still waiting for the final pieces to be put in place because no one had ever told her that the only remaining part was a custom $2,000 camera that she was responsible for buying. It was symptomatic of gaps in communication that hobbled the ambitious television production program citywide.

In getting a grip on D.C.'s public schools, *The Washington Post* investigative team found that it had to look at a lot more than test scores or graduation rates. Systems that work have many parts that can be taken for granted. The failure of the district's public schools is so vast that even its most basic functions come into question.

Our team spent three months sucking up data from as many places as it could. The three stories in this series, "Fixing D.C.'s Schools," were published June 10-12. Written by Dan Keating, Dion Haynes and April Witt, they were the first step in an ongoing effort by the Investigative Team on D.C. Schools. Further stories are planned by those writers and others.

What the *Post*'s articles didn't include was the story behind the story, the often exasperating experience of dealing with the D.C. public school system. We were seeking information from a famously dysfunctional system, an organization whose shortcomings include the inability to both gather and disseminate data. In some ways, it was like having a car with a busted axle but needing to drive it to the parts store to get a replacement.

Incompetence on the part of the school district

was not the only obstacle we faced. Knowing their own data would make them look bad, some in the agency actively attempted to sabotage the information it released.

Getting information and records from D.C. public schools has always been challenging, in part because of turnover. The superintendent who was let go on the second day of our three-day series was the sixth to fill the position in a decade. Despite public record laws, the agency is known to simply toss the contents of filing cabinets into the trash when administrative offices are vacated. We visited the schools' records archive. It contains reports to Congress from 100 years ago, but the archivist told us they have not received a shred of paper from the school administration since 2000. Archives staffers scrounge what they can find from schools that are closing or departments that offer them records, but there's no systematic process for the school administration to send them information.

School district policies forbid handing over even the most routine document without a Freedom of Information request. The district's FOI Officer will not accept requests via e-mail or fax; they must be delivered on paper. A request will fail if it does identify precisely who in the agency can provide the record, since the FOI Officer will not track it down. Our first request for electronic records elicited a call from the district's FOI officer. "I'm just an attorney," she said. "I don't understand what you're asking about." Any of our requests that weren't followed up on constantly were lost. The FOI officer told us she had sent records that were never sent. We waited more than two weeks for them to figure out how to burn a CD-ROM containing a piece of the requested information, though we offered repeatedly to help. When the CD showed up, the records were incomplete.

Our project began with a fairly standard set of requests: employee lists, contracts, test scores, as well as a log of the district's prior FOI requests. None of them were delivered as requested. The employee list still has not been supplied. The contracts list was incomplete. The test scores were sent to us in print with the claim that the agency had no electronic copy of its own scores. The log of FOI requests came with different formats for every year and no records for the most recent year.

As our reporting continued, we submitted requests for specific data that we learned about, including the database of repair requests and the agency's master scheduling calendar.

Meanwhile, we also requested data from several other agencies that come into contact with the schools. We asked the Department of Health for the cafeteria inspections. We asked the Fire Marshal for the fire inspections records. We asked the police department for the school incident reports, since the police now oversee the contracted security guards who keep the incident database. We requested spending and payroll information from the schools' chief financial officer, which is separate from the schools in D.C. Many of the requests went awry.

Some records we got online. When the D.C. schools said they had no electronic copy of test scores, we asked for a copy of the version on the city's Web site. After much wrangling, they said the software serving the Web site did a lot of the aggregating and calculating of school totals, and they could not reproduce those calculations accurately. We noted that pulling the entire database via the Web browser (called "scraping") was blocked. So a technician at the agency pointed out how the scrape-blocker could be defeated. Once we scraped it off their Web site, we sent a copy of the data back to the agency.

Another record available online involved per-student spending. Per-student spending is not simply a school district's entire budget divided by the number of students. Some districts have preschool programs, some have General Equivalency Diploma programs, some have adult programs and some don't pay benefits because the state covers it. The U.S. Census Bureau collects government spending data and calculates a per-student spending figure to equalize comparison across jurisdictions. Unfortunately, the Department of Education's National Center of Education Statistics takes the Census figures and calculates slightly different numbers because the Department of Education and D.C. public schools disagree on whether charter schools are considered public. The investigative team at the *Post* tracked down the staff at the Census Bureau who handle the survey and got the latest annual release just before our publication date.

A surprising online source was the Data Explorer from the National Assessment of Educational Progress Web site (nces.ed.gov/nationsreportcard). We had NAEP's published reports, including a special comparison of big cities. But their online data tool let us create our own data subsets. Analysis of the data we had gathered led to several interesting findings:

- While D.C. is third in spending per student nationally, it spends the majority of the money on administration and support. It is last among the biggest 100 districts in the country in share spent on classrooms and teachers compared to administration.
- The published NAEP data combines traditional public schools and public charter schools. Using the online Data Explorer, we teased apart charter scores and found that the latest scores in D.C. showed charters moving from below the city's traditional public schools to above them.
- We showed that data prove the assumption that the poorest children are less likely to have "highly qualified" teachers than wealthy students.
- We found that half of the middle- and high-school students are in schools that meet the definition of "persistently dangerous," even though the local schools have never classified any school under that heading.

The data was showcased on a Web site (www.washingtonpost.com/dcschools) with six interactive maps, browsable datasets, multimedia slideshows, interactive timelines and a school-level drill-down menu that revealed information never before published about local public schools.

The Web site was produced through extraordinary teamwork on a tight deadline. Cartographer Laris Karklis produced static maps with the necessary detail layers. Designer Nelson Hsu built the Macromedia Flash map that displayed each school. Six interactive controls let users view different schools based on criteria such as test scores, health code violations, highly qualified teachers, crimes and repairs pending. Designer Alyson Hurt designed pages for each school. In his final act before leaving the *Post* online crew to spend his Knight Foundation grant, Adrian Holovaty built the data lookup tools to feed the school pages and also to browse

Quick Look

Name of the series or story and when it was published:
The series "Fixing D.C.'s Schools" ran June 10-12. Part One was called "The Breakdown". Part two was "Reform's Checkered History" and Part three was "A Philadelphia Story." It is the first wave of a longer project that is ongoing. The package, including detailed searchable databases, is online at www.washingtonpost.com/dcschools.

How the story got started (tip, assignment, etc):
The Washington Post Investigative team is looking deeper into ongoing problems with the DC Public Schools. School problems have been worsening, and the mayor pushed through a takeover of the schools.

Length of time taken to report, write and edit the story(s):
These three stories were done from late February through mid-May, about three months, with editing for a little less than a month.

Major types of documents used and if FOI requests were needed:
Data for school repairs, crime, personnel, teacher qualifications, cafeteria inspections, test scores, demographics and spending. Many FOI requests were filed. The national test score and spending data was publicly available.

Major types of human sources used:
We interviewed principals, teachers, students, parents, school administration, activists, education experts and former superintendents.

Lois Raimondo | The Washington Post

The *Post* series spanned systemic issues and building-level details in D.C. schools, including a profile of the dedicated elementary school janitor who teaches this art class after school. Here, the principal shows off a student's sketches.

the datasets. Producer Liz Heron pulled the online effort together. Finally, the detailed data and calculated findings came from the newspaper team. The articles were supplemented by graphics created by Laura Stanton and four maps by Karklis.

Thanks to these efforts, parents, teachers, principals, union officials, educators, activists and politicians could see for the first time:

- The breakdown of what percentage of teachers at each school meet the federal standard of "highly qualified." Most states have a rate well over 90 percent. In the District, only 48 percent of classes are taught by highly qualified instructors.
- The cafeteria health inspections for every school for the past two to three years. They could see reports of mice feces, peeling paint in food preparation areas, refrigeration problems, cockroaches and unlicensed staff.
- The building repair records at every school. The pending and completed repairs, with special flags for the most dangerous and urgent repairs.
- The reported crime incidents at every school for the past two school years, including offenses and narratives.
- Test scores broken out by economic status, race, gender and other demographics, such as English-language learners.
- The staff roster at each school with job titles and the budgeted compensation for each position, from the principal to the teachers to special staff, custodians and secretaries.
- In addition to the school-level drill-downs, the Web site let people browse the datasets citywide, so they could see, for instance, repair cases anywhere that involved flying sparks, roof leaks or faulty boilers.

The unparalleled view into the schools drew strong praise from parents and local activists. "Thanks for making this information public. Hopefully, the more people read it and get riled up the more likely they will help to fix our schools," wrote one teacher.

A reader appreciated shining light in so many corners: "I cannot applaud you enough for the mind-boggling thoroughness of your research and the fact that you made public information available through links," he wrote. "I am just plain speechless with gratitude and admiration."

James A. Parcell | The Washington Post

Washington's schools face problems entrenched for decades. The calls for reform have changed little since this 1997 protest.

Dan Keating is a database editor at The Washington Post. He has written lately about the cost of special education, broadcasting council meetings in HDTV, car-deer collisions, robbery surges, cops drinking on duty and the District of Columbia's spending without contracts.

EDUCATION RESOURCES

By Kate Rainey
The IRE Journal

Looking for information on education? Whether it's school spending or standardized tests that interest you, the IRE Resource Center has plenty of stories and tipsheets available to help (www.ire.org/resourcecenter). IRE members can order copies by e-mailing rescntr@ire.org or calling 573-882-3364.

Stories

- **Story No. 22580:** School officials in the Charlotte-Mecklenburg district painted a more positive picture of the level of violence in schools than was accurate. Suspensions were given to one in six students, more than twice the national average, with black students four more times likely to be suspended. Peter Smolowitz, Adam Bell, Liz Chandler, Lisa Munn, Ted Mellnik, Melissa Manware, *The Charlotte* (N.C.) *Observer* (2005)
- **Story No. 22332:** A 14-month investigation of the Cleveland Municipal School District's transportation department examined wasted resources, mismanagement and fraudulent use of inflated data. School administrators blamed a mid-level bureaucrat they fired, but internal documents revealed he had been ordered to inflate the numbers. Meanwhile, hundreds of thousands of dollars were spent on luxury coaches for athletes. Tom Merriman, Mark DeMarino, Greg Easterly, Dave Hollis, Matt Rafferty, Chuck Rigdon, WJW-Cleveland (2005)
- **Story No. 22466:** A little-known piece of Ohio legislation gave millions of dollars to a handful of charter schools for special education programs, but an investigation showed that the money was never used for that purpose. The school that received the most funds was caught undercounting its students to avoid hiring additional employees. Jeff Hirsh, Jeff Barnhill, WKRC-Cincinnati (2005)
- **Story No. 22401:** School district employees abused a taxpayer-funded pre-kindergarten for poor and limited English proficiency children. The principal of one program enrolled her daughter in the program even though she made too much money to qualify. Thirty-four employees did the same, while needy kids remained on the waiting list. Brian Collister, Steve Kline, Holly Whisenhunt, WOAI-San Antonio (2005)
- **Story No. 22135:** Seattle Public Schools implemented a new "value-added" data method of measuring test scores meant to show students' progress in reading and math skills from one year to the next, as opposed to using absolute test scores. This report examined how effective the value-added method was in measuring how much students actually learned. Sanjay Bhatt, *The Seattle Times* (2005)
- **Story No. 22125:** The reporter developed a "teacher quality index" for this investigation, based on statistically relevant ways to measure teachers' qualifications. The index enabled the reporter to show that well-qualified teachers were much more likely to work in wealthy school districts, raising questions about the achievement gap between poor and wealthy school districts. Jeanne Russell, *San Antonio* (Texas) *Express-News* (2005)

Tipsheets

- **No. 2763:** "Grading schools with CAR, On and Off Deadline," Holly Hacker, *The Dallas Morning News*. This tipsheet provides advice for managing and analyzing education data. The author lists specific types of data to watch for and pursue, along with time management tips.
- **No. 2731:** "Tools for the Investigative Education Reporter," Tawnell Hobbs, *The Dallas Morning News*. The author suggests types of information to seek out when investigating school districts, such as state- and district-generated databases and contact information for school employees.
- **No. 2693:** "First Day on the Beat: Investigating Education," Melanie Burney, *The Philadelphia Inquirer*. This tipsheet offers five story ideas to turn education into a watchdog beat, including criminal background checks and the superintendent's contract. Disponible en español.
- **No. 2668:** "Getting the Most From Your Local School Districts," Mc Nelly Torres, (Fort Lauderdale) *South Florida Sun-Sentinel*. This tipsheet details how education reporters can use computer-assisted reporting to investigate school districts. The author discusses where to find databases, suggests story ideas and explains how to build your own database.
- **No. 2329:** "Testing, Testing: CAR and Student Assessment," Holly Hacker, *The Dallas Morning News*. Confused by test scores? Check out this tipsheet, which offers plenty of advice on how to understand and use test scores. The author suggests different ways to look at the data, explains how to use data graphically and includes a list of online resources.
- **No. 2114:** "E-rate Tips," Ken Foskett, Paul Donsky, *The Atlanta Journal-Constitution*. The authors detail how to figure out which schools in your area have received money and how to organize your data, along with explaining what to do once you with it.

THE NATIONAL EDUCATION WRITERS ASSOCIATION

The National Education Writers Association helps reporters stay on top of the beat from pre-K to higher ed.

Look for the latest stories, blogs, training opportunities and backgrounders on education issues at www.ewa.org.

Past issues of *The IRE Journal* and *Uplink* have also featured articles by journalists explaining their investigations of education. They include:

The IRE Journal

- "High Interest: Schools Borrow More than Approved, Costing Taxpayers Millions of Dollars," Jeffrey Gaunt, (Arlington Heights, Ill.) *Daily Herald*. The reporter explains an investigation of a local school district's spending, including how he approached the story and how he structured the writing to keep readers interested in a numbers-heavy issue. (July/Aug. 2006)
- "Teacher Failures: All 1,500 FOI Requests Fulfilled in Investigation of Tenure System," Scott Reeder, Small Newspaper Group. Reeder explains how Freedom of Information laws helped him determine whether an education reform in Illinois meant to increase teacher accountability had been effective. (March/April 2006)
- "Registry Flaws: Police Confusion Leads to Schools Unaware of Juvenile Sex Offenders Attending Class," Ofelia Casillas, *Chicago Tribune*. The state of Illinois keeps two lists of registered sex offenders: one for adults and one for juveniles. But because the list of juvenile offenders is mainly kept secret, many school officials are unaware that juvenile sex offenders attend their schools. (Nov./Dec. 2005)
- "Learning Curve: Special Needs Kids Overrepresented in City's Failing and Most Violent Public High Schools," John Keefe, WNYC-New York. Keefe describes a public radio investigation into the higher percentage of special needs students at New York City's worst public schools. He discusses how he used Microsoft Access and Excel to analyze data and shared the results. (Nov./Dec. 2005)
- "Looking Ahead: Plenty of Questions Remain for Journalists Investigating Problems at Local Schools," Kenneth S. Trump, National School Safety and Security Services. Trump cites critical aspects of school crime and violence that reporters and editors should understand prior to doing these stories. He discusses how statistics usually under-estimate crime, how school safety is a political issue and how the districts themselves doctor numbers they report to police. (Nov./Dec. 2005)

Making the Grade

Uplink

- "Tech Tip: Excel and VB help crack school finances," Duane Schrag, *The Salina* (Kan.) *Journal*. Schrag explains how Microsoft Excel, Access and Visual Basic helped him calculate how much it would cost for school districts to implement the findings from a recent study about school spending. (May/June 2006)
- "Trouble in Schools: Assault Data Riddled with Holes," Jeff Roberts, David Olinger, *The Denver Post*. The reporters compared schools' self-generated report cards, also known as School Accountability Reports, to police incident reports. They discovered schools were vastly under-reporting assaults, even when students were injured and police were called to the schools. (Nov./Dec. 2005)
- "Charting the Cheaters," Holly Hacker, *The Dallas Morning News*. Statistical analysis demonstrated that teachers in Texas were cheating on standardized tests. Hacker explains her investigation and provides advice to reporters undertaking similar projects. (May/June 2005)
- "First Venture: New-teacher Data Boosts Narrative Project," Tara McLain, (Salem, Ore.) *Statesman Journal*. McLain explains how analyzing a database of teacher licenses revealed that the state of Oregon was hiring more older people than previously thought. A formula provided by NICAR helped clean the data to eliminate duplicate entries. (July/Aug. 2004)
- "Education: Scholarship Program Takes from the Poor," Maurice Tamman, *The Atlanta Journal-Constitution*. Lottery and state education data showed that the state of Georgia's HOPE college scholarship program, which is funded by the lottery, primarily benefits middle- and upper-class white students. (May/June 2004)

There are also a number of Web sites offering information on education:

- **U.S. Department of Education (www.ed.gov):** The Department of Education's Web site has information on federal budget and policies, as well as annual performance reports on department programs. Organizations within the department also have their own data on their own pages, such as the Institute of Education Sciences (www.ed.gov/offices/list/ies/index.html) and the Education Resources Information Center (www.eric.ed.gov).
- **American Educational Research Association (www.aera.net):** AERA is a professional organization dedicated to education research and its use. The group publishes several scholarly journals and some of the articles are available on the Web site as PDFs.
- **National Education Writers Association (www.ewa.org):** EWA is a professional organization for education reporters. The Web site includes links to various education resources, education reporting guides and stories on education, along with information on their seminars.

Exposé, formerly AIR, teaches viewers how investigative reporting works

By Kate Rainey
The IRE Journal

In its first season on television, the PBS series AIR: America's Investigative Reports spotlighted some of the most powerful investigative journalism produced in the United States.

The second season, launched in June, brought changes to the young program: a new name – Exposé – and expanded online content, including video and a series blog. The show also received its first Emmy nomination, for "Blame Somebody Else," which highlighted a *Chicago Tribune* investigation into the fraudulent tactics that military subcontractors used to lure low-wage foreign workers to Iraq.

"There's a lot of investigative journalism being done that is published in one place or one market or one medium and doesn't get national exposure, even when they're important national stories," said Stephen Segaller, the executive in charge of Exposé and the director of news and public affairs programming at WNET-New York. "We can provide a platform and a megaphone for investigative reporting."

Each 30-minute, documentary-style episode details a different investigation, including commentary from the journalists who produced it and the sources they interviewed.

"We're looking to do films that bring top-notch investigative reporting to a much larger audience than it would otherwise get, utilizing the storytelling talents of the reporters and editors who have published the report," said Tom Casciato, Exposé's executive producer.

The producers identify potential investigations to feature by paying attention to national awards, such as the Pulitzer Prizes and the IRE Awards. They also fall back on journalists' most basic skill: asking questions. For the past three years, Casciato and senior producer Scott Davis have attended the IRE conference, speaking to other members about what stories may be of interest to a national audience.

"There's a great community among the IRE membership," Segaller said. "And we've benefited a lot from reporters being willing to tell us about their stories."

IRE was also able to help with the initial development of Exposé. Before the first season started, Casciato and Davis were invited to visit IRE's offices at the Missouri School of Journalism to discuss resources and possible investigations to use in the documentary episodes.

"Many IRE executives and members were very generous with their time and thoughts before I even knew whether or not we'd get the series off the ground," Casciato said. "I remain grateful to them for their insights."

As the second season continues, the producers plan to expand the Web elements of the show. This season's episodes are available for online viewing, and by the end of the year, they intend to have all the first season's episodes available in streaming video as well. Exposé's Web site now also includes a blog with posts about the episodes and reporting tips, called E-Tools.

> "When we launched it, we did state a rather ambitious goal," Segaller said, "which was that we want to increase the public understanding of the value of journalism in general in this society, and investigative journalism in particular."

"We don't just want to be a TV show," Casciato said. "We want to create a Web site that will be a portal through which our audience can not only view our shows, but also enter the whole world of investigative reporting."

In essence, Exposé is a teaching show, meant to educate the public not only about the contents of the stories but also the mechanics and process of investigative journalism. Segaller said demonstrating the technical intricacy of these investigations was one of the goals.

"When we launched it, we did state a rather ambitious goal," Segaller said, "which was that we want to increase the public understanding of the value of journalism in general in this society, and investigative journalism in particular."

To see this season's episodes of Exposé, check the schedule of your local PBS affiliate, or visit the Web site at www.pbs.org/wnet/expose/index.html.

FOI Files

HIDDEN AGENDAS

City officials' calendars point to secret meetings and missing minutes

By Beth Kormanik
The (Jacksonville) Florida Times-Union

Most city hall reporters – and many of their readers – suspect that elected officials meet privately to cut deals and hash out policy.

But how do you prove it?

In a six-month investigation, *The Florida Times-Union* used open records to show just how closed Jacksonville city government was to the public. The result of that investigation, published June 14, was a story entitled "Do You Know When and Where Your City Council Is Meeting?"

Under Florida's Government-in-the-Sunshine Law, officials must provide advance notice of and access to meetings about public business between officials on the same board or commission, and they must provide written minutes of the session afterward.

Using calendars from city council members, we uncovered dozens of secret meetings about public business, and even more in which council members met privately for reasons we could not determine.

The investigation also exposed a deeply flawed system of notification for ostensibly public meetings in Jacksonville: City officials had access to meeting notices, but the public did not.

Additionally, written minutes existed for only one-third of the publicized meetings. Ten of the 19 council members failed to keep any minutes, while others' notes provided no useful information.

From the beginning, I worked with editorial writer Joe Adams to ensure that we had not only an extensive news story but also a related series of editorials on how the council should change and how authorities should handle the allegations. Assistant metro editor Tim Heider oversaw the project.

We requested daily calendars, meeting notices and written minutes for an 18-month period from all 19 council members and the mayor's liaison to the council, accumulating more than 4,000 pages in all. We staggered our records requests – first for the calendars, then for the meeting notices and minutes – so our intent wouldn't be obvious.

From those hundreds of pages, I used Microsoft Excel to compile a database of every possible meeting between members. We knew this would not capture all of the meetings – some likely never made it onto anyone's calendar – but it would be as comprehensive as possible.

The database made it easy to determine who met with whom, how often, where and on what topics. It also showed if the get-togethers happened on the days of regular council meetings. Council members met so often at one local restaurant that one calendar dubbed it "City Hall west annex."

Of the 307 meetings in my final database, 47 were unnoticed meetings about public business and had no minutes, another 77 meetings had no notice or minutes but the calendars don't reveal a purpose, and the remaining 183 meetings were publicly announced. (Minutes were written for only one-third of those meetings.)

When the data suggested that other city officials attended a meeting, I requested calendars from those officials. Sometimes they cleared the council member. For instance, meetings listed on one councilman's calendar actually were with a mayoral aide who had the same first name as the council president. In other cases, multiple calendars confirmed our suspicions, such as a meeting between two council members and the city's director of special events.

Every member had at least two questionable meetings, and, not surprisingly, the biggest offenders were the council's president and vice president. Some council members plainly listed their meetings with other members and even the topics, while others attempted to conceal their activities.

One member, an attorney, repeatedly disguised meetings with other council members, first by redacting listings that were personal or that dealt with his law practice (which is permitted under Florida law). An unredacted copy of his calendar obtained from another source revealed listings for "client meetings" and "client breakfasts." When I compared those dates to other council members' calendars, it showed he actually was getting together with them.

Another council member referred to a strategy session about an upcoming voter initiative as a "luncheon get together," even though she was meeting with another council member and a mayoral aide. The council member she was meeting with said he was meeting only with the aide. Only the aide's calendar had both members listed, and they later confirmed the meeting.

During interviews, I went over every suspicious meeting with each council member. I had no problem dropping several meetings from the list when they truly appeared to be innocuous – a birthday party or a child's football game, for example. In other instances, the council members said they could not recall the meetings or insisted they had not discussed public business. We included their explanations in our story but kept those questionable meetings in our database.

I also extensively researched the state attorney general's opinions on open meetings issues and combed through a database of Sunshine Law violations compiled by the Brechner Center for Freedom of Information at the University of Florida.

Before we published one word, anxious city council members introduced the Jacksonville Sunshine Law Compliance Act. It essentially reaffirms the law and creates monthly and annual compliance reports.

This pre-emptive strike pushed us to publish the story two days later – a week and a half ahead of our schedule.

The results were immediate: a grand jury began looking into the matter, the state attorney appeared at a council meeting to publicly lecture the council, and the city created a Web site to list all public meetings. Readers were outraged. Several other local boards and commissions have held special sessions to review the requirements of the Sunshine Law.

The grand jury's investigation is ongoing.

Beth Kormanik has been a reporter at the Florida Times-Union in Jacksonville for five years and covers city government and previously covered higher education.

Romain Blanquart | Detroit Free Press

Reporters worked with cops, prostitutes, drug addicts, morgue workers, and victims' families to piece together the impact of the narcotic fentanyl, which killed more than 300 people in just over one year.

DEADLY DOSES

Investigators track a drug epidemic from Mexico to Detroit and beyond

By Jim Schaefer and Joe Swickard
Detroit Free Press

Projects happen in funny ways. Sometimes you start collecting string for an interesting story or two, and the next thing you know, you've got the World's Largest Ball of Twine.

"Fatal Euphoria," a *Detroit Free Press* story on the drug fentanyl, took about a year to unwind while we worked on occasional unrelated stories. In the end, our paper published – on a single Sunday – the longest newspaper story either one of us had ever written. The concept was unusual, too: We collected information for our narrative as if we were putting together scenes for a film.

The project – presented in 15 chapters, a prologue and an epilogue – ran as a 10-page special section in June 2007. We also had an unprecedented presence on our Web site (www.freep.com) with interactive graphics, video and audio reports.

In 2006, a nasty narcotic named fentanyl – described as heroin times 50 – began ripping through the United States, killing people in city after city as distributors pushed it from Chicago to the East Coast. The extent of the epidemic wasn't clear early on, but midway through our reporting, as the toll mounted, we knew that our challenge was to compose a story as dramatic as the drug's killer path.

The *Free Press* first reported on fentanyl in May of 2006 when public health officials announced that a dozen bodies had rolled into the Wayne County morgue over two days. Over the next several weeks, our metro desk produced daily stories about the gruesome tally. Every couple of years, street fentanyl kills a dozen or so addicts somewhere in the United States, but this outbreak was beyond anything law enforcement and health officials had seen.

Our investigative team didn't get started on the project until the overdose death of a 17-year-old suburban high school student. Police initially were misled about what really happened to her. A prostitute had told the cops she found the girl slumped over in a parked car in Detroit but eventually admitted that the girl had died inside an inner-city dope house.

Using law enforcement sources, Jim Schaefer

broke the real story about how the girl died. Police records and interviews with witnesses painted a frightening portrait of the girl's last hours after she snorted fentanyl and the striking diversity of the addicts inside the house.

Now intrigued about fentanyl's other victims, we contacted the morgues in the three-county Detroit area and created our own database. We found fentanyl had killed more than 300 people in just over a year. We made requests under the Michigan Freedom of Information Act to obtain our information, and we didn't always win. Wayne County, for instance, refused to release the names, a legal stance we might have overturned in court. But, in the interest of time, we took the files minus the names. Later, we were able to use other sources to match many names to the cases.

We found that fentanyl was destroying popular drug myths as well as addicts. Instead of burned-out junkies dying in doorways, the death toll was weighted toward young white suburbanites – often with jobs and intact families and social networks.

Around this time, news of a raid on a Mexico lab piqued our editors' interest. The lab, in a town called Lerma, was supposedly a major source of fentanyl to the U.S.

Our editors challenged us: Would it be possible to trace the path of fentanyl from the Mexican lab to the users and track authorities' efforts to identify and halt the epidemic? (IRE Flashback: For a classic example of this investigative approach, revisit the 1975 Newsday series, "The Heroin Trail," led by editor Bob Greene.)

Joe Swickard traveled to Philadelphia, Schaefer to Chicago and Mexico. Both spent months in Detroit with cops, prostitutes, drug addicts, needle exchange workers, morgue toxicologists and victims' families.

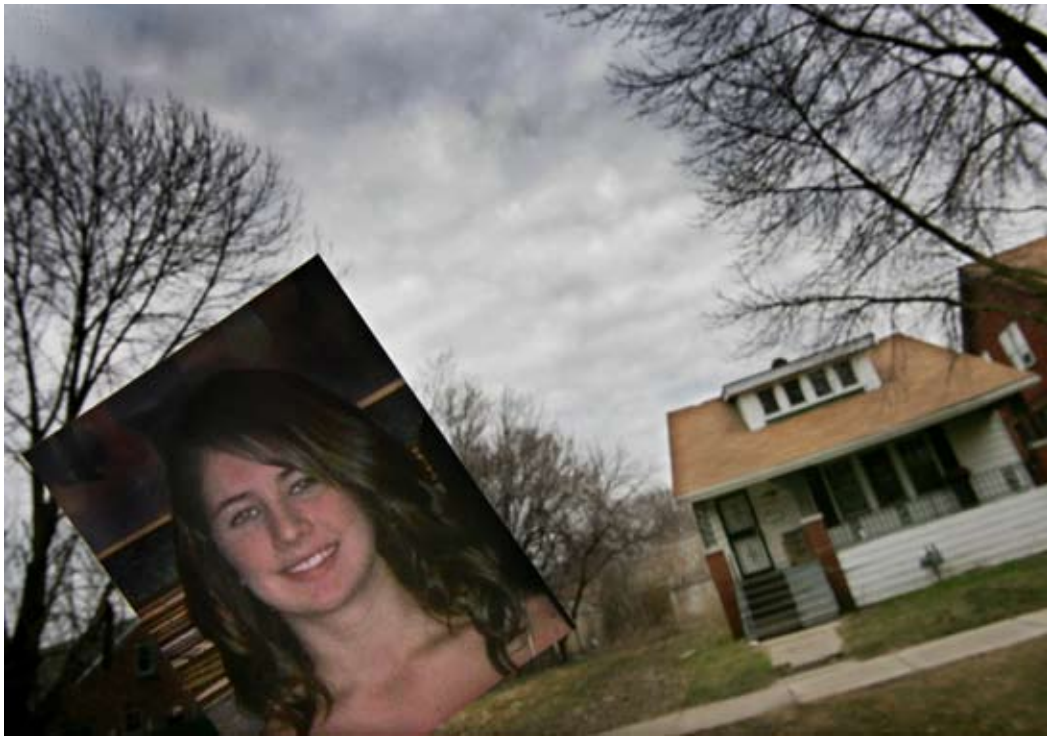
Schaefer successfully courted a source who described the raid on the laboratory in Lerma and supplied background on the chemist, who had done time in a U.S. federal prison for making fentanyl. Our editors also approved hiring a fixer in Mexico. He was our driver, translator and navigator with local law enforcement. He defused confrontations with cops at the shuttered drug lab and helped land an exclusive prison interview with the chemist.

Federal indictments filed in Chicago, accessed online via PACER(http://pacer.psc.uscourts.gov), helped paint a portrait of that man, who was accused of making the killer load of fentanyl. Once we had his name, another reporter went to southern California to scour archived court records. The old files allowed us to trace his life from immigrant child to master criminal chemist.

During the reporting, we focused directly on the people doing the actual work, from the chemist and dopers to the cops and scientists.

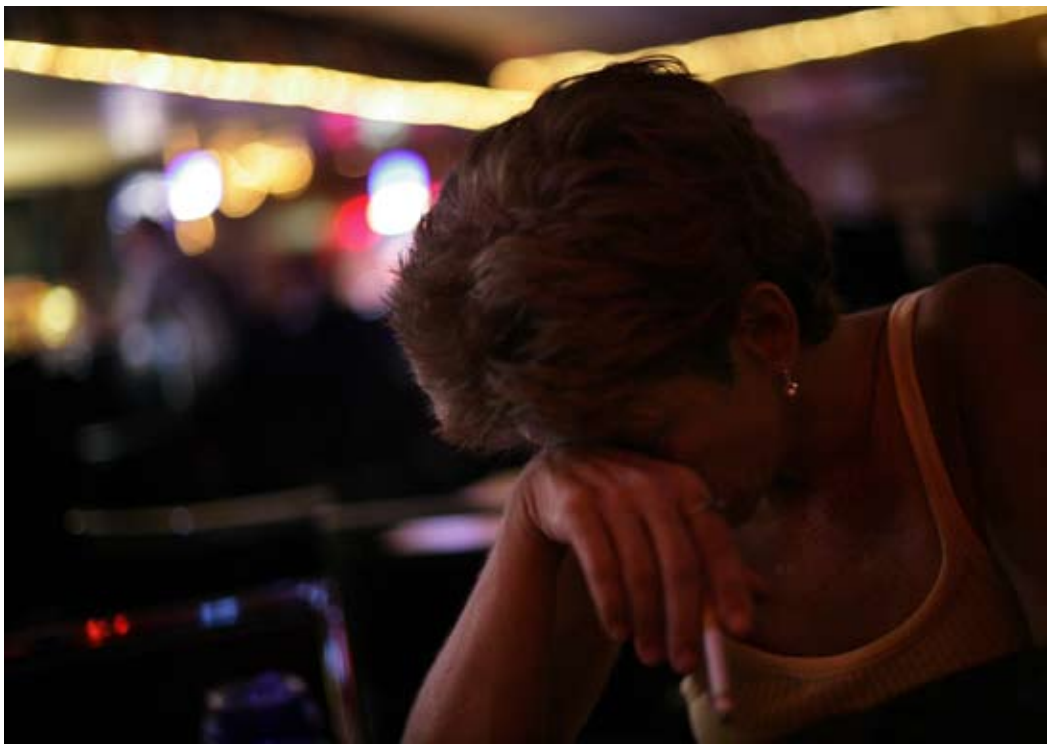
To get to one crucial medical examiner – and around a county spokeswoman – we used a chance encounter in a morgue hallway for a chat and coffee. From that low-key meeting, he gave us access to his office and staff.

Romain Blanquart | Detroit Free Press



Fentanyl, a synthetic narcotic, is dangerous to manufacture, but it causes waves of overdoses when it does surface. Lauren Jolly, 17, died in a drug house near Detroit's 8 Mile Road.

Romain Blanquart | Detroit Free Press



Reporters told the story of Lauren Jolly's overdose by tracking down witnesses, including the prostitute who drove her to the hospital.

A prostitute had told the cops she found the girl slumped over in a parked car in Detroit but eventually admitted that the girl had died inside an inner-city dope house.

Romain Blanquart | Detroit Free Press

The story continued in Lerma, Mexico, with scenes from the industrial park where fentanyl allegedly was made.

Courtsey of Detroit Free Press

Court records from Illinois and California helped trace the man suspected of manufacturing the fentanyl that killed hundreds.

Other sources, developed and maintained over the years, led us to records unavailable through the FOI requests. We obtained the police file on the overdose death of the suburban high schooler. That led us to addicts who witnessed her death and gave us a view of the dope house with an intimacy and immediacy that we wanted every reader – and every parent – to experience.

We interviewed other medical examiners and health officials from St. Louis, Chicago, Philadelphia, Maryland and New Jersey and used statistics from the Centers for Disease Control, the White House Office of Drug Control Policy and local health agencies. We also gained extraordinary access to the U.S. Drug Enforcement Administration in Chicago, shadowing a chemist who was the point man on fentanyl testing in the Midwest.

Keeping track of everything grew more difficult as the deaths mounted, our project expanded and other assignments arose.

Audiotaping was crucial, and not just with interviews. We taped color, narrating into our recorders as we watched police raids, talked to addicts and observed in government testing labs. In some cases the writing took place months after interviews. Listening to the tapes revived the scenes when it came time to write. It also helped that Schaefer wrote the first draft of our story six months before publication, even before the trip to Mexico was conceived.

During this time, we had regular meetings with our editor, David Zeman, who discussed the reporting and writing and kept us pointed at our original goals.

Still, errors can arise when dealing with more than 300 victims and the dozens of details surrounding their lives and deaths. We double- and triple-checked each aspect of the ruination and death of one young professional athlete – except a toxicology report. We wrote that he died from heroin laced with fentanyl. The truth was that heroin alone killed him. Once we learned of our mistake we published a correction and corrected the reference to him online as well. The fact you "know" must be checked and rechecked.

Technology is important, but our real success on this investigation came from working sources, knocking on doors and talking with people. We told people that we considered them keys to a major story, and they were.

After the reporting, presentation was a major concern. We initially considered, then rejected, doing a multi-day series or a rolling investigation, with pieces of our story published as they happened. We argued for a one-day special section presented in chapters, each almost a story in its own, told through three-dimensional characters like the teenage overdose victim, the prostitute and the outlaw chemist.

To our bosses' credit, they did not laugh at us. And eventually they agreed to a stand-alone Sunday section with a sizeable front page teaser.

We had many hurdles throughout this project: Some we overcame; some we didn't. The parents of the suburban girl who died declined to be part of the story, but we spoke at length with them on several occasions and kept them abreast of our plans. Even though the talks were on background, they helped us craft a portrait of their daughter as a person rather than just a victim.

We couldn't find the prostitute who took the girl's body to the hospital, even after cruising 8 Mile Road and asking other prostitutes for help. In the end, it was a message left at the prostitute's mother's house that paid off. The mother took our cards, cautioning that she didn't think she'd see her wayward daughter anytime soon. But then the phone rang and the prostitute agreed to meet.

Persistence creates its own luck.

Jim Schaefer is an investigative reporter for the Detroit Free Press. Most recently, he co-wrote a continuing series of investigations of Detroit mayor Kwame Kilpatrick's lavish spending habits.

Joe Swickard has been a staff writer and editor with the Detroit Free Press since 1979 specializing in major crimes, trials and criminal justice issues.

Member news

CONTINUED FROM PAGE 5

manager of its Internet Technologies Group. ■ **Chris Roberts** completed his doctoral degree at the University of South Carolina and is an assistant professor of journalism there. He previously worked at *The* (Columbia, S.C.) *State* and *The Birmingham* (Ala.) *News*. ■ **Jim Strickland,** Patti DiVincenzo and Dave Darling of WSB-Atlanta won a Southeast Regional Emmy for an investigation of unlicensed dentistry. Strickland was also named outstanding specialty reporter by the Georgia Associated Press. ■ **Stephen Stock,** formerly of WESH-Orlando, is joining WFOR-Miami-Fort Lauderdale, CBS4 in South Florida. ■ **Ruth Teichroeb**, investigative reporter at the *Seattle Post-Intelligencer*, was one of 12 U.S. journalists awarded a John S. Knight Fellowship at Stanford University for the 2007-08 academic year. ■ **Fred Vallance-Jones** of *The Hamilton* (Ontario) *Spectator*, Robert Cribb of The *Toronto Star* and **Tamsin McMahon** of *The* (Kitchener, Ontario) *Record* won the Don McGillivray Award for investigative journalism from the Canadian Association of Journalists for "Collision Course." They also took first place in the computer-assisted reporting category for the same story. Vallance-Jones is now an assistant professor of journalism at the University of King's College in Halifax.

Earmarks

CONTINUED FROM PAGE 13

your request nearer to the front of the line. Under 5 U.S.C. § 552(a)(6)(E) of the FOIA, each government agency must provide expedited processing "in cases in which the person requesting the records demonstrates a compelling need." One of the statutory definitions of "compelling need" is readymade for journalists: "with respect to a request made by a person primarily engaged in disseminating information, [compelling need means] urgency to inform the public concerning actual or alleged Federal Government activity."

Read the FOIA regulations for the agency you're targeting – some will have an expanded definition of what qualifies for expedited processing, which you can cite in your request. I found that most agencies want you to prove to them that your request qualifies, so craft a compelling reason.

After that it's a crapshoot: even though I used the same logic for all my requests, I was denied on many and approved on others. Of my four original FOIAs, only one got expedited, but it was the one that launched the story. (For two of the others, I still haven't received the documents.) One FOIA officer told me that her office is so backlogged that she denies all requests for expedited status without exception. After telling me her tale of understaffed woe, however, she said she'd put in a good word to hurry up my request.

More is more: It helped me to file additional, very specific FOIAs to the agencies that were particularly slow in responding with documents. Even if I didn't get everything, I figured I could still finagle a document or two.

For example, from the documents I did have, I saw that Sen. Reid wrote to a few agencies on February 16, urging them to base funding decisions on the earmark-filled bills drafted by the Republicans. I wanted to know if Reid sent similar letters to other departments. So I filed new FOIA requests to agencies where my original broad request for all earmark correspondence had bogged down. I asked for the letter Sen. Reid wrote on February 16, explaining that it was a priority. Sure enough, a couple of additional agencies sent me their Reid letters – which bolstered the story – even though they still haven't delivered the rest of the documents.

Correspondence logs: The Sunlight Foundation's Bill Allison and Anupama Narayanswamy have undertaken a massive FOIA project to create a searchable online database of congressional correspondence logs. They sent FOIAs to more than 100 agencies asking for the records – which typically include the date, the name of the lawmaker sending the letter, a subject line and sometimes a control number.

The agency responses are trickling in, and Sunlight has posted some of the initial data online (from the Environmental Protection Agency and the Air Force, among others). For those agencies, I used the logs to find correspondence relating to the 2007 budget and requested those specific documents by control number, instead of requesting a broad category of correspondence. I think this tactic sped up the process. If Allison and Narayanswamy get enough agencies to disclose their logs on a regular basis in a usable format, the resulting database would be a reporting shortcut and a handy directory of Congress' behind-the-scenes moves. To see what they have so far, go to http://realtime.sunlightprojects.org/category/correspondence-logs.

Of course, none of these efforts capture the pressure that lawmakers exert over the phone. But at least in the case of the earmark requests, they put plenty on paper.

Will Evans is a reporter at the Center for Investigative Reporting.

News briefs

CONTINUED FROM PAGE 5

- **Philip Dine** of the *St. Louis Post-Dispatch* won both the correspondent award and in the investigative reporting category for daily newspapers for "Afghan Poppy and U.S. Policy."
- **Brendan Smith** of the *Legal Times* won in the general news category for weekly newspapers for "The Cruel Art of Deception."
- **Mark Segraves** of WTOP radio won the correspondent award in the investigative reporting category for "Missing Lap Tops."
- **Elaine Grossman** won in the Washington-based newsletters category for "U.S. Officers in Iraq: Insurgents Are Repeatedly Captured and Released." published in *Inside the Pentagon.*

Houston Press Club Lone Star Awards

- **Todd Bensman** of the *San Antonio Express-News* took first place in the public service category for newspapers with greater than 100,000 circulation for "Katrina Crime: Real or Perceived?"
- **Craig Malisow** of the *Houston Press* won first place in investigative reporting for newspapers with greater than 100,000 circulation for "The Plane Truth."
- **Margaret Downing** of the *Houston Press* won top honors in general commentary/criticism for newspapers with greater than 100,000 circulation for "Diary of a Madman."
- **Betty Brink** of the *Fort Worth Weekly* took first place in public service for newspapers with circulation under 100,000 for "Taking the Cuffs off at Carswell."
- **Gayle Reaves** and Jeff Prince of the *Fort Worth Weekly* won first place in the business category for newspapers with circulation under 100,000 for "Drilling Through Peace and Property."
- **Jeremy Rogalski** of KHOU-Houston won first place in the competition for television journalist of the year.
- **Keith Tomshe** of KHOU-Houston took top honors in the competition for television photojournalist of the year.
- Bryan Sasser and **Amy Davis** of KPRC-Houston won first prize in the television investigative series category for "Campaign Cash and Influence."
- **Robert Arnold** of KPRC-Houston won first place in the consumer news category in television reporting for "Lotto Problems."

Case studies detail damaging culture of secrecy

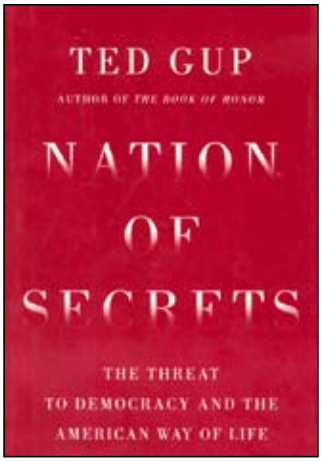
By Steve Weinberg
The IRE Journal

Reviewing "Nation of Secrets" by veteran investigative reporter Ted Gup is an assignment I wish I could have missed. You see, if those employed at government agencies, private-sector corporations and nominally not-for-profit institutions cared about the common good, they would practice transparency instead of secrecy as their default position. In such a world, Gup would not need to write a book called "Nation of Secrets."

Furthermore, if most journalists took seriously their job to ferret out hidden information while afflicting the comfortable and comforting the afflicted, they would invoke local, state and federal open-records laws far more vigorously than they do.

Instead, secrecy abounds in American society, while too many journalists do far too little to combat it effectively. Hence, Gup's book – which is thorough, thoughtful and practical – seems necessary.

The disturbing catalog of secrecy in Gup's book will sound familiar to regular readers of *The IRE Journal*, its sister publication, *Uplink*, and the IRE Web site. Gup moves far beyond cataloguing, however, to delve deep into the culture of secrecy that journalists and other U.S. citizens have allowed to grow.



NATION OF SECRETS:
The Threat to Democracy and the American Way of Life
By Ted Gup
Doubleday, 322 pages, $24.95

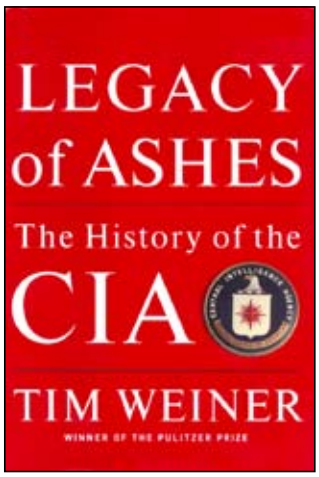
The freshest, most practical parts of "Nation of Secrets" can be found in the case studies of the author's own battles against secrecy, as well as narratives of battles fought by others who care about a transparent society. Gup wrote lots of sensitive stories at *The Washington Post* and *Time* magazine. More recently, he has fought through barriers of secrecy as a freelancer writing about the Central Intelligence Agency and other bastions of darkness.

In the book's first case study, Gup highlights Melissa Mahle, who joined the CIA as a covert operative in 1988. An Arabic speaker, Mahle received undercover assignments in the Persian Gulf. She found the secrecy seductive – never questioning how it could compromise democracy – until it began to work against her.

Even before her personal downfall, Mahle noticed the ramifications of secrecy within the agency. "The dichotomy of it is us-against-them," she told Gup, "but inside the building, it's a different game. Does that mean we use secrecy against each other? We certainly do. One of the tried-and-true tactical moves is if you are running an operation and all of a sudden someone is a critic and tries to put roadblocks up to your operation, you classify it and put it in a channel that that person doesn't have access to, and that's an abuse of classification." The result: ill-advised or downright illegal operations continued, shielded from constructive criticism.

After Mahle reported herself for violating a CIA rule regarding contact with foreign nationals, she hoped she could resume her operations. Instead, the agency dismissed her. Now she is forbidden from discussing the details of that dismissal and has experienced agency censorship of a book she wrote about her government service. She has learned, she told Gup, about the "strong inclination to use secrecy to cover up failure and to cover up bureaucratic practices that would not withstand scrutiny."

After sharing the Mahle case study, Gup offers the first of three chapters on the mindlessness of national security, as document after document is classified secret for no legitimate reason. If a report by a careful consultant tells the Defense Department that U.S. soldiers are needlessly dying in Iraq because of inadequate body armor, the attitude should be to disclose the shortcomings, prosecute the manufacturer and solve the problem. Instead, the attitude is to hide the report. To those familiar with classification abuse, it sometimes seems that the most common designation ought to be CYA, or "cover your ass."



LEGACY OF ASHES:
The History of the CIA
By Tim Weiner
Doubleday, 702 pages, $27.95

In 1992, Gup broke a story about a government bunker buried beneath the Greenbrier resort in West Virginia. Members of Congress were to be sheltered there if an enemy destroyed Washington, D.C. Gup writes: "For 30 years the massive facility had been lovingly tended by a secret cadre of government communications and security experts posing as the resort's television repair crew. Over the decades, they had become increasingly cut off from the world.…In time it seemed that the enemy they feared the most was disclosure itself and the sundering of their secret world."

Gup's previous book ("The Book of Honor: Covert Lives and Classified Deaths at the CIA") is about government operatives killed in the line of duty. Until that book was published seven years ago, their identities remained secret because of alleged national security concerns. Gup explains the selectiveness of secrecy at the CIA. As he interviewed current and former CIA officers, "they would coyly provide clues that allowed me to quickly identify agency fatalities, but they would never utter or write down an actual name." Why? In some cases, at least, agents wanted to be able to pass a polygraph test by truthfully denying they had supplied names to Gup.

In the last section of "Nation of Secrets," Gup moves beyond the national security apparatus to show the complicity of journalists, university administrators, lawyers, judges and corporate executives in the maintenance of closed records and unnamed sources.

When a journalist penetrates the barriers, as Gup shows, the results can illuminate the excesses and inefficiencies of power in stunning ways. Gup receives tremendous reinforcement for that truism from Tim Weiner, a *New York Times* reporter who has conducted in-depth investigations of the Defense Department and the CIA. Weiner's new book, "Legacy of Ashes," exposes the CIA's decades-long incompetence, which accounts in part for the success of the 9/11 attacks.

In making that argument, Weiner avoids anonymous sources, blind quotations and hearsay; instead, he relies almost entirely on internal CIA documents. Weiner states that the book "is based on my reading of more than 50,000 documents, primarily from the archives of the CIA, the White House and the State Department; more than 2,000 oral histories of American intelligence officers, soldiers and diplomats; and more than 300 interviews conducted since 1987 with CIA officers and veterans, including 10 directors of central intelligence."

Weiner's endnotes constitute a textbook in themselves, comparable to "The Puzzle Palace" by James Bamford, the classic book that exposed the National Security Agency 25 years ago through skillful mining of public sources.

For example, in his chapter about the CIA's Iranian operations, an endnote explains the usefulness of "two classified CIA Clandestine Service histories." Weiner obtained a redacted copy of a 2003 report titled "Zindabad Shah!" The other is "Overthrow of Premier Mossadeq of Iran," written in 1954 by a CIA propaganda officer named Donald Wilber. Additional sources cited by Weiner regarding the CIA's Iranian operations include Soviet intelligence reports as revealed by Vladislav M. Zubok in an article for the journal *Diplomatic History*; the private personal papers of Gen. Robert McClure, as summarized in a book by military historian Alfred H. Paddock Jr., available from the National Defense University Press; a memorandum from President Dwight Eisenhower to Army Secretary Robert Ten Broeck Stevens, available in the Eisenhower papers; and recollections from named individuals in a Foreign Affairs Oral History Program collection created by Charles Stuart Kennedy, a retired Foreign Service officer.

All his research allowed Weiner to disclose the CIA's deepest secret and state it with confidence: Despite all its propaganda, for the 60 years of its existence the CIA has proved itself nearly worthless when it comes to fulfilling its mission.

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

IRE SERVICES

INVESTIGATIVE REPORTERS AND EDITORS, INC. is a grassroots nonprofit organization dedicated to improving the quality of investigative reporting within the field of journalism. IRE was formed in 1975 with the intent of creating a networking tool and a forum in which journalists from across the country could raise questions and exchange ideas. IRE provides educational services to reporters, editors and others interested in investigative reporting and works to maintain high professional standards.

Programs and Services:

IRE RESOURCE CENTER – A rich reserve of print and broadcast stories, tipsheets and guides to help you start and complete the best work of your career. This unique library is the starting point of any piece you're working on. You can search through abstracts of more than 20,000 investigative reporting stories through our Web site.
Contact: Beth Kopine, beth@ire.org, 573-882-3364

DATABASE LIBRARY – Administered by IRE and the National Institute for Computer-Assisted Reporting. The library has copies of many government databases, and makes them available to news organizations at or below actual cost. Analysis services are available on these databases, as is help in deciphering records you obtain yourself.
Contact: Jeff Porter, jeff@ire.org, 573-882-1982

CAMPAIGN FINANCE INFORMATION CENTER – Administered by IRE and the National Institute for Computer-Assisted Reporting. It's dedicated to helping journalists uncover the campaign money trail. State campaign finance data is collected from across the nation, cleaned and made available to journalists. A search engine allows reporters to track political cash flow across several states in federal and state races.
Contact: Brant Houston, brant@ire.org, 573-882-2042

ON-THE-ROAD TRAINING – As a top promoter of journalism education, IRE offers loads of training opportunities throughout the year. Possibilities range from national conferences and regional workshops to weeklong boot camps and on-site newsroom training. Costs are on a sliding scale and fellowships are available to many of the events.
Contact: David Donald, ddonald@ire.org, 573-882-2042

Publications

THE IRE JOURNAL – Published six times a year. Contains journalist profiles, how-to stories, reviews, investigative ideas and backgrounding tips. *The Journal* also provides members with the latest news on upcoming events and training opportunities from IRE and NICAR.
Contact: Megan Means, meganm@ire.org, 573-884-2360

UPLINK – Electronic newsletter by IRE and NICAR on computer-assisted reporting. *Uplink* stories are written after reporters have had particular success using data to investigate stories. The columns include valuable information on advanced database techniques as well as success stories written by newly trained CAR reporters.
Contact: David Herzog, dherzog@ire.org, 573-884-7711

REPORTER.ORG – A collection of Web-based resources for journalists, journalism educators and others. Discounted Web hosting and services such as mailing list management and site development are provided to other nonprofit journalism organizations.
Contact: Brant Houston, brant@ire.org, 573-882-2042

For information on:

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IRE AWARDS 2007

CALL FOR ENTRIES

The annual contest of Investigative Reporters and Editors, Inc.

DEADLINE: Postmark by Jan. 7, 2008

Categories

Newspaper:
For outstanding investigative reporting at a daily or weekly newspaper. (Use highest one-day circulation of the week.) Categories are: Circulation less than 100,000; Circulation between 100,000 and 250,000; Circulation between 250,000 and 500,000; Circulation more than 500,000; and Local-Circulation Weekly.

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

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

Online:
For outstanding investigative reporting.

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

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

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

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

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

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

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