

IRE would like to thank the hosts and sponsors of the 2008 IRE Conference and the programs related to the conference.

Each year IRE depends deeply on the generosity and support of media organizations to be able to conduct these important conferences that allow and encourage journalists to develop the skills necessary to survive and thrive in this changing industry.

Thank you

### Hosts

- *The Miami Herald, el Nuevo Herald* and the McClatchy Company

### Primary Sponsors

- Bloomberg
- John S. and James L. Knight Foundation
- Scripps Howard Foundation

### Sponsors

- American University School of Communication
- Angones McClure & Garcia PA
- CasePage LLC
- Chicago Tribune Foundation
- Criminal Justice Journalists
- Dart Center for Journalism and Trauma
- Philip L. Graham Fund
- HBO
- Holland & Knight LLP
- Knight Center for Journalism in the Americas at the University of Texas at Austin
- Lumina Foundation for Education
- McCormick Foundation
- Donald W. Reynolds National Center for Business Journalism at Arizona State University's Cronkite School of Journalism and Mass Communication
- *Sarasota Herald-Tribune*
- *South Florida Sun-Sentinel*
- *St. Petersburg Times*
- James Richard Bennett Scholarship Fund
- Robert W. Greene Fund for Young Journalists
- Brant Houston International Journalism Fund
- Jennifer Leonard Scholarship Fund
- Godfrey Wells Stancill Fellowship Fund
- Missouri School of Journalism
- UCG

# THE IRE JOURNAL

## TABLE OF CONTENTS MAY/JUNE 2008

- 4** Greene's passion and dedication helped shape today's IRE  
Mark Horvit  
IRE Executive Director
- 7** 2007 IRE Awards honor top investigative work  
by *The IRE Journal* Staff

### 18-23 BOB GREENE TRIBUTE

- 19** AN EXTRAORDINARY LEGACY  
Commitment to people and journalistic ideals, not accolades, defined Greene's life  
By Richard Galant
- 20** AN UNSURPASSED MENTOR  
By Penny Loeb
- 21** WE MADE IT  
By Brant Houston
- 21** LARGER THAN LIFE  
By James Polk
- 22** MASTER OF THE CRAFT  
By John Ullmann
- 22** HIS LEADERSHIP BUILT IRE  
By Myrta Pulliam
- 23** FOLLOWING HIS ROAD MAP  
By Walt Bogdanich
- 23** SPIRIT OF ARIZONA PROJECT  
By Ed DeLaney

Newsday



### ABOUT THE COVER

Photo illustration by Wendy Gray, *The IRE Journal*

IRE thanks Newsday for providing the original photographs for our tribute to Bob Greene.

**Cover stories:**  
Pages 18-23

### 24-31 INSPECTED BY ?

- 24** YEAR OF THE RECALL  
"Hidden Hazards" found deadly children's products overlooked by regulators  
By Patricia Callahan  
*Chicago Tribune*

- 28** BANNED AT HOME, SOLD ABROAD  
Databases help track imports, exports  
By Russell Carollo  
*The (Sacramento, Calif.) Bee*

- 29** RESOURCES  
By Tori Moss, *The IRE Journal*

- 30** AIRBAG ALERT  
National data raise concerns about bags that don't inflate  
By Mike Casey and Rick Montgomery  
*The Kansas City Star*



- 32** SCANDALOUS TEXT  
Reporters kept digging for documents as rumors flew  
By Jim Schaefer and M.L. Elrick  
*Detroit Free Press*

- 36** TRANSPLANT TRAGEDY  
Patients may risk their lives by undergoing surgery before their illness demands it  
By Andrew Conte and Luis Fabregas  
*Pittsburgh Tribune-Review*

- 39** Journalists can tap the IRS 990-T to review business earnings of nonprofits  
By Peter Panepento and Grant Williams  
*The Chronicle of Philanthropy*

- 40** ON THE HOUSE  
Lobbyists provide prime D.C. fundraising venues  
By Ken Dilanian  
*USA Today*

- 42** Don't miss valuable tips in IRE Awards book entries  
By Steve Weinberg  
*The IRE Journal*

## THE IRE JOURNAL

VOLUME 31 | NUMBER 3

MANAGING EDITOR &  
PUBLICATIONS COORDINATOR  
Megan Means

ART DIRECTOR  
Wendy Gray

SENIOR CONTRIBUTING EDITOR  
Steve Weinberg

CONTRIBUTING LEGAL EDITOR  
David Smallman

STORY EDITOR  
Joanna Imm

EDITORIAL ASSOCIATE  
Tori Moss

### IRE

IRE EXECUTIVE DIRECTOR  
Mark Horvit

#### BOARD OF DIRECTORS

PRESIDENT

Cheryl Phillips, *The Seattle Times*

VICE PRESIDENT

Alison Young, *The Atlanta Journal-Constitution*

TREASURER

Lea Thompson

SECRETARY

Duff Wilson, *The New York Times*

Manny Garcia, *The Miami Herald*

James V. Grimaldi, *The Washington Post*

Jason Grotto, *Chicago Tribune*

Stephen C. Miller

Lise Olsen, *Houston Chronicle*

Marilyn Thompson, *The Washington Post*

Mc Nelly Torres, *South Florida Sun-Sentinel*

Lawan Williams, KSHB-Kansas City, Mo.

Phil Williams, WTVF-Nashville

The IRE Journal (ISSN0164-7016) is published six times a year by Investigative Reporters and Editors, Inc. 138 Neff Annex, Missouri School of Journalism, Columbia, MO 65211, 573-882-2042. E-mail: [journal@ire.org](mailto:journal@ire.org). U.S. subscriptions are \$70 for individuals, \$85 for libraries and \$125 for institutions/businesses. International subscriptions are \$90 for individuals and \$150 for all others. Periodical postage paid at Jefferson City, Mo. Postmaster: Please send address changes to IRE. USPS #451-670

© 2008 Investigative Reporters and Editors, Inc.

## FROM THE IRE OFFICES

# Greene's passion and dedication helped shape today's IRE

MARK HORVIT  
IRE EXECUTIVE DIRECTOR

IRE lost part of its soul this spring.

I didn't know Bob Greene, other than by reputation. But you didn't have to know the man to have been inspired by his career and humbled by his legacy.

Bob's involvement with the organization he helped create remained strong, even in the final months of his life. I had only been in this job a few weeks when the first e-mail arrived, and he was as supportive—and feisty—as I'd been told to expect.

When Bob died on April 10, we knew that we shouldn't—couldn't—have the upcoming issue of the *Journal* hit the streets without acknowledging the loss felt by IRE and by our profession. That's why this edition of the *Journal* is coming to you a little later than usual.

On a very tight deadline, I contacted eight writers whose lives and careers had been touched by Bob Greene in various ways. Each one of them agreed without hesitation to put on hold whatever else they might have been doing and to write about Bob for this issue. The assembled team has some pretty strong bona fides in its own right—IRE founders, Arizona Project veterans, former executive directors, decorated investigative reporters. They also have an affection and esteem for Bob Greene that shine through.

One of the vignettes (p. 21) talks about how unsure Bob was of the chances of survival for the organization he helped put on the map. It turns out that it took a good two decades for Bob to accept the idea that, just maybe, IRE had a future.

Well, 33 years after a group of investigative journalists gathered to create their own organization, their legacy lives on.

You'll find evidence in the growing membership roster, the stellar array of entries we received for this year's IRE Awards and the consistently excellent journalism that's submitted every week to Extra!Extra!, our online showcase for investigative reporting ([www.ire.org/extraextra](http://www.ire.org/extraextra)).

You'll see the proof in the \$3.75 million endowment that members continue to build, and in the lineup of speakers from news organizations big and small that volunteered their time to inform, inspire and encourage each other at the 2008 IRE Conference in Miami.

And you'll find it in our plans for the coming year.

Our members and the foundations and organizations that support IRE's work have made it possible for us to assemble a \$1.4 million spending plan for 2008-09 that will help us continue to fulfill our mission. (The final version of the budget will be printed in the next edition of the *Journal*).

A full slate of workshops is planned that will bring important training to journalists around the country. The Database Library has the financial resources required to continue gathering electronic government records, whipping them into shape and getting them to reporters who need them at very little cost. Ongoing improvements are under way for our Web site, with plans to add a variety of training materials and ways that members can interact.

Everything isn't rosy. These are tough economic times, and raising the funds necessary to keep IRE going is not easy. We face challenges in the coming year as we hope to expand some of our core programs and add new ones that help us better meet the needs of our more than 4,400 members and fill some of the gaps that shrinking newsroom budgets create.

That IRE is here to meet those challenges is, in no small part, a testament to Bob Greene.



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

## Sigma Delta Chi Awards

The Society of Professional Journalists announced the recipients of the 2007 Sigma Delta Chi Awards for excellence in journalism April 14.

### Newspaper/Wire Services

**Bob Dyer** of the *Akron Beacon Journal* in Akron, Ohio, took first place in general column writing.

A team from *The New York Times*, including **Mark Mazzetti**, took first place in Washington correspondence for "Interrogation Secrets."

A team from *The Post and Courier* of Charleston, S.C., which included **Ron Menchaca** and **Doug Pardue**, took first place in non-deadline reporting (circulation of less than 100,000) for "Sofa Super Store Fire."

**Erin Middlewood** and Stephanie Rice of *The Columbian* in Vancouver, Wash., took first place in investigative reporting (circulation of less than 100,000) for "Child Care Nightmare," a series that illuminated a bureaucratic culture more invested in keeping childcare facilities in business than enforcing health and safety regulations.

**Alan Prendergast** of *Westword* in Denver took first place in feature writing (circulation of less than 100,000) for "The Caged Life," a profile of a federal supermax inmate who has spent 24 years in solitary confinement.

**Susanne Rust**, **Cary Spivak** and Meg Kissinger of the *Milwaukee Journal Sentinel* took first place in non-deadline reporting (circulation of 100,000 or greater) for "Chemical Fallout."

**Loretta Tofani** of *The Salt Lake Tribune* took first place in investigative reporting (circulation of 100,000 or greater) for "American Imports, Chinese Deaths."

### Television

**Debbie Dujanovic** and **Kelly Just** of KSL-Salt Lake City took first place in investigative reporting (all other markets) for "Meth Houses."

A CBS News 60 Minutes team, including **Steve Kroft** and **Ira Rosen**, took first place in investigative reporting (Network/Top 25 Markets) for "Evidence of Injustice," a report that revealed hundreds of defendants were convicted with the help of a now-discredited forensic tool but were never notified by the FBI.

### Online Reporting

**Bill Dedman** of msnbc.com took first place in investigative reporting (affiliated) for "Cause for Alarm." The piece was edited by **Michael Brunker**, projects team editor at msnbc.com.



## IRE members win Pulitzers

The 2008 Pulitzer prizes honored six IRE members for a wide range of work, including investigative, international and local reporting:

**Walt Bogdanich** and

Jake Hooker of *The New York Times* received the investigative reporting award for their coverage of toxic ingredients in medicine and other products imported from China.



**Steve Fainaru** of *The Washington Post* received the international reporting award for his coverage of private security contractors in Iraq that operate outside most of the laws governing American military.

The *Chicago Tribune* staff, including **Maurice Possley** and **Sam Roe**, received the investigative reporting award for its coverage of faulty government regulation of child products that led to extensive recalls and congressional action.

*The Washington Post* won the public service award for the work of **Dana Priest**, Anne Hull and Michel du Cille in exposing the mistreatment of wounded veterans at Walter Reed Army Hospital.

**David Umhoefer** of the *Milwaukee Journal Sentinel* received the local reporting award for his stories on the skirting of tax laws to pad county employee pensions.

IRE members were also among the finalists:

A *Charlotte (N.C.) Observer* team, including **Binyamin Appelbaum**, **Ted Mellnik**, **Gary Schwab** and **Patrick Scott**, were finalists for the public service prize for "Sold a Nightmare," a year-long series that explored the causes of the community's high rate of housing foreclosures.

**Chris Davis**, **Matthew Doig** and Tiffany Lankes of the *Sarasota (Fla.) Herald-Tribune* were finalists for the local reporting prize for work that examined predatory teachers and the system that protects them.

**Susan Greene** and **Miles Moffeit** of *The Denver Post* were finalists for the investigative reporting prize for their reports on evidence destruction in criminal cases.

**Tim Nostrand**, Jeff Pillets and John Brennan of *The Record* in Bergen County, N.J., were finalists for the local reporting prize for their coverage of questionable loans and allegations of favoritism regarding a luxury community to be built on old landfills in New Jersey's infamous Meadowlands.

## MEMBER NEWS

A *Charlotte Observer* team, including **Binyamin Appelbaum**, **Ted Mellnik**, **Gary Schwab** and **Patrick Scott**, received the George Polk Award for Economic Reporting for "Sold a Nightmare," a year-long series that examined the causes of the community's high rate of housing foreclosures. ■ **Todd Bensman**, an investigative projects reporter for *The San Antonio Express-News*, won the Texas Institute of Letters Stanley Walker Award for Best Work of Newspaper Journalism for "Breaching America," a five-part series detailing how immigrants from Islamic countries illegally cross U.S. borders. ■ **Jenni Bergal** is a supervisory senior editor at National Public Radio in Washington, D.C. She previously had been a project manager at The Center for Public Integrity, where she co-authored "City Adrift: New Orleans Before and After Katrina."

■ The Scripps Howard Foundation announced **Walt Bogdanich** and Jake Hooker of *The New York Times* received the \$25,000 Ursula and Gilbert Farfel Prize of the National Journalism Awards for the series "A Toxic Pipeline," which connected the deaths of more than 100 people in Panama to a Chinese export found in medicine and toothpaste. ■ The American Society of Journalists and Authors announced **Katherine Eban** of Brooklyn, N.Y., won the 2008 Donald Robinson Memorial Award for Investigative Journalism for "The War on Terror: Rorschach and Awe," an article published at VanityFair.com. ■ The Awards for Excellence in Health Care Journalism recognized **Eric Eyre** of the *Charleston Gazette* with first place in the small newspaper category for "State of Decay: West Virginia's Oral Health Crisis." ■ The Awards for Excellence in Health Care Journalism recognized **Brian Grow** and Robert Berner of *BusinessWeek* with first place in the magazines below 1 million circulation category for "Fresh Pain for the Uninsured." ■ **David E. Kaplan**, former chief investigative correspondent at *U.S. News & World Report*, has been named director of the International Consortium

CONTINUED ON PAGE 43 >

E-mail Member News items to Megan Means, [meganm@ire.org](mailto:meganm@ire.org). Please include contact information for verification.

## National Headliner Awards honor IRE members

The National Headliner Awards recognized print, broadcast and online work by numerous IRE members.

### Daily newspapers and news syndicates – writing and reporting:

**Eric Eyre** of the *Charleston (W.Va.) Gazette* received first place in the news series category for publications with a circulation below 75,000 for “State of Decay.”

A *South Florida Sun-Sentinel* team, including **Sally Kestin** and **John Maines**, received first place in the news series category for publications with a circulation above 75,000 for “Fast Fortune, Big Spending.”

A team from *The Post and Courier* of Charleston, S.C., which included **Ron Menchaca** and **Doug Pardue**, received first place in the investigative reporting category for “Sofa Super Store Fire.”

**Alison Young** of *The Atlanta Journal-Constitution* received first place in the health/medical science writing category for “Andrew Speaker/TB Coverage.”

### Magazines – writing and reporting:

**Joshua Kors** of *The Nation* received first place in the coverage of a major news event category for “Thanks For Nothing,” a two-part series on soldiers who were wounded in Iraq and denied medical and disability benefits.

### Broadcast or cable television:

**Chris Henao**, **Mark Greenblatt**, **Keith Tomshe** and **David Raziq** of KHOU-Houston received first place in the business and consumer reporting category for “Playing with Poison,” a project that prompted thousands of dangerous children’s products to be recalled or pulled from the shelves of many national retailers.

**Hagit Limor** and **Anthony Mirones** of WCPO-Cincinnati received first place in the public service category for “Resurrection,” a four-year series that uncovered severe pollution violations at Cincinnati’s international airport and pressured the state to correct its lax oversight.

The I-Team from WJW-Cleveland, which included **Tom Merriman**, received first place in the health reporting category for “EMS Taxi: Healthcare Dysfunction on Wheels.”

A WTAE-Pittsburgh team, including **Jim Parsons**, received first place in the continuing coverage of a single news event category for “State Agency Secrets.” The team also received first place in the investigative reporting category for “Jim Parsons vs. URA” and first place in the environmental reporting category for “Dangerous Drinking Water.”



## American University launches Investigative Reporting Workshop

American University’s School of Communication has created the Investigative Reporting Workshop, headed by two veteran, award-winning investigative reporters, Executive Editor Charles Lewis and Senior Editor Wendell Cochran.

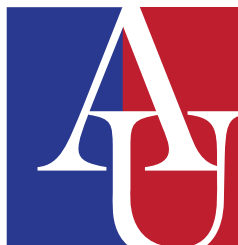
Lewis founded the Center for Public Integrity and is distinguished journalist-in-residence at AU. Cochran is a former IRE board member and AU’s journalism division director.

The Workshop’s primary mission is to conduct significant investigative reporting projects of national and international scope, with a particular focus on multimedia projects. Projects will be offered for distribution through a range of media outlets and partners.

Additionally, the Workshop will sponsor research on and “incubate” new models for doing and delivering investigative journalism, especially in the growing arena of nonprofit journalism.

The reporting will be done by AUSOC faculty members, students and, in some cases, professional journalists working under contract with the Workshop.

Among the award-winning national and international journalists who have agreed to join the Workshop’s initial advisory board are Rosental Alves, Knight Chair in International Journalism, University of Texas; Yevgenia Albats, columnist for the *Moscow Times* and an anchor for Echo Moskvy Broadcasting; Walt Bogdanich, assistant editor for *The New York Times* investigative desk; John Carroll, former editor, *Los Angeles Times*; Yuen-Ying Chan, director, Journalism and Media Studies Centre, University of Hong Kong; Sunday Dare, head of Voice of America’s Hausa Service; Gwen Lister, founder and editor of *The Namibian*; Phil Meyer, retired Knight Chair in Journalism, University of North Carolina; Deborah Nelson, director of the Carnegie Program at the University of Maryland Merrill College of Journalism; Leonarda Reyes, director, Center for Journalism and Public Ethics in México; James Risser, retired director of the Knight Fellowship Program at Stanford University; Mark Rochester, deputy bureau chief for Associated Press in San Francisco, and James B. Steele, associate editor, *Vanity Fair*.



## Members vote on board, part-time amendment

Three incumbents and four new members were elected June 7 to the IRE Board of Directors during the 2008 IRE Conference in Miami.

Manny Garcia, *The Miami Herald*; Stephen C. Miller, *The New York Times* and Duff Wilson, *The New York Times* won re-election. The new members are Jason Grotto, *Chicago Tribune*, Mc Nelly Torres, *South Florida Sun-Sentinel*, Lawan Williams, KSHB-Kansas City, Mo., and Phil Williams, WTVF-Nashville.

Grotto declared his candidacy at the conference, and two candidates who were originally on the absentee ballot, Rhonda Schwartz of ABC and Dianna Hunt of the *Fort Worth Star-Telegram*, withdrew their candidacy prior to the election.

The board elected its new officers during the conference. Cheryl Philips of *The Seattle Times* is president. Alison Young of *The Atlanta Journal-Constitution* is vice president. Lea Thompson is treasurer, and Wilson is secretary. Garcia is the new at-large member of the executive committee. View all 13 current board members at [www.ire.org/about/board.html](http://www.ire.org/about/board.html).

Members at the conference also voted to amend the IRE Articles of Incorporation to open associate membership in the organization to those who are engaged in reporting or editing on a part-time basis. Associate members are non-voting members of the organization. They may participate fully in the educational activities and services of IRE, including conferences and the Resource Center but do not vote for directors or upon other IRE matters.

Following the board elections, a separate election was held for two IRE Awards contest judges. They are David Cay Johnston, author and former *New York Times* reporter, and Mark Greenblatt of KHOU-Houston.



IRE members attend the Awards Luncheon, 2008 IRE Conference in Miami.

Sam O'Keefe | IRE and NICAR

# 2007 IRE Awards honor top investigative work



## IRE MEDALS

The highest honor IRE can bestow for investigative reporting is the IRE Medal. This year's medal winners are:

The Other Walter Reed—*The Washington Post*; Dana Priest, Anne Hull (Largest Newspaper Award winner)

Toxic Pipeline—*The New York Times*; Walt Bogdanich, Jake Hooker, Brent McDonald, Robert Harris, Andy Lehren (Largest Newspaper Award winner)

American Imports, Chinese Deaths—*The Salt Lake Tribune*; Loretta Tofani (Medium Newspaper Award winner)

Mississippi Cold Case—MSNBC, Canadian Broadcasting Company; David Ridgen, Michael Hannan, Brad Clarke, Judith Greenberg, Scott Hooker (Network/Syndicated winner)

## SPECIAL AWARDS

### RENNER

The Chauncey Bailey Project—A.C. Thompson, Thomas Peele, Josh Richman, Angela Hill, Mary Fricker, G.W. Schulz, Cecily Burt, Bob Butler, Paul T. Rosynsky, Harry Harris

### FOIA

Pennsylvania Open Records—WTAE-Pittsburgh; Jim Parsons, Bob Longo, Kendall Cross, Mike Lazorko

## IRE CERTIFICATES

### NEWSPAPERS

**Large newspapers (250,000-500,000)**—IRE Certificate

They Failed to Act—*Newsday*; Jennifer Barrios, Sophia Chang, Michael Ebert, Reid J. Epstein, Jennifer Sinco Kelleher, Eden Laikin, Herbert Lowe, Joseph Mallia, Jennifer Maloney, Luis Perez, Karla Schuster

**Small newspapers (under 100,000)**—IRE Certificate

The Wait of Conviction—*The Augusta (Ga.) Chronicle*; Sandy Hodson

**Local Circulation Weeklies**—IRE Certificate

The People Under the Bridge—*Village Voice Media/Miami New Times*; Isaiah Thompson

### TELEVISION

**Top 20 Markets**—IRE Certificate  
The Buried and the Dead—WFAA-Dallas; Brett Shipp, Mark Smith, Kraig Kirchem, Michael Valentine, Mark Ginther

**Below Top 20 Markets**—IRE Certificate  
Radioactive Dumping—WSMV-Nashville; Demetria Kalodimos, David Sussman

## OTHER MEDIA

**Magazine/Specialty Publication**—IRE Certificate

Thanks for Nothing—*The Nation*; Joshua Kors

**Book**—IRE Certificate

“Curveball: Spies, Lies and the Con Man Who Caused a War;” Bob Drogin (Book winner)

**Radio**—IRE Certificate

Toxic Traces Revisted—Minnesota Public Radio News; Lorna Benson, Michael Edgerly

**Online**—IRE Certificate

Collateral Damage: Human Rights and U.S. Military Aid after 9/11—The Center for Public Integrity and the International Consortium of Investigative Journalists; Nathaniel Heller, Ben Welsh, Marina Walker Guevara, Tom Stites, Sarah Fort, Patrick Kiger, Michael Bilton, Prangtip Daorueng, Ignacio Gomez, Andreas Harsono, Alain Lallemant, Yossi Melman, Mutegi Njau, Paul Radu, Gerardo Reyes, Leo Sisti

## SPECIAL CATEGORIES

**Student (All Media)**—IRE Certificate  
Public Payroll, Family Affairs: Aldermen Keep It Relative —  
*creatingcommunityconnections.org*; Allison Riggio, Hunter Clauss

# Complete list of 2007 IRE Awards Winners and Finalists

## NEWSPAPERS

*Largest newspapers (more than 500,000) or wire service*

### IRE Medal

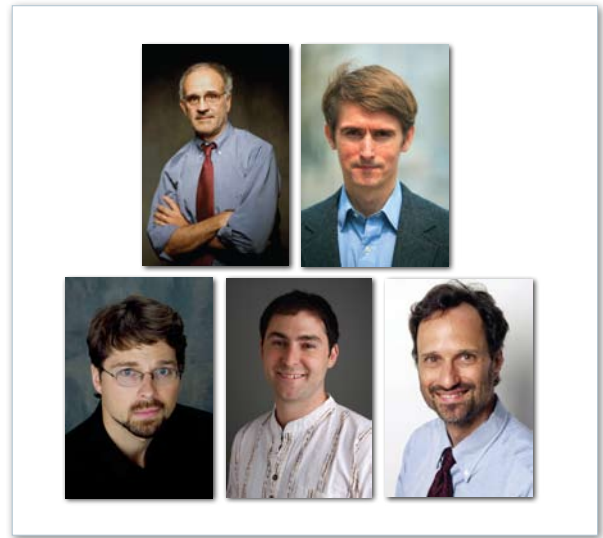
The Other Walter Reed—*The Washington Post*; Dana Priest, Anne Hull



**Judges' comments:** Dana Priest and Anne Hull penetrated the secretive world of the Army's premier medical facility, Walter Reed Hospital, to document in chilling detail the callous mistreatment and neglect of America's war-wounded. Their exposé—fueled by immersion reporting and fine narrative storytelling—fired a shot heard around the world and led to decisive action at the Pentagon. Truly the project with the highest impact of 2007, this brilliant work proved how a local investigation can demand an international audience and provoke international outrage.

### IRE Medal

Toxic Pipeline—*The New York Times*; Walt Bogdanich, Jake Hooker, Brent McDonald, Robert Harris, Andy Lehren



**Judges' comments:** It started with a hunch about obscure poisonings in Panama. But through extraordinary effort and skill, reporters at *The New York Times* traced the deaths from a cough syrup back to China. In the process, they exposed a frightening new reality about globalization: You can no longer trust that simple household items such as cough syrup and toothpaste won't be deadly. When the FDA learned of the *Times*' story, it immediately halted all imports of Chinese glycerin. And more than 30 countries recalled Chinese-made toothpaste containing anti-freeze. The project showed reporters tackling the highest level of difficulty to tell an astounding international story.

### Finalists

MnDOT Investigation—*Star Tribune* (Minneapolis); Paul McEnroe, Tony Kennedy, Laurie Blake, Pat Doyle, Dan Browning, Mike Kaszuba

Hidden Hazards—*Chicago Tribune*; Patricia Callahan, Maurice Possley, Sam Roe, Michael Oneal, Evan Osnos, Ted Gregory

## NEWSPAPERS

*Large newspapers (250,000-500,000)*

## IRE Certificate

They Failed to Act—*Newsday*; Jennifer Barrios, Sophia Chang, Michael Ebert, Reid J. Epstein, Jennifer Sinco Kelleher, Eden Laikin, Herbert Lowe, Joseph Mallia, Jennifer Maloney, Luis Perez, Karla Schuster

**Judges' comments:** Through tenacious, shoe-leather reporting, the staff of *Newsday* documented a public safety danger long ignored by the Long Island Railroad and by state and federal regulators. Armed with Stanley tape measures, they found dangerous gaps between the platform and trains at the railroad's busiest stations, holes large enough for passengers to fall through. Their reporting—accompanied by compelling visuals—brought a public outcry and led to long-overdue reforms.

## Finalists

The Bupe Fix—*The (Baltimore) Sun*; Fred Schulte, Doug Donovan, Erika Niedowski  
 Charter Schools: Missing the Grade—*Orlando Sentinel*; Vicki McClure, Mary Shanklin  
 Could You Have Saved Ricky?—*Detroit Free Press*; Jack Kresnak  
 Miracle Machines—*The Seattle Times*; Michael J. Berens, Christine Willmsen  
 Lawless Lands—*The Denver Post*; Michael Riley, Barry Osborne, Barbara Hudson

## NEWSPAPERS

*Medium newspapers (100,000-250,000)*

## IRE Medal

American Imports, Chinese Deaths—*The Salt Lake Tribune*; Loretta Tofani

**Judges' comments:** This ambitious project shows that the mundane creature comforts of American lives have debilitating and sometimes deadly consequences for the people of China who make them. Freelance reporter Loretta Tofani and *The Salt Lake Tribune* take readers to manufacturing plants where young workers touch and inhale carcinogens without gloves, masks or proper ventilation in order to make cheap products that are shipped to America. Through powerful writing and tenacious investigative reporting in often dangerous situations, Tofani exposes the abuse of Chinese workers while American industry conveniently fails to discover bogus safety audits and fake record keeping. Over 15 months of reporting, Tofani analyzed hundreds of pages of records written in Chinese and gained the trust of workers in a closed society. We are inspired by her determination, impressed with her precision and awed by the compassion she brought to this important work.



## Finalists

The Terrorism Trade-off—*Seattle Post-Intelligencer*; Paul Shukovsky, Daniel Lathrop, Tracy Johnson  
 Without Warning—*The (Toledo, Ohio) Blade*; Steve Eder, James Drew  
 Last Chance—*The (New Orleans) Times-Picayune*; Bob Marshall, Mark Schleifstein, Ted Jackson, Dan Swenson, Matthew Brown  
 Rush to Judgment—*The (Raleigh, N.C.) News & Observer*; Joseph Neff



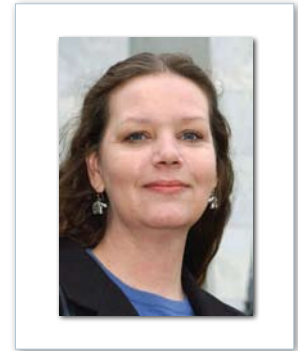
## NEWSPAPERS

*Small newspapers (under 100,000)*

## IRE Certificate

The Wait of Conviction—*The Augusta (Ga.) Chronicle*; Sandy Hodson

**Judges' comments:** This investigation uncovered the fact that many of the people convicted of serious crimes in Richmond County, Georgia, were not able to appeal their cases. By obtaining and reviewing hundreds of cases from a 10-year period, the reporter not only discovered a miscarriage of justice, but also effected change: the local judges responded with a promise to solve this serious problem. The piece was unique in that it focused on the administration of the justice system, not just the results of that system.



## Finalists

Ticket Fraud—*The (Shreveport, La.) Times*; Alison Bath

Child Care Nightmare—*The (Vancouver, Wash.) Columbian*; Erin Middlewood, Stephanie Rice, Elisa Williams

Diploma Mill—*The Virgin Islands Daily News*; Ian Morrison

Humans for Sale, "Dons" Exposed—*The Crusading Guide* (Accra, Ghana); Anas Aremeyaw Anas

## NEWSPAPERS

*Local Circulation Weeklies*

## IRE Certificate

The People Under the Bridge—*Village Voice Media/Miami New Times*; Isaiah Thompson

**Judges' comments:** This unusual story turns all those warnings against sexual predators on their head. The laws on where sex offenders can live in Miami are so strict that—with no place else to go—authorities force offenders to live under a bridge. Reporter Isaiah Thompson got to know these people - some of whom had families willing to take them in but couldn't. He does a masterful job showing the absurdity of their situation.



## Finalists

Dianne Feinstein Series—*North Bay Bohemian* (Santa Rosa, Calif.); Peter Byrne

Rudy Giuliani Series—*The Village Voice*; Wayne Barrett

Muerte en El Desierto: El Rereso de Jesús—*La Estrella de Tuscón/Arizona Daily Star*; Mariana Alvarado Avalos, Jose Merino, Dean Knuth

Who Killed Brad Will?—*San Francisco Bay Guardian/Association of Alternative Newsweeklies*; John Ross

## TELEVISION

*Network/Syndicated*

## IRE Medal

Mississippi Cold Case—MSNBC, Canadian Broadcasting Corporation; David Ridgen, Michael Hannan, Brad Clarke, Judith Greenberg, Scott Hooker

**Judges' comments:** This compelling documentary was aired by MSNBC and produced by David Ridgen of the Canadian Broadcasting Corporation. The piece impressed the judges for its creative vision, thorough reporting and dramatic results. By literally digging up the past, following every lead and hounding key witnesses and participants, the producer showcased how original investigative reporting can solve cases. And by stirring up the interest of federal prosecutors, the piece also led to the prosecution of a key perpetrator of a long-forgotten murder of two African American men in 1964. By highlighting the emotional journey of the victim's brother, the film told a story of reconciliation that gave larger meaning and context to the investigation. The medal was awarded for the originality of the work and the use of old fashioned shoe-leather reporting.

## Finalists

The Death of Timothy Souders—CBS News 60 Minutes; Scott Pelley, Solly Granatstein, Jan Mann, Jeff Fager, Patti Hassler, Richard Biddenhagen, Michael R. Whitney

Gripen: The Secret Deals—SVT-Sweden; Sven Bergman, Joachim Dyfvermark, Fredrik Laurin

In the Shadow of Justice—NBC News Dateline; Dan Slepian, Adam Gorfain, Rob Allen, Michael Nardi, Michelle Feuer, David Corvo

Evidence of Injustice—CBS News 60 Minutes (with *The Washington Post*); Steve Kroft, Ira Rosen, Sumi Aggarwal, John Solomon, Jeff Fager, Patti Hassler, Bill Owens, Matt Richman

## TELEVISION

*Top 20 Markets*

## IRE Certificate

The Buried and the Dead—WFAA-Dallas; Brett Shipp, Mark Smith, Kraig Kirchem, Michael Valentine, Mark Ginther

**Judges' comments:** For a year, WFAA-TV dug into a story of deteriorating gas pipeline couplings, not a topic you'd expect to produce compelling video. But what they found was horrifying: an obsolete pipeline system; gas leaks galore; explosions that had already cost six lives and threatened tens of thousands more. The coverage was so explosive that it forced an entrenched bureaucracy to order the system replaced, costing the utility tens of millions of dollars and likely saving lives.



## Finalists

Money for Nothing—WFAA-Dallas; Byron Harris, Mark Smith, Kraig Kirchem, Michael Valentine, Carlos Rosales

Safety Second?—WXYZ-Detroit; Steve Wilson, Ross Jones, Ramon Rosario, Kristen Miller, Randy Lundquist

The Taxman and the Truth—KDFW-Dallas-Ft. Worth; Paul Adrian, Joe Ellis, Maria Barrs, Glenn Dickson

Sky Harbor Security Risks—KNXV-Phoenix; Lisa Fletcher, Jonathan Elias, Filip Kapsa, Vivek Narayan, Susan D'Astoli

Missing Crime—KHOU-Houston; Mark Greenblatt, David Raziq, Chris Henao, Keith Tomshe



## TELEVISION

*Below Top 20 Markets*

## IRE Certificate

Radioactive Dumping—WSMV-Nashville; Demetria Kalodimos, David Sussman

**Judges' comments:** This original investigation revealed that the state of Tennessee had, for 20 years, been allowing the dumping of low-level radioactive waste in ordinary landfills located around the state. They followed the story from the local level all the way to the national, including tracing the origin of much of the radioactive material. The pieces led to dramatic results, state government action and a moratorium on the dumping.

**Finalists**

\$46 Billion Gamble—KOMU-Columbia (Mo.); August Skamenca, Ryan Luby, Scott Schaefer, Scott Schmidt  
 NewsChannel 5 Investigates: 911 Emergency—WTVF-Nashville; Phil Williams, Bryan Staples  
 Pennsylvania Open Records—WTAE-Pittsburgh; Jim Parsons, Kendall Cross, Mike Lazorko, Bob Longo  
 Deadly Delay—WTHR-Indianapolis; Bob Segall, Bill Ditton, Holly Stephen

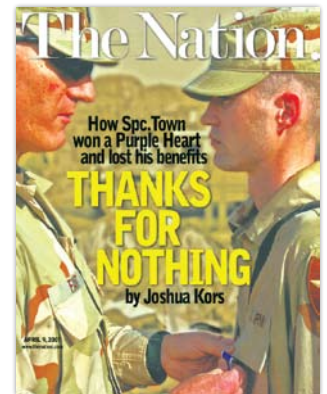
## OTHER MEDIA

*Magazine/Specialty*

## IRE Certificate

Thanks for Nothing—*The Nation*; Joshua Kors

**Judges' comments:** Some stories simply make your blood boil. This examination of Army soldiers who were denied benefits for being discharged under phony personality disorder diagnoses poignantly illustrates the impact this military policy had on soldiers' lives and the difficulty Army officials had explaining the sharp rise in personality disorder cases. The magazine's reporting showed that soldiers were not only denied benefits but also asked to repay their signing bonuses under an obscure discharge regulation. Many left the Army with several thousand dollars of debt.

**Finalists**

Hidden in Plain Sight—*The Texas Observer*; Nate Blakeslee  
 The Insurance Hoax—*Bloomberg News*; David Dietz, Darrell Preston  
 School of Shock—*Mother Jones*; Jennifer Gonnerman, Jen Phillips  
 The Poverty Business—*BusinessWeek*; Brian Grow, Keith Epstein, Robert Berner

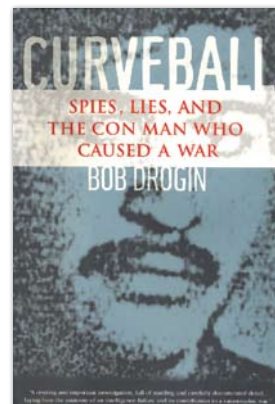
## OTHER MEDIA

*Book*

## IRE Certificate

“Curveball: Spies, Lies and the Con Man Who Caused a War;” Bob Drogin

**Judges’ comment:** In a strong field, Bob Drogin’s “Curveball” stands out. The sourcing is clear and the writing compelling. The result is a detailed picture of the lies and mistakes that contributed to the Iraq War. Many of the key facts were first revealed in Drogin’s *Los Angeles Times* stories. Now he has added context and history.



## Finalists

“Best Care Anywhere: Why VA Health Care Is Better Than Yours;” Phillip Longman

“Exposed: The Toxic Chemistry of Everyday Products and What’s at Stake for American Power;” Mark Schapiro

## OTHER MEDIA

*Radio*

## IRE Certificate

Toxic Traces Revisted—Minnesota Public Radio News; Lorna Benson, Michael Edgerly

**Judges’ comments:** In 2005, MPR News’ documentary reporting forced the health department to lower the levels of perfluorinated chemicals (PFCs) considered safe for humans after the chemical was found in Twin Cities drinking water. In 2007, the State Department of Health found the contaminant in the drinking water of yet another community. Once again, MPR delivered this complex environmental story to the public. Reporters obtained maps, internal government lists of possible toxic sites, fish testing results, and memos discussing the status of an investigation that seemed stalled. The result of the work was an indictment of a system that, without scrutiny and pressure, continued to fail in its duties.



## Finalists

Sexual Abuse of Native American Women—National Public Radio; Laura Sullivan, Amy Walters, Steven Drummond, Maria Godoy

Missouri’s Mental Health System—KCUR-Kansas City; Kelley Weiss, Laura Ziegler

New Orleans Now: Immigrants, Labor and the Human Cost of Rebuilding an American City—Part I—National Radio Project; Tena Rubio, Phillip Babich, Steve Masar

Violence Against Nursing Home Workers and Patients—Canadian Broadcasting Corporation; David McKie, Susanne Reber, Sandra Bartlett, Phil Harbord

## OTHER MEDIA

*Online*

## IRE Certificate

Collateral Damage: Human Rights and U.S. Military Aid after 9/11 — The Center for Public Integrity and the International Consortium of Investigative Journalists; Nathaniel Heller, Ben Welsh, Marina Walker Guevara, Tom Stites, Sarah Fort, Patrick Kiger, Michael Bilton, Prangtip Daorueng, Ignacio Gomez, Andreas Harsono, Alain Lallemand, Yossi Melman, Mutegi Njau, Paul Radu, Gerardo Reyes, Leo Sisti

**Judges' comments:** A comprehensive and compelling examination of US military aid and assistance to foreign countries in a post- 9/11 world. The work of investigative journalists on four continents to track the origins of lobbying efforts and amounts of money involved was impressive by itself. But coupled with the power of an online database, readers were able to view unfiltered data broken into many categories. This made the project extremely accessible and easy to understand.

## Finalists

Where Doubt Remains—*wheredoubtremains.com*; Justin McLachlan

The War on Terror: Rorschach and Awe—*Vanity Fair*; Katherine Eban

Cause for Alarm—*MSNBC.com*; Bill Dedman, Colin Hicks, Paige West, Mike Brunker

Genarlow Wilson—*ESPN.com*; Wright Thompson, Kevin Jackson, Jay Lovinger

## SPECIAL CATEGORIES

*Renner*

## IRE Medal

The Chauncey Bailey Project—A.C. Thompson, Thomas Peele, Josh Richman, Angela Hill, Mary Fricker, G.W. Schulz, Cecily Burt, Bob Butler, Paul T. Rosynsky, Harry Harris

**Judges' comments:** These stories would have been difficult to pursue under any circumstances, but it took extreme dedication to get at the truth following the assassination of *Oakland Post* editor Chauncey Bailey. In the tradition of the Arizona Project, this coalition of Bay Area journalists delved into questionable real estate deals and contracts involving the owners of Your Muslim Bakery in Oakland. The reporters raised questions about the thoroughness of a police investigation into the group before Bailey's murder. They probed the interrogation and confession of Bailey's alleged killer. And they carried on the work that Bailey intended to pursue before his death.



## Finalists

Miscarriages of Justice—*The Herald* (Glasgow, Scotland) and freelance; Eamonn O'Neill

Firefighter's Explosion—*The Kansas City Star*; Mike McGraw

Thanks for Nothing—*The Nation*; Joshua Kors

The Big Eddy Club; David Rose

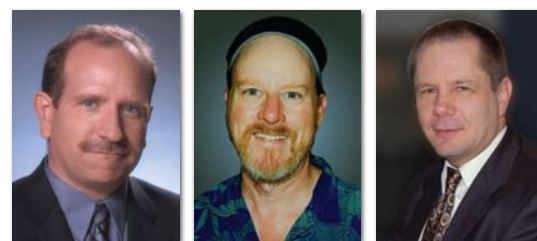
## SPECIAL CATEGORIES

## FOIA

## IRE Medal

Pennsylvania Open Records—WTAE-Pittsburgh; Jim Parsons, Bob Longo, Kendall Cross, Mike Lazorko

**Judges' comments:** WTAE-TV and investigative reporter Jim Parsons pushed open the front door of a closed government agency, PHEAA, Pennsylvania's state-run student loan agency, revealing glaring examples of wasteful and abusive spending of taxpayer money. Travel documents revealed bureaucrats spent thousands of dollars on items and services such as tuxedo rentals, alcohol, flower arrangements, NFL tickets, aromatherapy massages and greens fees. Some employees ended up having to reimburse expenditures after Parsons' stories aired. Parsons took his advocacy on behalf of open records beyond reporting. He organized the first of four statewide forums on the Pennsylvania's Open Records Act and has been instrumental in obtaining legislative support in behalf of a new state Right to Know Law.



**TEAM 4**  
**INVESTIGATION**

## Finalists

The ABCs of Betrayal—*Columbus (Ohio) Dispatch*; Jill Riepenhoff, Jennifer Smith Richards

Dirty Little Secrets—*Toronto Star*; Robert Cribb, Dale Brazao

The Great Empire Zone Giveaway—*The (Syracuse, N.Y.) Post-Standard*; Mike McAndrew, Michelle Breidenbach



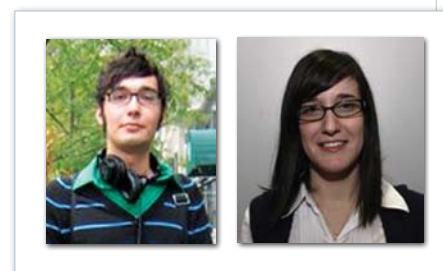
## SPECIAL CATEGORIES

## Student (All Media)

## IRE Certificate

Public Payroll, Family Affairs: Aldermen Keep It Relative—*creatingcommunityconnections.org*; Allison Riggio, Hunter Clauss

**Judges' comments:** After its genesis as a class project at Columbia College in Chicago, this story grew into an interesting expose of nepotism in city government. These student reporters used public records requests and numerous phone calls to identify relatives of city council members who are on the public payroll. Persistence and aggressiveness overcame the obstacle of not being taken seriously by some sources. Both the writing and the sourcing are clear. The importance to readers is high.



## Finalists

New York University's Election Scandal—*Washington Square News* (New York University); Jared Irmas

No Room for Sex Offenders—*The Register Guard* (Eugene, Ore.); Whitney Malkin

Bad Lawyers—Capitol News Service (University of Maryland); Anju Kaur

Pokey Chatman's resignation series—*The Daily Reveille* (University of Louisiana—Baton Rouge); Amy Brittain

Dear IRE Members,

Bob Greene inspired and guided countless young journalists over the years. Many of those journalists were at IRE conferences and seminars where they not only heard Bob speak, but where Bob talked with them one-on-one about their stories and careers.

Last year former executive director Brant Houston spoke with Bob about creating a fund at IRE in Bob's name. As a result of their discussion, Brant received Bob's approval to raise money for a fund for young journalists.

The fund is called the **Robert W. Greene Fellowship Fund for Young Journalists**. It will support full-time students studying journalism and professionals under the age of 30 who need assistance to attend IRE conferences, seminars and other training. Fellows will receive an IRE membership and have travel, lodging and registration fees covered. The fellows also will get the opportunity to meet with veteran journalists who will take the time to work with them individually – just as Bob had.

We have a unique opportunity, thanks to a matching program from the John S. and James L. Knight Foundation. **For any donations or firm pledges received by Sept. 30 of this year, Knight will match every dollar with 50 cents.** If you were to pledge \$1,000, the Knight Foundation would match your pledge with \$500. Your pledge would have to be fulfilled by Dec. 31, 2010, to qualify for the match.

Bob played an immeasurable and invaluable role in creating IRE and its reputation as a stellar professional organization that nurtured and brought along young journalists. We feel we can honor him in no better way than keeping that tradition going through this fund in his name. The fund will use only investment income so it will continue in perpetuity.

Please support Bob's legacy by donating to the fund. You may donate with a credit card online at [www.ire.org/bobgreenefund.html](http://www.ire.org/bobgreenefund.html) (Please type "Bob Greene Fund" in the "general notes" field.) Or you may fill out the donation form on the right, write "Bob Greene Fund" on the "Name Area" line, and mail to the following address: Investigative Reporters and Editors, Attn: Heather Henry, Fiscal Officer, 138 Neff Annex, Missouri School of Journalism, Columbia, MO 65211.

If you have any questions about the fund, please contact IRE development officer Jennifer Erickson at (573) 884-2222 or [jennifer@ire.org](mailto:jennifer@ire.org); IRE executive director Mark Horvit at (573) 882-1984 or [mhorvit@ire.org](mailto:mhorvit@ire.org); or Brant Houston at (217) 333-7554 or [brant.houston@gmail.com](mailto:brant.houston@gmail.com).

Thanks for your support.

Sincerely,

Myrta Pulliam  
Rich Galant

Brant Houston  
Tom Maier

Penny Loeb  
Rose Ciotta

Jan Colbert  
John Ullmann

Newsday



# BREAKTHROUGHS

Please make your  
annual contribution  
to IRE!

## FUNDING IRE's FUTURE 2008 ANNUAL IRE ENDOWMENT APPEAL

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.

When you donate to IRE, you may choose to support the general endowment fund or one of the many targeted funds within the endowment, including the **Robert W. Greene Fellowship Fund for Young Journalists** (read more about this on the left). For a full list of options, please see: [www.ire.org/endowment/endowmentfunds](http://www.ire.org/endowment/endowmentfunds)

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

#### To pledge, check one of the boxes and sign your name:

☐ I will pledge \$\_\_\_\_\_ per year for \_\_\_\_\_ years.

Signature for pledges \_\_\_\_\_

#### One-time donation:

☐ I would like to support IRE with a \$\_\_\_\_\_ donation.

#### Payment Method:

☐ 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 \_\_\_\_\_

☐ My company will match my contribution (For a list of matching participants, see [www.ire.org/endowment/matching.html](http://www.ire.org/endowment/matching.html).)

☐ 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](http://www.ire.org)  
FAX 573-882-5431

Photo illustration by Wendy Gray, *The IRE Journal*.  
IRE thanks *Newsday* for providing  
the original photographs for our  
tribute to Bob Greene.

# Bob Greene

1929-2008



# AN EXTRAORDINARY LEGACY

*Commitment to people and journalistic ideals, not accolades, defined Greene's life*

BY RICHARD GALANT

Bob Greene was a giant, a man whose intellect, curiosity and force of personality shaped investigative journalism in America in profound ways.

Greene, who died April 10 at the age of 78, was known for the two Pulitzer Gold Medals his investigative teams won at *Newsday*, being a devoted member of IRE and bringing the infant organization's resources to bear in the Arizona Project sparked by the murder of reporter Don Bolles, for pioneering the concept of the investigative team, and for helping craft new journalism programs at two universities on Long Island.

As Jeff Leen, of the *Washington Post*, wrote: "The byline of Woodward and Bernstein is the most famous one in the history of investigative reporting, but inside the fraternity of investigative reporters there is a lesser-known name that is equally hallowed: Robert W. Greene."

The flood of tributes after Greene's death from congestive heart failure made clear that his greatest legacy wasn't his impressive list of prizes and projects. Instead, it was the influence he had on the lives of so many as a reporter, editor, mentor and teacher.

*New York Times* reporter Walt Bogdanich, a three-time Pulitzer Prize winner, remembers Greene speaking to his journalism class at Ohio State University 32 years ago. Since then, he told *Newsday*, "I've been living off the lessons I learned from Bob's lecture—his intensity, his demands on himself and his colleagues to give it everything it takes, even if it takes 24 hours a day—for the last 30 years."

Steve Wick was a 24-year-old reporter at the *Colorado Springs Sun* when he met Greene in November 1976, five months after Don Bolles died. Greene asked for Wick's help on the Arizona Project because Wick and another reporter had done a series on land fraud that covered some of the people Bolles had been writing about.

The Arizona Project was classic Greene—all-consuming, collaborative and tightly controlled by its dominating leader. The idea—Greene's idea—was that reporters from around the country would complete the slain Bolles' work by producing what would become a 23-part series on the culture of corruption in Arizona.

Wick remembers meeting with the team in

Greene's suite at the Adams Hotel in Phoenix about 8 a.m. By then, Greene would have read all the memos turned in by the reporters the night before. You had to be on time, Wick recalls: "He would lock the door and go over what we would do all day." Then reporters would head to their rental cars and fan out through the Phoenix area. At the end of the day, they would file memos documenting what they had learned before heading to dinner with Greene around 9 p.m.

A man of gargantuan appetites, Greene would order food and wine lavishly and then lead people to the bar for drinks after dinner, telling stories well past midnight while sipping vodka.

Decades later, a visiting journalist from Long Island went into a bar in Phoenix. When he told the bartender he came from Long Island, she asked if he knew Bob Greene. It turned out she had learned almost everything she knew about bartending from serving the Greene team, a demanding bunch. (Greene famously told a reporter who wanted to order Salisbury steak for dinner at a *Newsday* team meeting: "When you eat with the team, you don't eat chopped meat.")

In Arizona, Greene would somehow read and absorb dozens of memos and be ready to direct the team early the next morning. "It was this amazing laboratory," Wick recalls, "this extraordinarily rich master class in the real nuts and bolts of investigative reporting, finding documents, finding people, filling in squares on the table so you could figure out what the puzzle was." Greene was instrumental in getting Wick a job at *Newsday*, where he is now the editor in charge of the investigations team.

Years before most newspapers launched such teams, Greene had conceived and implemented the model they would follow.

*Newsday's* former editor, Anthony Marro, who worked for Greene as a member of the investigative team, wrote in the *Columbia Journalism Review* that the team's trademark was "the emphasis on original work. They built their own databases. They developed their own chronologies. They drew their own charts to trace the flow of property and money, and to connect the political and business ties of investors. This is common today, but it was so rare in the late '60s and early '70s that other papers interested in setting up investigative teams, including the *Boston Globe* and

the *Providence Journal*, made pilgrimages to *Newsday* to see how it was done. And at *Newsday* itself, Greene took reporters—myself included—who had been keeping notes on the backsides of envelopes and the insides of match book covers and taught them how to gather and organize large amounts of information in ways that enabled them to untangle complicated business deals and tear agencies apart."

Greene joined *Newsday* in 1955 as a reporter, after working for the *Jersey Journal* and the New York City Anti-Crime Committee. He left briefly in 1957 to work for Robert Kennedy as an investigator for the Senate Rackets Committee. Apart from that, he spent more than three decades leading prize-winning investigative projects at the paper. The first Pulitzer came in 1970 for stories revealing land scandals on Long Island. The second, in 1974, was awarded for "The Heroin Trail," tracking the smuggling of the drug from Turkey to Long Island.

Greene and his team won scores of other awards, including the Polk Award and the SPJ Public Service Award. In 1980, he received the University of Missouri Honor Medal for Distinguished Service in Journalism. Yet as Greene's son, Bob Greene Jr., told *Newsday* reporter Michael Amon, the prizes were not the focus of Bob's professional life.

The younger Greene said his father kept his Pulitzers and other awards in a trunk in the garage of his Kings Park, Long Island home. A teenager in the 1970s, Bob Jr. opened the trunk and proceeded to display the prizes around the living room. When Greene returned home from a reporting trip, he told his son to put the prizes away. Amon's story quoted Greene's words to his son: "This house will not be some shrine to me. The Lord will judge us not by how much we achieve but by how much we help others achieve."

When he retired from *Newsday* in 1992, Greene set about that task in earnest.

Jamie Herzlich was a shy 19-year-old journalism student when she took Greene's Newswriting 101 course at Stony Brook University in 1993. "I had trouble looking him in the eye," says Herzlich, who now writes a business column for *Newsday*. "I was very intimidated by him," she says. Greene picked up on her reticence. "I'm going to take you on as a project," he told her. "We're going to break you out

Read more tributes or write your own on IRE's Web site:

[www.ire.org/bob\\_greene/guestbook](http://www.ire.org/bob_greene/guestbook)

of that shell.” Greene lined up internships for Herzlich and got her her first job, at *Long Island Business News*. Later he recommended her for a job at *Newsday*.

“He spent a great deal of time with me on developing my sourcing skills,” Herzlich recalls. “He told me you couldn’t cover your beat sitting in an ivory tower. You couldn’t cover your sources at arms length. You had to be where they were and that meant going to lunches and dinners and town board meetings and wherever they were be it day or night.”

Rex Lyons | Newsday



Greene (left) and *Newsday* reporter Al Eysen hand over the findings from an investigation of the Suffolk County Water Authority to the Suffolk County DA, Bernard Smith, in his office.

Herzlich remained in close touch with Greene. “He called his students his pups and once you were his pup you were a pup for life,” she says. “You knew that you could call him at any time and he’d be there for you.”

At Hofstra University, Greene was voted “Teacher of the Year” in 2000 and played a key role in creating the university’s journalism program. In recent years, he taught at New York’s Stony Brook University, where Howard Schneider, a former *Newsday* editor and reporter, had become dean of the new journalism school.

Schneider says Greene defied every teaching maxim. He scheduled his three-hour class on the history and future of the press at the inauspicious time of Monday at 8:30 a.m. “Bob started the first class of each semester saying, ‘I am old and I am fat and I can’t get around. Let’s get beyond that right away,’” Schneider says. “The students would sit there absolutely stunned .... He had a tremendous way of connecting with the students. One of them came to see me and said, ‘He was so cool.’”

Greene kept teaching as his health failed. He would need to use a walker or wheelchair and his wife, Kathleen, would come with him to class, listening as he told story after story of a journalism career that included coverage of the civil rights struggle, Chappaquiddick, and the Nixon administration. (Greene’s tax returns were audited because of his team’s investigative reporting on Nixon’s friend, Bebe Rebozo.)

At his funeral April 14 at St. Joseph’s Roman Catholic Church in Kings Park, Deacon John Trodden said, “Bob Greene absolutely lived the life of a good shepherd.”

Many of Greene’s colleagues and students are

working to keep his memory alive. Hofstra University plans a \$2,500 annual journalism scholarship in his honor, and Stony Brook will launch the Bob Greene Summer Institute for high school journalists. And in his honor, IRE has created the Robert W. Greene Fellowship Fund for Young Journalists to support full-time students studying journalism and professionals under the age of 30 who need assistance to attend IRE conferences, seminars and other training.

Greene inspired in the classroom. One of his students was sophomore Michelle Trauring, who wrote in a memorial posting for the *Stony Brook Independent*, an online student publication: “He commanded attention and radiated knowledge, drawing others into his lifelong passion. It took me an embarrassingly long time to realize the impact this man had on the world of journalism. I’d say it clicked toward the end of the semester when he mentioned that he was in our textbook—nestled in the ‘Investigative Journalism’ chapter that he did not assign.

“But up until that point, I subconsciously knew that he was deeply a part of the history that he taught. While retelling his many adventures as his wife, Kathleen, looked on, a few desks away, he’d fondly glance at her while she nodded and smiled, sometimes muffling a girlish giggle as she reminisced alongside her husband. They were dizzying stories swirling around crime, drugs and corruption, landing Pulitzers upon his mantel, though he failed to mention his vast accomplishments in class.”

*Richard Galant, a former managing editor at Newsday and New York Newsday, worked for Bob Greene as a reporter and editor.*

# AN UNSURPASSED MENTOR

BY PENNY LOEB  
FORMER IRE BOARD MEMBER

My investigative journalism career began during the last six years of Bob Greene’s at *Newsday*. Most amazing that first year was the team filing system. Precious information on Mafia members and Long Island government officials filled dozens of file cabinets. As we worked on our projects, we wrote many memos. Bob would read those and mark them for filing. Though we didn’t have PCs yet, the files were indexed in *Newsday*’s computer system, and only team members had the password.

As so many of his students have written on *Newsday*’s blog, Bob was an enthusiastic supporter of young journalists. When Steve Weinberg, my adviser at the University of Missouri Journalism School,

called to ask if I could intern, Bob made it happen. This Missouri internship became a tradition with Lois Raimondo, Charles Gasparino, Tom Braden and Andy Scott all joining the team for a semester.

During those years, our investigative series covered corruption in the Bureau of Prisons, off-track betting, scandal at the U.S. Department of Housing and Urban Development, political corruption in New York City and dangerous doctors allowed to continue practicing. Over the years, I absorbed many tales of Bob’s career, enjoying the escapades, but more importantly, absorbing reporting skills—the value of public records, building chronologies that reveal connections, seeing and touching what you investigate, and connecting with the reader.

Bob was always larger than life, physically and in journalistic productions. His second Pulitzer Prize came from the “Heroin Trail.” When I discovered that New York City hadn’t returned \$275 million in taxes, he convinced *Newsday* to run lists of the properties owed money.

I would be remiss if I didn’t mention the lunches. After projects finished, we would debark for a fancy restaurant, usually Italian. Fine food bills ran into the hundreds of dollars, all shouldered by *Newsday*’s long-suffering financial officer.

Bob was why I became an IRE board member for six years. From hiring me to teaching me more than I could ask, I owe him so much.

# WE MADE IT

BY BRANT HOUSTON  
IRE EXECUTIVE DIRECTOR 1997-2007

I was fortunate, like so many others, to get to know Bob through IRE and to receive his generous support and guidance. With his talks he inspired me to get deeper into investigative reporting and showed us all how to do it better. And when I became executive director of IRE, he never failed to return my calls for help and advice on IRE history, conferences, fundraising or how to handle an IRE situation.

At the same time, there was no question that Bob was a stern taskmaster, whether it was of reporters, editors or IRE staff and board members. But not until 1997 did I realize how firmly he applied his high standards to the whole organization.

We were in Phoenix at the IRE annual conference with the hubbub of panels and the events honoring the 20<sup>th</sup> anniversary of the Arizona Project. Bob, who had headed the project, was energetic as ever, recounting stories from the project, being interviewed and conducting a bus tour that retraced the team's reporting.

The conference followed the tumultuous year

of 1996 when IRE members battled about whether IRE should move its headquarters from Missouri to Maryland. The debate had been fierce (what IRE debate isn't?) and friendships and the organization had been badly fractured. (Bob, in fact, had favored Maryland for several reasons, including that it was easier to fly there from New York, where he lived.)

But during the conference, Bob harbored no ill feelings and was enthusiastic as ever about IRE and counseled fellow members to patch up their differences for the greater good. He even took the time to give me advice and support on navigating my way through my first year as executive director. To give me perspective, he also described some of the disputes in the early days of IRE—fights that made the Missouri-Maryland mayhem seem like a junior high basketball scrimmage.

But Bob was still watching, still checking on how IRE was doing, and still deciding on whether to take an irrevocable action that he did not want to regret.



Don Jacobsen | Newsday  
"The Greene Team," Les Payne, Knut Royce, and Greene.

On Saturday morning—the third day of the conference—Bob let me know he had a presentation to make to IRE later in the day. Bob said that after a lengthy review and much reflection he would turn over the national award won by IRE for the Arizona Project. It was the plaque from Sigma Delta Xi that Bob had accepted for IRE and then stored in his top dresser drawer since 1977.

Bob said he had kept the plaque safe until he was confident that IRE would make it. After 20 years, he told me, he believed the organization would.

IRE had finally measured up.

# LARGER THAN LIFE

BY JAMES POLK  
FORMER IRE BOARD PRESIDENT

When the IRE board, still in its infancy, met at the national conference in Denver in 1978 to decide where its headquarters should be—the University of Missouri or a journalism school in the East—Bob Greene sat at the head of the table as our president.

The debate was as crusty and candid as you would hope journalists to be, and the tipping point came when the chief backer of the East Coast campus dismissed that school's offer with a bathroom phrase.

When the vote was cast—overwhelmingly for Missouri—a young woman sitting at the side of the room got up and left with her notebook.

Who was that?, asked Bob, who apparently was the only board member who didn't know. He was told she was the stringer for *Editor & Publisher*. Bob bellowed, "Who let a reporter in the room?"

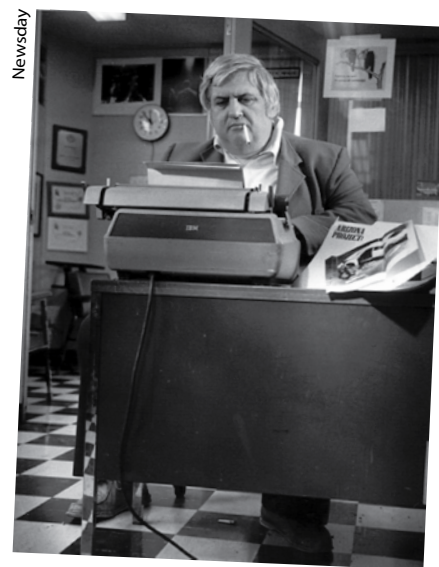
It is a measure of Bob's stature—a giant of a

man as well as a giant of journalism—that not a single other reporter dared to point out, to his face, the lunacy of his outburst.

Bob always loomed larger than life. In 1969, off Martha's Vineyard, he and *Newsday* colleague Anthony Marro gave special meaning to the gag press cards reporters had printed up on the big political story that year: "Chappaquiddick Press Club, check one: swimmer or non-swimmer." (You'll have to hear the rest of that story from Tony.)

A few years later, Bob became the only journalist I ever knew to succeed in putting weeks in a Paris bordello on his expense account. He convinced his editors that the upper floor of a house of ill repute was the only safe place to stash his team of reporters on the heroin series that brought Bob his second Pulitzer Prize.

Bob loved life, his family, his calling, and IRE. We loved him no less.



# MASTER OF THE CRAFT

BY JOHN ULLMANN  
IRE EXECUTIVE DIRECTOR, 1978-1983

Sometimes you just get lucky. Someone calls out of the blue, an unsought document arrives in the mail, a reluctant source who has refused to corroborate a key point does so, or a young(ish) Ph.D. student at the Missouri School of Journalism sees a short in *Editor & Publisher* quoting Bob Greene about IRE seeking a permanent home at a journalism school.

The young(ish) Ph.D. student looks up and sees Roy Fisher, dean of the school, who says yeah, we'd be interested, get it started.

At that same time, in the spring in 1979, Journalism Week was coming and they decided to give Bob Greene a Missouri Medal. Greene, winner of two Pulitzer Prizes, father of team investigative reporting, last person publicly vilified by the red-baiting senator from Wisconsin, leader and enabler of the Arizona Project, and author of *The Sting Man*. Made sense.

I usually went down to the Ozarks during Journalism Week, but it was decided that I would be with Greene the three days he was here, along with a few volunteers who would try to catch Bob if he fell asleep and fell out of his chair, hurting himself and possibly others. Bob was a big man and his body would shut down on him, scaring me and others.

He gave his speech, which was wonderful. He picked the audience up in his arms, rocked them gently, shook them violently, and then placed them lovingly back in their seats. Like every audience who heard him speak, they jumped up and clapped. Bob

smiled, then went looking for a cigarette, vodka and a place to nap.

No one in journalism has ever been able to give a speech like Bob Greene.

Before he went back to New York, he met with Fisher, George Kennedy, a few others, and a young(ish) Ph.D. student who was allowed to watch as Missouri made its pitch: a room, an executive director, part-time graduate students, and use of a printing press. Bob went back to New York, months passed, the semester ended, I set out to hike the Appalachian Trail from Georgia to Maine.

At its national conference in Denver, IRE decided to accept Missouri's offer, and Greene said that I, the young(ish) Ph.D. student, must be the executive director as part of the deal. The new president, James Polk, then of NBC News, came and got me off the trail in Virginia, and I remained on the job for the next 6 and a half years.

As a recovering journalist, I am now a gardener, writer of books, and occasional trainer. I have few heroes in my life, and I keep them close around me to talk to, often, even though they can't hear me nor know of my obsession. And now Bob Greene is dead.

In the history of any organization, such as ours, there are many hundreds who play a key role at a key time that enables the organization to continue or thrive. But there are four who were most critical: Myrta Pulliam, James Polk, Ed DeLaney and Bob Greene. With-

out Bob Greene, there is no IRE, no Arizona Project, no vast organization teaching thousands of reporters annually, here and around the world. If you were to do a census of the journalists who say that their experience with IRE is the single most important thing in their career, you would be surprised how many hundreds would say yes.

Bob Greene was a man of massive appetites, but none was stronger than his desire to do the best possible journalism the facts would allow. "The Heroin Trail," done at *Newsday* decades ago, has never been eclipsed by a journalism project.

After leaving IRE, I became assistant managing editor for projects at the *Star Tribune* in Minneapolis, a job I held for six years. The last project I supervised won the Pulitzer Prize for investigative reporting in 1990. I had left the paper before the announcement and was in Florida at my father's death bed. Two people successfully tracked me down the day the award was announced: the newspaper's editor, Joel Kramer, and my teacher and friend, Bob Greene.

I loved him, and now he's dead. The finest tribute a journalist can give another is this: He or she was a master of the craft. Bob Greene was a master of his craft and made thousands of other journalists want to be.

Bob Greene is dead, and I don't have the words. Where is my teacher when I need him?



## HIS LEADERSHIP BUILT IRE

BY MYRTA PULLIAM  
FOUNDING IRE MEMBER

IRE wouldn't be what it is today if it weren't for Robert W. Greene.

Furthermore, all of us lucky enough to have been touched by Bob are better journalists—and maybe better people—because of him.

Bob was a founding member of IRE. He attended the first meeting in Indianapolis in 1976 and led a panel discussion about team investigative journalism (a relatively new concept then). More importantly, he took leadership roles in the Arizona Project after Don Bolles' murder and with IRE.

Bob was the core and the heart of the Arizona Project. He defined it at the outset at that meeting

in Indianapolis and made it clear from the beginning that we were not going to try to solve Don Bolles' murder. We were going to finish Don's work, to find out why a reporter could be assassinated and to ultimately buy an insurance policy for other reporters. He raised money. He cajoled editors to send reporters. He led a pack of reporters and editors. He reported, interviewed and found sources. He sent us out to do the same. He showed us how to question, do research and organize thousands upon thousands of nuggets of information. He knew not only how to ask questions but how to question everything. He knew where to look and how to look, who to ask and why,

and how to back up and look for the bigger picture. In those pre-computer days, he knew how to organize not just us but the information.

It was his enthusiasm, leadership, wisdom and ability that kept us all going and ultimately kept IRE going—and put it on the map.

It didn't end there. Bob continued to serve on the IRE board, attend IRE workshops and give advice to young reporters.

He never stopped sharing wisdom and helping out. Even as late as the week before he died, I had an e-mail from him advising IRE on a bequest.

Luckily for all of us, he has left a great legacy.

# FOLLOWING HIS ROAD MAP

BY WALT BOGDANICH  
FORMER IRE BOARD MEMBER

Nobody had more influence on my development as an investigative reporter than Bob Greene. More than 30 years ago, he stood before my journalism class at Ohio State University and recounted in vivid detail how his *Newsday* team had reported “The Heroin Trail,” a story that traced the drug from poppy fields half a world away to New York.

After listening to his larger-than-life exploits, I had two options—quit the news business because I felt so small in Bob’s presence, or continue to dream that one day I might learn how to report a story that really, really mattered. Bob made the decision an easy

one. He gave me a road map, one that I have followed from the smallest newspaper to the biggest, with stops along the way as a television producer.

Bob said the hardest part of uncovering wrongdoing was often convincing your editors to let you do it. Since an editor’s first priority was to fill the daily paper, dry holes could quickly become a death sentence for investigative reporters. But Bob offered a way around them. Sell your stories, he said, using the minimum/maximum approach, where you promise to deliver at least a feature story if your investigative leads don’t pan out. That may have been the single most important tip I ever learned.

Bob also explained the nuts and bolts of organizing complex investigative projects, from cross-filing to chronologies. And he spoke of the importance of becoming totally immersed in a story, so patterns became easier to detect and no important fact is forgotten. Mostly, though, I remember his passion for what he did and his devilish grin when he talked about snatching someone’s garbage.

In all honesty, though, the garbage angle didn’t work out for me. The one and only time I tried it, my partner ran over my foot with his car. There I was, howling in the middle of the night in an alley in Plano, Texas. Bob, I forgive you.

# SPIRIT OF ARIZONA PROJECT

BY ED DELANEY  
FORMER IRE COUNSEL

Bob Greene always thought big, but never more than when Don Bolles was murdered. The news of the attack on Bolles hit in the spring of 1976 just days before the first IRE annual conference was to be held in Indianapolis. Bolles, an investigative reporter for the *Arizona Republic*, had registered for the conference. By the time the meetings began Bolles was dead from his wounds. This event overwhelmed the mundane organizational tasks facing a brand-new group. Bob Greene, one of the speakers and not yet a board member, would not let this murder go without a journalistic response. The members quickly agreed with him. It was decided to send an advance team to Arizona to see if journalists from across the nation could pitch in to back up the local press in its efforts to rebound from this assault.

Greene travelled to Arizona and immediately defined the objective. The team, soon to be called the Arizona Project, was to investigate the political and law enforcement “climate” in Arizona. It was not to replace the local media but to add weight to it for a time. The goal was to create a spotlight so bright that no one would risk seeing it deployed again.

Greene recommended that IRE organize a rotating team of reporters and editors who would work together in Arizona without regard to who their employers were. IRE put Bob in charge of identifying

an appropriate response to this physical assault on a free press and then managing that response. He moved rapidly. He got *Newsday*, his employer, behind him. The paper agreed to lend him Tom Renner, a seasoned crime reporter, along with Tony Insolia, a leading editor. Bob then made sure that other leading news organizations joined in. Commitments came from the *Kansas City Star* and the *Boston Globe*. Bolles had worked for a Pulliam paper and Bob got team members from the *Indianapolis Star* as well as Bolles’ home paper, the *Arizona Republic*. The *Arizona Daily Star* in Tucson was also brought in to help ensure an Arizona perspective.

Bob moved to the Adams Hotel in downtown Phoenix and stayed there for nearly six months. In that pre-computer era he put together a data management system based on daily memos and endlessly cross-referenced 3-by-5 inch cards. These were backed up by his prodigious memory. He studied every memo whether it dealt with luminaries like the Goldwater family, the drug trade or the local judiciary. Over time he began to identify key areas of inquiry.

After months of effort Bob put together 26 days’ worth of stories that detailed the very problems that had bedeviled Bolles. Arizona was controlled by a narrow group of wealthy cronies who would brook no criticism. They controlled land development, the legislature, the alcoholic beverage industry and much

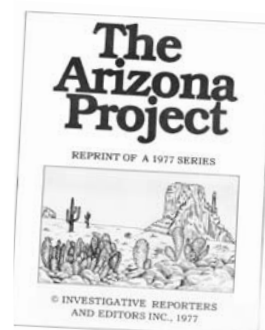
of the legal system. The articles created a firestorm of praise and criticism. They also shook the Arizona establishment to its foundations. The state matured and responded even as it continued to boom.

The series led to a number of lawsuits against IRE, Bob and some of the other reporters on the team.

The results vindicated Bob and the project in every case. He spent days in depositions and on the witness stand and never faltered. He worked his memory and his detailed files like parts of an orchestra.

Throughout this massive effort Bob acted as a mentor to many, from reporters to editors to young lawyers. He pushed for perfection but also reveled in the company of those he led. He presided over endless dinners where the conversation and the food were great. He expected the best and he got it.

Bob wrote me in March. It was the kind of encouraging message I would have expected. There was no reference to his fading health. He used a typewriter! It may have been the one he pounded away on at the Adams Hotel as he led the Arizona Project.





# Year of the recall

"Hidden Hazards" found deadly children's products overlooked by regulators

By Patricia Callahan  
*Chicago Tribune*

**M**any consumer advocates dubbed 2007 the Year of the Recall. The journalism that drove the biggest reassessment of children's-product safety in a generation began with the story of a toddler named Kenny Sweet.

Kenny died after swallowing tiny, powerful magnets that fell out of his older brother's toy. He died even though the federal agency charged with protecting consumers knew for years that such magnets—not much bigger than baby aspirin—could rip through a child's intestines like a gunshot. Regulators at the federal Consumer Product Safety Commission knew that certain toys repeatedly shed

the hard-to-spot magnets, but they didn't act until it was too late for Kenny's family.

The explanation of why Kenny died went far beyond the story of one defective product and one family's nightmare. It revealed how a weakened federal agency, in its myopic and docile approach to regulation, fails to protect American children from injuries and death.

More importantly, it led to real change on the shelves of stores and in the halls of Congress. The *Tribune's* "Hidden Hazards" series prompted recalls of more than a million children's products—including the largest recall of full-sized cribs in U.S. history.

In response to the series, the U.S. Senate and House of Representatives launched investigations of the CPSC. During one of the House hearings, Rep. Bobby Rush (D-Ill.), chairman of the House committee that oversees the CPSC, waved copies of the *Tribune* stories as he scolded the federal safety agency. Legislation that grew out of the hearings would give the CPSC more staff, more money and more power. The Senate bill mandates tough safety tests for toys and nursery items, imposes stricter limits on lead in children's products, forces the CPSC to disclose the names of overseas factories involved in recalls and creates a searchable Internet database of safety complaints about products. At press time, the House and Senate—having both passed their own CPSC reform packages—were hammering out a compromise.

## Mining the sources

It all started with a baby-shower gift. I was researching which stroller to buy for a friend when I came across documents that showed one of the largest manufacturers of children's products settled civil charges saying that the company didn't disclose deaths and injuries linked to its products. I asked: How could that be? The answer to that question would lead to a nearly two-year-long battle for government records.

The stories of the children injured or killed by toys and nursery products were haunting. And their families' experiences were especially resonant for me. I was expecting my first child when I wrote the first three parts of this series. The third installment of this series ran two days before my daughter's due date.

When my maternity leave began, my editors, George Papajohn and Flynn McRoberts, who had guided the project from its inception, recruited a team of reporters to pick up where I left off. Our team's reporting wound through Chinese factories, executive offices and the homes of grieving families.

I filled file cabinets with thousands of pages of records, including consumer complaints to the CPSC, e-mails from government regulators to manufacturers of tainted goods and reports of deaths, injuries and close calls. Mining a government database leaked from a source, I found that the CPSC

Pete Souza | Chicago Tribune



Rep. Bobby Rush (D-Ill.), holds up copies of the *Chicago Tribune* during a hearing that included testimony by the acting chairman of the Consumer Product Safety Commission last May in Washington, D.C.

had excluded important documents, and I used that information to prod the release of further records.

I also reviewed lawsuits involving product liability claims, insurance disputes, wrongful dismissals, patent disputes and broken contracts. Internal company documents, car-seat crash test results, records from the Securities and Exchange Commission, transcripts of conference calls with Wall Street analysts, merger records and reports on companies' financial results all factored into this series. To shed light on children's deaths, we used records from hospitals, public health authorities, coroners, sheriffs' offices and police departments.

The CPSC follows a law designed to protect manufacturers' reputations. The agency sends copies of FOIA requests and the records they generate to the manufacturers of the products at issue and gives those companies 30 days to challenge the release of documents.

Nevertheless, it's worth slogging through the time-consuming process. Here are some worthwhile CPSC documents to request in agency jargon: compliance files, complaints, reported incidents and IDIs (short for "in-depth investigations").

A compliance file contains the records the CPSC compiles in pursuing a recall. Agency officials denied many of my FOIAs for compliance files, citing "ongoing investigations" in most of the recent recalls I requested, but they turned over many of these files involving older recalls.

If you can't convince CPSC officials to release a compliance file, don't fret. Other agency documents can be just as revealing. The complaints and reported-incident documents list brief descriptions of problems consumers, doctors, retailers or others report about a product, typically through the CPSC Web site or hotline. It's key to compare the dates of these reports with the dates of the IDIs, which are more detailed documents the CPSC compiles when investigating a product.

One complaint, for instance, showed that an Indiana preschool owner warned a CPSC hotline operator that Magnetix toys, the product that would later kill Kenny Sweet, were hazardous. One of her students, the preschool owner said, nearly died after he swallowed magnets that came loose from the toys, and they tore holes in his intestines. Emergency surgery saved his life. The IDI, however, showed that the preschool owner's complaint wasn't investigated until 11 months later. In the time between the preschool owner's warning and the CPSC investigation, Kenny Sweet died.

I created a detailed timeline of all of the complaints and IDIs, a key reporting tool as I investigated the agency and the company that made Magnetix. Different complaints showed that others had also warned the agency that magnets were falling out of their Magnetix toys before Kenny's death. But that wasn't all. Years earlier, CPSC investigators had documented cases of loose magnets in other children's products causing intestinal injuries. One surgeon warned the CPSC that if the tiny powerful magnets

Terrence Antonio James | Chicago Tribune



Chicago Tribune reporter Ted Gregory found high lead levels in preliminary testing of a Godzilla toy. The paper sent it to a lab for a more thorough test.

were used more commonly in toys, they would see a lot more of such injuries. Yet when the CPSC began receiving complaints about loose Magnetix magnets, they didn't promptly warn consumers.

### Agency failures

We used the CPSC's own records to make connections the agency had missed. For example, an IDI on a California baby's death misidentified the manufacturer of the crib he died in. Coroner

One surgeon warned the CPSC that if the tiny powerful magnets were used more commonly in toys, they would see a lot more of such injuries. Yet when the CPSC began receiving complaints about loose Magnetix magnets, they didn't promptly warn consumers.



An analyst takes the wing off of a Baby Einstein's Discovery & Play soft block that tested positive for lead at the University of Iowa Hygienic Laboratory in Ankeny, Iowa.

Days after publication, all three firms that had threatened to sue the newspaper stopped selling their products statewide.

photos showed that the drop rail of Liam John's crib had detached from its plastic track, creating a gap through which the 9-month-old baby slipped feet first. His head got stuck between the rail and the mattress, and trapped in a hanging position, Liam asphyxiated. From a photo included in the report, I recognized the crib design and identified the manufacturer as Simplicity.

My colleague Maurice Possley began digging. Though the deadly crib was one of the nation's top-selling models, the CPSC investigator never inspected it and didn't identify the model number. Possley found that other babies suffered the same horrific deaths in Simplicity cribs. When Possley asked the CPSC investigator about the incomplete investigation, the investigator told him, "Once I do a report, I send it in and that's it. I go on to the next case. We could spend more time, but we are under the gun. We have to move on." Only after that interview did the investigator inspect the crib. On the eve of the publication of Possley's story, the agency announced the recall of more than one million cribs, its largest ever. The story revealed that despite 55 complaints, seven infants left trapped and three deaths, it took years for the CPSC to warn parents about the deadly flaw. When it finally did take action, a CPSC spokesman warned consumers, "We do not want your child in that crib tonight."

My colleagues and I examined the sometimes subtle and often crass business decisions that pit safety against the bottom line. In China, Evan Osnos and Michael Oneal reported on factories that produce lead-laden jewelry for American companies that have little idea what is being made under their name. In the U.S., I spotlighted how some manufacturers of children's car seats withheld videotaped tests from the public and the government that showed infant seats breaking into pieces and documents in which engineers questioned safety flaws linked to dire head injuries.

### Prompting recalls

Along the way, the makers of the products featured in the *Tribune* stories recoiled at the coverage. My colleagues Sam Roe and Ted Gregory oversaw the testing of more than 800 toys for lead, a study the CPSC called the largest and most comprehensive of its kind ever conducted outside of the agency. Before the results were published, three manufacturers challenged the paper's findings and threatened legal action. The manufacturers said their own tests showed their toys were safe, that the *Tribune*'s tests were faulty and that Illinois law did not apply to their products. But the stories withstood intense scrutiny before and after publication because the *Tribune*'s testing methods replicated CPSC protocol and because Roe and Gregory were well-versed on the nuances of federal and state law.

Days after publication, all three firms that had threatened to sue the newspaper stopped selling their products statewide.

When other companies insisted they had fixed problems, we checked to make sure they had. Prior to the *Tribune*'s series, Magnetix maker Mega Brands had assured retailers that all of the recalled versions of its magnetic building toys had been removed from shelves. But I purchased many of the potentially hazardous toys at stores around Chicago and explained to readers how the company

had placed caution stickers on older Magnetix packages that had been recalled. CPSC regulators, who had known nothing of these stickers, said this action violated the recall agreement, which only allowed the sale of newer, redesigned products with a preprinted warning label on the box. Mega Brands later took a \$35.2 million pre-tax charge to its earnings to clear store shelves worldwide of Magnetix, replace toys and write off inventory. Following my investigation, many major toy retailers suspended sales of Magnetix.

While shedding light on government and industry mistakes, the *Tribune* didn't forget about readers' practical concerns. The paper packed its Web site with useful safety tips to help readers make smart choices for their children and identify hazards in their homes, with videos showing how to install a car seat properly and how to choose a safe crib. The site included links to help readers search for recalls, choose age-appropriate toys and file product-safety complaints.

*Patricia Callahan is an investigative reporter at the Chicago Tribune. "Hidden Hazards" won a Pulitzer Prize, a George Polk Award and a Scripps Howard Foundation National Journalism Award.*

Photos by Bob Fila | Chicago Tribune



Mega Brands later took a \$35.2 million pre-tax charge to its earnings to clear store shelves worldwide of Magnetix, replace toys and write off inventory.

The *Chicago Tribune* examined the risks of magnets that fell out of Magnetix toys (shown below). A 12-year-old's fingers demonstrate their powerful attraction (left). If swallowed, the magnets can cause massive intestinal damage or death.



**Call for  
Submissions!**



## 2008 George Bliss Award For Excellence in Investigative Journalism

Presented by the Better Government Association (BGA), with the generous support of the Richard H. Driehaus Foundation, the George Bliss Award for Excellence in Investigative Journalism recognizes the best government-related investigative reporting in the Midwest.

Judged by a rotating panel of journalists and media educators, the award highlights the impact of investigative reports as a reform tool within the context of state and local government waste, fraud and corruption.

The contest includes radio, television and print reporting in the Midwest (IL, IN, OH, WI and MI). Past recipients of the George Bliss Award include the *Chicago Sun-Times*, WISH TV Indianapolis and the *Toledo Blade*.

### Contest Details:

- ◆ Entries must have been published or broadcast between July 1, 2007 and June 30, 2008.
- ◆ Only one entry is allowed per individual reporter.
- ◆ Submission entries must be received no later than **August 15, 2008**.
- ◆ There is no entry fee for the contest, and submissions can be made online or via 6 hard copies.
- ◆ Winner will receive a custom-designed award and a cash prize in the amount of \$3,500.

**\$3,500  
Cash Prize!**

Visit [www.bettergov.org/blissawards](http://www.bettergov.org/blissawards) for complete details



# Banned at home, sold abroad

Databases help track imports, exports

**By Russell Carollo**

*The (Sacramento, Calif.) Bee*

Currently, companies have to seek CPSC approval when they export products that violate mandatory standards or bans. But only about 13 percent of CPSC standards are mandatory.

**N**ews of tainted children's products imported from China seemed to be coming every day from the network news and major dailies this summer.

And with nearly every report came a press release or a quote from an official with the Consumer Product Safety Commission, the federal agency charged with ensuring that hundred of household products are safe for Americans.

The news reports portrayed the Chinese—intentionally or unintentionally—as the bad guys and the CPSC as the good guys, protecting consumers from unsafe products.

At the time, I was working on a project that had nothing to do with the CPSC, and I was not interested in working on the same story that a thousand other reporters seemed to be on.

But when the reports didn't stop, I could no longer ignore what I knew: Though recalls of Chinese-made goods coordinated by the CPSC were making headlines, for decades the same federal agency allowed American-based companies to export products deemed unsafe here.

And the agency was continuing to do so.

I knew this because several years earlier, while digging for interesting databases, I had come across a CPSC database of so-called “non-approved products.” The database tracks requests from American-based companies to export products that are deemed by the CPSC to be unsafe for consumers here. And it is the same federal agency entrusted with the safety of Americans that decides whether the same products it keeps from Americans can be sent elsewhere.

Those products can present an even greater danger in countries that have only a handful of government employees devoted to consumer protection.

Using the federal Freedom of Information Act, I had updated the CPSC database several months earlier, in September 2006, so it seemed a good time to do a story.

The database contains fields identifying the type of product, the name of the exporting company, the city and state where the company is located, the destination country, the company receiving the product, the date of the export and other information. Along with the database, the CPSC also provided hundreds of PDFs that contained documentation for each export—usually a request letter that further described the products, a response from the CPSC and a letter from the CPSC notifying the embassy of the destination country of the export.

After I decided to do the story, I watched yet another report on network television of a CPSC recall of Chinese-made children's art sets containing crayons, markers, pastels, pencils, water colors—and lead—distributed by Toys “R” Us.

A news release from the CPSC warned, “Consumers should immediately take the products away from children. The CPSC is committed to protecting consumers and families.”

The CPSC database of non-approved products showed that more than a year earlier—in July 2006—it

had authorized a Los Angeles company to export art sets to Venezuela that had violated the same CPSC standard protecting children from lead. In August of that same year, they had authorized a Miami company to export wax crayons to Jamaica.

Using the CPSC's database and the accompanying documentation, I found that between October 1993 and September 2006, the CPSC received 1,031 requests from companies to export products the agency had found unsafe for American consumers; the CPSC approved 96 percent of those requests.

Among the 4 percent of export requests denied were several destined for Canada or Mexico. CPSC records show that the agency was concerned the banned products could cross the borders and re-enter the United States and that the agency approves exports to Canada and Mexico only when the products are being returned to the manufacturer.

“We're very concerned about them coming back over the border into the country,” said CPSC spokesman Scott Wolfson.

The CPSC database did not tell us how many of the approved exports were products made outside the United States that simply were returned to their manufacturers and how many were actually exported for sale in other countries. The data represent only a portion of all products violating CPSC standards exported from the United States to other countries.

Currently, companies have to seek CPSC approval when they export products that violate mandatory standards or bans. But only about 13 percent of CPSC standards are mandatory.

According to Wolfson, the CPSC is simply following export notification law “as Congress spelled it out for us.” Under its congressional mandate, the agency is to first pursue voluntary standards, which lack the force of law. Companies exporting products that violate those voluntary standards are not required to notify CPSC before exporting.

On Sept. 7, 2005, Indianapolis-based Great Lakes Products filed two requests to ship room odorants containing isobutyl nitrite—one to Canada and another to the Czech Republic. The CPSC denied the shipment to Canada but approved the request to ship more than 10,000 bottles of the product, containing the same banned chemical, to the Czech Republic. Isobutyl nitrite, used in inhalers known as “poppers” to enhance sexual arousal, was banned in the United States in 1988 following allegations of medical side effects.

Attorney Walt Sanders, a vice president for a Washington-area lobbying firm who spoke on behalf of the company, said the products were produced in the United States for export.

“If Great Lakes wants to sell these products to any country in the world that will accept these products, they're free to do so, as long as they don't sell them in the United States,” Sanders said.

*Russell Carollo joined The Bee as a special projects reporter in July 2006. He has worked for newspapers in Ohio, Washington, Texas, Mississippi and Louisiana.*

# Resources

By **Tori Moss**, *The IRE Journal*

## Stories

- **Story No. 21189:** After learning a teenager had sold his car's airbags for almost \$1,000, the reporters discovered people who were selling airbags on eBay and improperly shipping the potentially explosive devices. Chris Cifatte, Curt Tremper, WINK-Southwest Florida (2003)
- **Story No. 21347:** More than two dozen people worked on this six-part series that showed the California government knew many Mexican candies had high levels of lead but kept the information from the public for years. The investigators filed numerous open records requests, created a database of all known candy tests of the past decade and tested candy, wrappers and children in a Mexican village for the toxin. *The Orange County Register* (2004)
- **Story No. 21498:** The number of recalls has risen in recent years, but the products often remain in homes and on store shelves. The two stories investigated the six federal agencies that oversee recalled foods, drugs, automobiles and other consumer products and found weak laws and poor government oversight. Tod Marks, Jeff Blyskal, Mari McQueen, Consumers Union (2005)
- **Story No. 21499:** The 12 most dangerous nutritional supplements, which are known to cause serious side effects and death, can be purchased through the Internet and retail stores throughout the United States. The story examined the supplements, as well as the loopholes and lax enforcement of regulatory laws in the United States that allow the supplement manufacturers to distribute their products. Nancy Metcalf, Jamie Kopf, Consumers Union (2004)
- **Story No. 21624:** Following the No Child Left Behind legislation in 2001, educational technology companies began to market their products to school districts seeking to raise test scores. The investigation showed the products often have little educational benefit for students and divert federal funding from more valuable teaching methods and resources. Alec MacGillis, *The (Baltimore) Sun* (2004)
- **Story No. 22669:** The series examined the compounds that contaminate the average person's body and are picked up from possessions and passed on to children. The newspaper had a family of four, including a toddler, tested for chemical pollutants in their hair, blood and urine. Each family member had PCBs, plasticizers, lead, cadmium and mercury in their body. Douglas Fischer, *Oakland Tribune* (2005)

## Tipsheets

- **No. 1395:** "Hot New Topics," Gary Hill, KSTP-St. Paul. Hill gathers 12 story ideas from the investigative work of broadcast stations, but they can be applied to other media. Suggestions range from covering the danger of consumers leaving private data on sold or disposed of computer hard drives to the impact M-rated video games have on children.
- **No. 1409:** "Working Alone and Making the Most of Your Time/Resources," Jacqueline McLean, WCNC-Charlotte. McLean explains five ways to identify consumer concerns through help lines, tip lines and more.
- **No. 1418:** "Investigating Slaughterhouse," Robert Cribb, *The Toronto Star*. This tipsheet provides 10 tips for investigating the health concerns related to meat, from the importance of knowing the difference between critical and noncritical violations to allowing the slaughterhouse operators a chance to speak.
- **No. 1873:** "Story Ideas," Elisabeth Leamy, WTTG-Washington, D.C. This tipsheet lists more than 35 ideas for stories relating to consumer issues, from compliance with the Americans with Disabilities Act to mismanagement of cemeteries. The first section has suggestions for businesses that are breaking laws, and the second section deals with unregulated industries.
- **No. 2146:** "Test Yourself Before Deciding to Test," Jeff Taylor, *Detroit Free Press*. Taylor poses questions that should be asked before a news outlet decides to hire a consultant for outside laboratory testing.
- **No. 2741:** "Doing your own laboratory testing," Sam Roe, Jan Barry, Mark Katches, *Chicago Tribune*, *The (Hackensack, N.J.) Record*, *The Orange County Register*. The tipsheet offers suggestions for planning and executing laboratory tests for investigative work, including the need to have a sufficient sample size and to explain the protocol to consumers.

## The IRE Journal

- "Bogus Refunds: Database shows public agency puffed up restitution numbers," Sheryl Harris, *The (Cleveland) Plain Dealer*. Harris suggests reporters investigate the state's consumer watchdog. She found Ohio's attorney general exaggerated the amount of money her office had helped return to consumers. (May/June 2002)
- "Libel claims after Suzuki: Costly road ahead?" David Smallman. Smallman, IRE counsel, dis-

cusses the implications of reporting on business operations and consumer safety issues, including the legal battle between *Consumer Reports* and Suzuki Motors Corp. (Jan./Feb. 2004)

- "Quality vs. Quantity: How to do TV consumer investigative reporting with small budgets and staffs," Tracy Sadeghian, WRDW-Augusta, Ga. Sadeghian shows that small markets can consistently produce successful consumer-related pieces and details how the two-person unit operates. (Dec. 1999)

## Uplink

- "Consumer Reporting: Databases add more depth to pool stories," Mike Sherry, IRE and NICAR. The U.S. Consumer Product Safety Commission death and injury data can be used for many stories involving everything from swimming pools to staircases. Sherry summarizes the usefulness of three other CPSC databases as well. (May/June 2002)
- "Transportation: Tread Dangers," David Raziq, Anna Werner, Chris Henao, KHOU-Houston. Following a tip about a tread separation, the investigators began gathering court records, accident reports and other documents about accidents involving Firestone Radial ATX tires and Ford Explorers. (May/June 2001)

## Online Sources

- U.S. Food and Drug Administration ([www.fda.gov/search/databases.html](http://www.fda.gov/search/databases.html)) The Web page lists the numerous databases maintained by the FDA, including those related to food, medical devices, dietary supplements and animal feed. The "Warning Letters" database allows people to search – by company, subject, issuing office or date – for warning letters sent by the FDA regarding violations and the companies' responses.
- TOXNET: Toxicology Data Network ([toxnet.nlm.nih.gov/](http://toxnet.nlm.nih.gov/)) This U.S. National Library of Medicine Web site provides databases on toxicology, hazardous chemicals, environmental health and toxic releases. Examples include the Drugs and Lactation Database (LactMed) which addresses the drugs breastfeeding mothers may pass on to infants and ChemIDplus which defines more than 370,000 chemicals, including their names and synonyms.
- Tox Town ([toxtown.nlm.nih.gov/](http://toxtown.nlm.nih.gov/)) Story ideas can be found through this National Library of Medicine Web site that allows visitors to explore the environmental health concerns and toxic chemicals that people can encounter in their environments every day.
- Recalls.gov ([www.recalls.gov/](http://www.recalls.gov/)) This Web site is a portal to the federal agencies that issue recalls, including those on consumer products, motor vehicles, boats, food, medicine, cosmetics and environmental products.



# Airbag alert

National data raise concerns about bags that don't inflate

**By Mike Casey and Rick Montgomery**

*The Kansas City Star*

**A**n Atlanta police officer noticed something “curious” while investigating the traffic accident that killed Brooke Katz. What caught the officer’s attention was the uninflated airbag in Katz’ minivan. The airbag had not deployed even though the vehicle’s front end was smashed.

The Atlanta accident was among hundreds that *The Kansas City Star* found in its analysis of the national Fatal Accident Reporting System database.

Reporters Mike Casey and Rick Montgomery worked for months on a project entitled “Fatal Failures,” investigating vehicle airbags that did not inflate in deadly accidents and the government’s response to consumer complaints.

Their work reflects how reporters can combine database analysis and traditional reporting techniques. It’s a formula any reporter can use in examining auto safety, a consumer issue that is bound to create a lot of reader interest.

The newspaper analyzed the federal government’s database of fatal traffic accidents (known as FARS) and found at least 1,400 drivers and front-seat passengers died from 2001 through 2006 in front-impact crashes in vehicles whose airbags never deployed. The fatality database is maintained by the National Highway Traffic Safety Administration, the federal agency responsible for motorists’ safety. (FARS is one of several NHTSA databases offered by the IRE and NICAR Database Library.)

The newspaper also found:

- In complaints filed with NHTSA by the public following injury and fatal accidents, uninflated airbags outranked any other complaint about automobile components. In fact, faulty airbags represented nearly one-fourth of the thousands of complaints lodged with the agency over severe accidents.
- Airbags didn’t deploy in nearly every make of automobile that Americans drive, both foreign and domestic. And the nondeployments ranged from aging models to new cars fresh off the lot.
- There are plenty of causes for failed airbags. Since 1990, airbags at risk of failing have led to 45 recalls involving at least 3.5 million vehicles from pricey Italian sports cars to environmentally friendly hybrids.
- NHTSA has paid relatively little attention to airbags that fail to deploy in accidents. Since 1996, investigators have launched nearly 600 inquiries into how well activated frontal airbags have performed. But probes into nondeployments have totaled only about 50.
- Agency investigators examined at least 20 non-deployment crashes in which 12 people were

Agency investigators examined at least 20 nondeployment crashes in which 12 people were killed and found initial signs of airbag failure. But only three of those crashes became part of in-depth agency investigations, and only one led to a recall.

Jim Barcus | Kansas City Star



The reporters searched obituaries, court cases and police reports to find survivors like Michael Boyd, whose mother died following a crash in which her airbag did not deploy.

killed and found initial signs of airbag failure. But only three of those crashes became part of in-depth agency investigations, and only one led to a recall.

- When a nondeployment problem does come to light, regulators and carmakers can spend months—even years—looking into possible defects before issuing a recall. Sometimes people die in accidents with failed airbags while investigations drag on.

NHTSA's Web site ([www.nhtsa.dot.gov](http://www.nhtsa.dot.gov)) includes downloadable databases about fatalities, recalls and consumer complaints, also available from the Database Library. Casey became interested in airbag non-deployments when he saw that they generated a number of consumer complaints. That led him to look at the other databases.

The fatality database lists nondeployments in traffic accidents, but the raw data was misleading. For example, those fatalities included ones in which the vehicles rolled over, and experts say airbags are not supposed to fire in rollover accidents. To develop its methodology for analyzing the fatality data, the reporters talked to a number of auto safety experts, including some who had worked for NHTSA. Following their advice, *The Star* also eliminated accident victims who were ejected from their vehicles or whose vehicles caught on fire. Through those steps and others, they eliminated at least 3,000 victims. Experts said the newspaper used a conservative approach in its analysis.

*The Star* also told its readers what it didn't know. NHTSA criticized the newspaper's analysis, saying the agency's fatal accident data only contained estimated speeds for crashes that claimed the lives of 40 percent of the victims. The average speed was 55 mph. Nevertheless, NHTSA argued that many victims could have died in low-speed crashes that wouldn't warrant an airbag's deployment and therefore *The Star* couldn't draw conclusions from its analysis. To address the criticism, we consulted experts—including two previous NHTSA directors—who said *The Star* could draw conclusions based on its analysis, even without speeds for all of the accidents. In fact, the two former directors said the newspaper's findings were compelling enough to warrant further investigations by the agency.

While the database analysis provided the foundation for the project, the project was compelling because it featured the stories of victims. To gather them, Casey and Montgomery started with findings from the FARS database that gave the date and sometimes the location of the accident, as well as a little information about the victim such as age and gender. Then it took a lot of shoe-leather reporting to find the victims' families.

The reporters searched newspapers and called police to find accidents similar to the one described in the database. It was a time-consuming process,

Jim Barcus | Kansas City Star



Reporters searched for victims to illustrate the trends found in crash data. Officer Doug Prier survived his accident in his police car when the airbag did not deploy.

sometimes taking many days to trace one victim. Once they had the victim's name, they checked obituaries and public records to find family members to interview.

A few of the victims' families filed lawsuits alleging that the airbags failed in their loved one's vehicle. Those lawsuits also contained expert testimony about why airbags did not deploy, such as not enough crash sensors. To get the other side of the story, the reporters interviewed auto company officials who said airbags don't go off in accidents because they're not supposed to. For example, airbags are not supposed to fire in low-speed crashes. The officials also pointed out that their vehicles' airbags have to meet federal safety standards.

*The Star* did not estimate how many lives the airbags may have saved had they deployed. In the six-year span analyzed, head-on crashes killed roughly 14,000 drivers and front-seat passengers, even though airbags were deployed. But in that same period, the federal government has estimated, airbags saved 15,000 lives.

The series' findings prompted a U.S. House subcommittee to start an investigation of airbags' effectiveness and a U.S. Senate subcommittee to prepare for oversight hearings into how well NHTSA investigates airbag problems.

"Fatal Failures" looked at front airbags only, and there are plenty of opportunities for reporters to look at the performance of other important auto safety features such as seat belts or brakes. The consumer complaint and recall databases provide information about the parts systems as well as the makes, models and model year of various vehicles.

There are undoubtedly a number of good consumer stories available by analyzing the government's own data.

*Mike Casey is a projects reporter for The Kansas City Star. He has worked on projects about the insurance industry, workers safety and nursing homes. Rick Montgomery is a reporter on the national desk. He has covered the Iowa caucuses, the Columbine shootings and written a number of projects.*

The National Highway Traffic Safety Administration site ([www.nhtsa.dot.gov](http://www.nhtsa.dot.gov)) has downloadable data of consumer complaints, recall and fatality accidents. In addition, it has laws and regulations that govern traffic safety as well as research on various safety issues.

The IRE and NICAR Database Library maintains collections of the National Highway Traffic Safety Administration's Fatality Analysis Reporting System (FARS), and the Vehicle Recalls and Complaints database.

Public Citizen's Web site ([www.citizen.org](http://www.citizen.org)) has useful information about vehicle safety and FOIA issues.

The Center for Auto Safety ([www.autosafety.org](http://www.autosafety.org)) publishes complaints on its Web site about various vehicles and parts systems.



Detroit Mayor Kwame Kilpatrick (center) faces perjury and obstruction of justice charges.

# SCANDALOUS TEXT

Reporters kept digging for documents  
as rumors flew

BY JIM SCHAEFER AND M.L. ELRICK  
DETROIT FREE PRESS

Over the past five years, the *Detroit Free Press* has exposed overtime abuse by Detroit Mayor Kwame Kilpatrick's police bodyguards, the mayor's excessive spending of city dollars and an extraordinary number of his family members and friends on the city payroll. But nothing prepared us for what we published in January—a series of stories that prove, once again, that a cover-up can be as big a story as the alleged crime.

In this case, the criminal charges are obstruction of justice, conspiracy, misconduct in office and perjury. A four-month *Free Press* investigation showed that Kilpatrick and his then-chief of staff Christine Beatty lied under oath in a civil trial last summer about their intimate relationship. We showed that they also gave misleading testimony about the

firing of a deputy police chief in charge of internal affairs who had been investigating the Kilpatrick administration. The evidence we gathered came in the form of text messages sent between Kilpatrick and Beatty years earlier. We got our hands on them and suddenly found ourselves in a new journalistic frontier. With these messages, we were able to use Kilpatrick's and Beatty's own words to prove that they were lying. Transcripts we obtained showed that the lovers exchanged thousands of texts—many of them romantic, some graphic—on city-issued paging devices. Those exchanges contradicted their testimony in court and in depositions leading up to the trial.

The messages also showed that although Kilpatrick and Beatty insisted under oath that they had only demoted—not fired—the top cop, they had written to each other about their decision to fire him.

Our stories prompted a six-week investigation by the Wayne County prosecutor, who recently charged the mayor with eight felony counts covering obstruction of justice, misconduct in office and perjury, making Kilpatrick the first mayor in Detroit's history to be charged with a crime while

in office. His former chief of staff is charged with seven similar felonies.

But we believed there was more to the story than the statements made under oath. And the mayor's response has led to even more incredible allegations.

## Fighting for proof

Exposing the cover-up took several weeks. Using a Michigan Freedom of Information Act lawsuit against the city of Detroit, we showed what our sources had been telling us: that Kilpatrick had used millions in public tax dollars to silence the three former police officers who had sued him.

Kilpatrick had vowed for weeks not to settle the officers' case, but abruptly in October he announced that religious and business leaders, as well as everyday Detroiters, convinced him to pay the cops \$8.4 million of taxpayer money and move on. He said it was the right thing for his family and the city.

But we were skeptical and filed a FOI request the next day, seeking the written terms of the settlement. The city said there was no agreement and therefore had no documents to provide to us. After a second FOI, the city turned over a run-of-the-mill settlement document. We were convinced there was more to it. So we sued.

The mayor, using city lawyers, fought the newspaper at every step.

At the trial court level, we won access to secret settlement records the city had claimed didn't exist. The city appealed. A three-judge appellate panel again ruled in our favor. The city appealed. The Michigan Supreme Court declined to hear the city's arguments. We finally got the documents our lawyer had argued all along were public—documents marked “confidential” and signed by the mayor and private lawyers he paid with hundreds of thousands of taxpayer dollars.

These once-secret papers revealed that Kilpatrick agreed to pay the cops and their lawyer \$8.4 million explicitly in return for keeping the text messages secret. Our reporting revealed that the cops' lawyer had obtained the text messages after the trial. Within hours of learning this, Kilpatrick agreed to drop his appeal and cut a deal.

The information we obtained through our lawsuit was news even to the Detroit City Council, which had approved the \$8.4 million on the recommendation of city attorneys who failed to inform the council about the role the text messages played in the settlement. When we broke that news, the council hired its own private lawyer, who has since joined our lawsuit against the city.

In the wake of our reports, Beatty, the mayor's lover, resigned from her \$140,000-a-year city job. If convicted, she and the mayor are facing up to 15 years in prison, and the local prosecutor has turned additional information over to federal prosecutors.



Christine Beatty



The *Free Press* filed numerous lawsuits in its quest for documents from the mayor's office. The text message revelations followed earlier reporting on the mayor's spending.

## Revelations in texts

We have not and will not reveal how we obtained the text messages. Our methods weren't fancy, however. We had known for several years that the text messages existed. And we never gave up trying to get them or finding new people to ask for them.

The good news for journalists is that our court battle could make future text message-based stories easier to investigate. Court rulings have declared that such communication on city-issued devices is a public record, potentially creating a treasure trove of information for future investigations for us and reporters throughout Michigan. But that battle is not over yet.

Meanwhile, Joe Reader is left to wonder: Can my text messages get *me* in trouble? Experts tell us that cell phone texts are of a different variety—they aren't stored for very long. All of Kilpatrick's messages were archived—in fact, the city paid SkyTel for that very service. We don't know whether anyone ever told this to the mayor.

Getting the messages is just the start. After obtaining them, we needed to be sure they were authentic.

Using Kilpatrick's private appointment calendar and his city credit card records, which we had won in an earlier FOI lawsuit, we compared messages with dates, locations and expenses listed on the records we got from the city. This cross-referencing not only authenticated the records, it led us to a new story about the mayor using city money for an Aspen getaway with Beatty.

Once we were assured we had the real deal, the greatest internal debate at the *Free Press* became, what do we publish?

The first few pages of text messages made it

clear that the mayor and his chief of staff had been intimately involved. The messages also included conversations with many other people, details of city deals, and even matters that could have humiliated some people who were not city officials or employees. Some messages were just downright boring.

A blogger might have thrown all 14,000 messages online. And public interest in all the messages has been intense. After all, the public paid for the devices Kilpatrick and Beatty used.

But we had serious concerns about fairness, context and potential harm to innocent parties.

Posting all the messages online would have been daunting. They'd need to be edited for clarity. With help from a diligent editor at the paper, we categorized each of the messages, which alone took two weeks. In the end, we classified about 1,700 of the messages as "romantic," meaning they either led up to some sort of tryst between Kilpatrick and Beatty or that the content of the message itself could be

Regina H. Boone | Detroit Free Press



The stories sparked public demonstrations of support for and protest against the mayor.

characterized that way. Other categories included “business” for office dealings, “family” for matters that pertained to each of their spouses or children and “sexual” for the two or three dozen messages that described specific sexual acts.

Discussions with top editors revolved around legal principles, journalistic standards and even what our own experiences in covering the city had taught us. In the end, our editors decided to keep our reports focused, fair and responsible. That meant not publishing all of the messages. The decision was not unanimous and has led to some criticism from outsiders. But the decision comes with one undeniable benefit: It has kept the story focused on the actions of public officials and not on the newspaper itself. It should also be noted that the decision kept us focused on the misconduct and not the sex.

## To be continued

Our first story raised the question of whether the mayor and his chief of staff committed perjury. Subsequent text-message stories have revealed that Kilpatrick and Beatty gave a contractor friend sensitive information on city deals, and another revealed that top police officials communicated with the mayor’s office behind the police chief’s back.

The texts helped leverage other investigative angles, including exclusives on how the mayor’s lawyer traveled to Mississippi to question officials of SkyTel, the communications company that leased the paging devices to the city.

These stories took us additional time to report. Again, we chose to delay publication of the messages to provide the added depth. This decision was made simpler by the fact that we remained the only media outlet that had the messages.

Because of the continuing furor over this newspaper investigation, the impact still isn’t fully realized. At press time, a dozen lawyers—including the mayor—are under investigation. The city council, the state attorney general, and some pastors and average Detroiters are calling for the mayor to resign. The mayor and Beatty are set for a court hearing this fall to determine whether they will stand trial.

As we continue to mine the text messages for more stories, Kilpatrick refuses to step down and is preparing for court. His primary legal strategy is to suppress the text messages that so many *Free Press* readers have already seen. Judges will decide if he can. The ruling promises to be an important one for journalists in Michigan and beyond.

For all the stories, videos and documents go to [www.freep.com](http://www.freep.com).

*Jim Schaefer and M.L. Elrick are investigative reporters for the Detroit Free Press. They have been partners on coverage of Mayor Kwame Kilpatrick since 2002 and their efforts have earned numerous awards, including the Clark Mollenhoff Award for Investigative Reporting in 2005.*

## DOCUMENTING THE MAYOR’S OFFICE

### Years of requests pay off

By M.L. Elrick and Jim Schaefer

Despite publicly extolling the virtues of transparency, Detroit Mayor Kwame Kilpatrick and his law department routinely refuse to comply with Michigan’s Freedom of Information Act. And the mayor doesn’t return our calls any more, especially since we broke the text message scandal that has led to criminal charges against him.

Nevertheless, the *Detroit Free Press* continues to use public records to shine light on the mayor’s questionable practices.

Long before anyone questioned the mayor’s conduct, the *Free Press* used FOI requests to get the mayor’s personal appointment calendar and credit card records, as well as the resumés and offer letters to his appointees, as part of our efforts to gain a greater understanding of how the mayor works and with whom he works. When the mayor and law department started denying follow-up requests, we sued to get more of the records, which revealed lavish spending of public money at home and on the road.

But lawsuits drag on. We had to find other ways to get information. When we couldn’t get records from the city, we turned to auditors, city and county clerks, and combed agency agendas and meeting minutes. The Detroit Public Library also maintains a collection of meeting agendas, minutes, executive orders, department directives and reports that have been very useful.

Census and marriage records — even high school yearbooks — have helped us show how many friends and family the mayor has on the city payroll.

After marking up documents with highlighters, paper clips and sticky notes, we typically move the relevant data into an Excel spreadsheet so we can have one manageable source as we write stories.

One technique that has been really helpful has been cross-referencing new documents to records we last analyzed years ago. For instance, this not only helped us verify the accuracy of text messages we recently obtained, but it revealed that a trip the mayor took to Denver (described on his appointment calendar only as “Gone Fishing!!!”) was actually a romantic rendezvous with his chief-of-staff.

Still, we haven’t been able to get some records we want, including a sign-in sheet for visitors to the mayor’s office and the mayor’s e-mails.

Among the records we have compiled over the years are:

- The mayor’s personal appointment calendar
- The mayor’s public schedule
- The mayor’s credit card statements, receipts and reimbursement requests
- The mayor’s office petty cash account
- Press releases
- Marriage certificates
- Death certificates
- Census records from the 1920s and 1930s (1940s will be available soon)
- Small claims court case filings
- Circuit court case filings
- Bankruptcy court case filings
- U.S. District court case filings
- High school yearbooks
- State house payroll
- City employee database
- City payroll reports
- Campaign finance reports
- Non-profit filings
- Form 990s
- Personnel files
- Resumés
- Offer letters to new hires
- Auditor’s reports and supporting documents
- City council agendas, meeting minutes and supporting documents
- City agency agendas and meeting minutes
- City contracts
- Newspaper clips

# YOU INVENT IT. WE FUND IT. \$25 MILLION.

The Knight News Challenge, a contest by the John S. and James L. Knight Foundation, has earmarked \$25 million over five years for digital innovation in community news.

As much as \$5 million will be given away this year to support smart, innovative solutions to inform and inspire communities. Projects can range from community databases to tools that help add people to the local digital conversation. The contest is open to anybody anywhere in the world.

*Two recent News Challenge winners. Read 'em all on the web site.*

## **WINNER: DAVID COHN, \$340,000 (2008)**



**Who:** David Cohn.

**Project:** Spot Journalism will provide a new way to pay for local investigative reporting by soliciting financial support from the public. Independent journalists and residents will propose stories, and Spot Journalism will use the web to seek “micro-payments” to cover the costs. If enough donors contribute the amount needed, a journalist will be hired to do the reporting.

**On the web:** <http://www.digidave.org>

## **BLOG WINNER: RYAN SHOLIN \$15,000 (2008)**



**Who:** Ryan Sholin.

**Project:** Reporters working on similar topics will be able to communicate and share ideas using a social networking tool and web site created for this project. The site will indicate how many journalists across the country are working on the same issue, such as declining tax bases or water problems. Reporters then can exchange resources and approaches, or use one another’s communities as examples in their own stories.

**On the web:** <http://www.reportingon.com>

**KNIGHT NEWS CHALLENGE**

[www.newschallenge.org](http://www.newschallenge.org)



The *Tribune-Review* analyzed medical data, interviewed dozens of transplant surgeons and patients, pored through hundreds of obituaries, traveled across the U.S. and witnessed two transplant surgeries for this series.

# TRANSPLANT TRAGEDY

Patients may risk their lives by undergoing surgery before their illness demands it

BY ANDREW CONTE AND LUIS FABREGAS  
PITTSBURGH TRIBUNE-REVIEW

**H**undreds of patients are undergoing liver transplants when they don't need them.

Those words would have grabbed our attention coming from anyone. But when they came from Dr. Thomas E. Starzl, the man known as the "father of transplantation," we knew this was an important story.

After four months of research, the *Pittsburgh Tribune-Review* reported in March that hundreds of people each year increase their odds of dying by undergoing liver transplant surgeries before their illness clearly demand transplants.

What's worse, these people often get livers that

surgeons have already rejected for thousands of sicker patients across the country.

Money can play a role, since medical centers that do these controversial surgeries can achieve higher profits by operating on healthier patients.

To tell the story, we analyzed medical data, interviewed dozens of transplant surgeons and patients, pored through hundreds of obituaries, traveled across the U.S. and witnessed two transplant surgeries. From the beginning, *Trib* managing editor Bob Fryer assured us that the newspaper would commit as much time and resources as we needed.

At the heart of the story was a 2005 landmark

study by the Scientific Registry of Transplant Recipients, a federal contractor that tracks data on every transplant performed in the U.S. It found that patients at the bottom of liver waiting lists are three times more likely to die within a year of having a transplant than if they waited.

Some surgeons called the study eye-opening. While most programs stopped performing transplants on these patients, the surgeries still were taking place. Four of the country's 127 transplant programs had performed half of the liver transplants on these patients since 2005. The University of Pittsburgh Medical Center ranked among the leaders.

## Judging need

Pittsburgh has been an organ transplantation mecca since the 1980s, when Starzl came to the city to standardize what had been an experimental treatment. Because Starzl arrived just as the steel industry collapsed, the medical field became a new source of civic pride.

A quarter century later, as Starzl, 82, nears retirement, he has begun to question the practice of giving transplants to the least-ill patients and the motives behind the practice.



Dr. Thomas E. Starzl helped make Pittsburgh a "transplant mecca" in the 1980s.

The data we uncovered backed up his concerns.

The United Network of Organ Sharing, a Richmond, Va., nonprofit, has a federal contract to oversee national organ allocation policies. It maintains a database of liver transplants performed by each transplant center. Medical reporter Luis Fabregas negotiated with UNOS to get an electronic database of liver transplants performed by each program from March 2002 to September 2007.

The data is sorted according to a scientific scoring system called MELD—for Model End-stage Liver Disease—which ranks patients waiting for liver transplants. Based on three blood tests, the scores range from 6 for the least ill to 40 for the sickest.

Based on the registry's findings, UNOS had created the "Share 15" policy in 2005, giving more patients with scores of 15 and higher first access to available organs. We used the UNOS data to determine how many patients with scores of 14 and lower received transplants at each center.

Reporter Brian Bowling reformatted the UNOS data in Excel. He used array and lookup formulas to group the data into two categories: low-MELD for transplants in patients with scores of 14 or lower, and high-MELD for those with scores of 15 or higher.

The results revealed how many low-MELD transplants had been performed at each center and the percentage of them out of total liver transplants at each center. To eliminate outliers, Bowling limited the comparison to centers that performed at least 20 liver transplants in the period being studied.

To gauge the effect of Share 15, we compared the results for years before and after implementation of the 2005 rule.

Some centers, such as the University of Cincinnati's University Hospital, had done many low-MELD surgeries before the rule but few afterward.

Four centers, meanwhile, had done half of the total number of low-MELD the surgeries since the rule

change. Sorted by volume, they were Clarian Health in Indianapolis, UPMC, Strong Memorial Hospital in Rochester, N.Y., and St. Luke's Hospital/Mayo Clinic in Jacksonville, Fla.

The results guided us to conversations with more than two dozen surgeons to find out why some centers continue doing a lot of operations when others had stopped.

We met with doctors in Indianapolis and Miami, where we witnessed transplant surgeries, and interviewed other surgeons in Rochester and Cincinnati.

At each stop, photographers Joe Appel and Andrew Russell not only took photos but also collected video and audio files for a multimedia presentation. Russell built a slideshow presentation out of the hundreds of photos he shot during the transplant we observed in Indianapolis.

### Finding sources

Ultimately, our series was about the patients, so we needed to find them—as well as the survivors of those who had died.

This became a grueling, often discouraging task, made more difficult by federal Health Insurance and Portability & Accountability Act rules that restrict doctors from talking about patients without explicit consent.

We had no option but old-fashioned, shoe-leather reporting—albeit with a few modern advantages.

First, we started seeking people with liver disease through patient support groups and online chat groups. Several patients talked about waiting for a liver or knowing they might need one. A local man described how he had nearly died before receiving a transplanted liver.

Being newspaper men, we also turned to the most logical place: obituaries.

We searched the Internet for death notices that mentioned the words "liver," "transplant" and "complication." That turned up thousands of leads. Over two weeks, we sought out relatives of more than 100 people who had died after receiving a liver transplant.

The family of Terry Masker, a 60-year-old man who died in 2007 after two failed transplants, stood out. His widow and one of his sons produced a hospital document saying Masker's MELD score was 11 at the time of his first transplant.

On a snowy February morning, Conte, Fabregas and Appel drove five hours to Elmira, N.Y., to interview Masker's widow. The next morning, Valentine's Day, she took us to his grave, where she tied a heart-shaped balloon to a spray of flowers on his marker.

Later, we confirmed the details of Masker's surgery with his surgeon at Strong and his gastroenterologist. Masker's widow gave both permission to discuss the case.

We also met a Seattle woman with a MELD score of 16 who had turned down a liver because it came from an intravenous drug user. During our months of reporting, her score dropped and her doctor took her off the active waiting list.

The woman had made a different choice than Masker, and she lived.

### Making news

As we prepared to publish our stories, UPMC's transplant program made breaking news. We had spent hours speaking with transplant chief Dr. Amadeo Marcos on three occasions. Doctors and administrators knew the details of our questions and the results of our data analysis. Now, six days before the slated start of the series, UPMC announced that Marcos



The multimedia package for the series included a slideshow "Inside a Transplant."

was stepping down. Hospital administrators offered little explanation.

Earlier when we tried to interview Starzl, UPMC administrators insisted that he not meet with us alone. They sent a vice chancellor from the University of Pittsburgh to monitor our discussion and report back to UPMC's top officials. Starzl told us he felt humiliated.

After UPMC announced Marcos' resignation, we reached him on his cell phone. He told us that he had resigned for "personal reasons." And he mentioned that UPMC had initiated a review of its live-donor liver program.

Our data analysis had focused on organs from deceased donors, but we also reported on the case of UPMC patient Katy Miller, who died after receiving a partial-liver donation from her sister. Like similar cases of low-MELD transplants, Miller hadn't been critically ill when she received the transplant. She hadn't even been on the liver waiting list. In the days before she died, Starzl and Marcos had disagreed about her care.

After we reported that Marcos was stepping down, UPMC officials confirmed they had asked internationally renowned experts to look at the type of transplant that Miller had undergone.

UPMC administrators expect to publish the results in a peer-reviewed scientific journal. The study and Marcos' resignation, UPMC officials said, were coincidental and unrelated to our investigation.

## Using the data

Reporters have to be deliberate when using UNOS data. After our initial request, we realized UNOS gave us data that included pediatric cases and live-donor transplants, which we wanted to exclude. The data also differed from information on the UNOS Web site and in center-specific reports created by the scientific registry.

The difference stemmed from the use of exception points. Doctors can apply to a regional review board to get a higher score for a patient who has cancer or a severe quality-of-life issue not reflected in the blood tests used to determine MELD scores.

Joe Appel | Tribune-Review



Carol Masker visits the grave of her husband, Terry, on Valentine's Day in Elmira, N.Y. Terry Masker died at age 60, after undergoing two liver transplants.

Surgeons had told us that MELD is an excellent predictor of mortality but not of liver disease symptoms such as itching, fluid retention or brain dysfunction. To eliminate those cases from our analysis of low-MELD scores, we asked UNOS to include additional points listed in their database that would raise a patient's MELD score.

After our three-day series appeared, we heard from patients who said the *Trib's* reporting schooled them in what to ask doctors before undergoing transplant surgery.

On the presidential campaign stump, Sen. Hillary Clinton used our findings to call for revamping health insurance so that medical decisions are not driven by economic factors. U.S. Health & Human Services Secretary Mike Leavitt said the series raised questions for UNOS and federal regulators that they were forced to consider.

Of the dozens of surgeons who contacted us

after the series ran, the consensus held that the U.S. must change the way livers are allocated, centers are rewarded and oversight applied by federal regulators.

At UPMC, officials recently named an interim transplant chief and the results of its peer-review of live-donor liver transplants are pending.

*Andrew Conte is an enterprise reporter at the Pittsburgh Tribune-Review. His specialties include government, politics, and most recently organ transplantation. He is a graduate of the Columbia University Graduate School of Journalism.*

*Luis Fabregas is a special projects reporter at the Pittsburgh Tribune-Review, specializing in health and medical issues. He has a bachelor's degree in journalism and master's degree in communications from Duquesne University in Pittsburgh.*

## IRE Quick Hits

Stay up to date with IRE and fellow members in between issues of the *Journal* with a convenient e-mail newsletter.

See the latest issue at [www.ire.org/quickhits](http://www.ire.org/quickhits).

## IRE QUICK HITS

An e-newsletter from Investigative Reporters and Editors • [www.ire.org](http://www.ire.org)

Your connection to IRE news, resources, training and networking. Serving IRE members and those who share our commitment to investigative reporting.

### SUBSCRIPTION INFO

### New IRE fellowship offers funds for freelancers

A donor with longtime ties to IRE has given the organization more than \$55,000 to promote high-quality freelance investigations.

The gift will provide at least two freelance investigative journalists with at least \$1,000 apiece to conduct their projects. The original donation was matched with \$25,000 from the Challenge Fund for Journalism III — a program of the Knight, Ford, McCormick Tribune and Ethics and Excellence in Journalism foundations — to create an \$80,000 endowed fund.

The 2008 award applications will be scrutinized by three experienced freelance journalists. Applications will be accepted until April 30, 2008, and

Feb. 29, 2008

### Milarsky named Database Library director

We're happy to announce that IRE and NICAR have a new database library director.

Jeremy Milarsky, a former reporter and database editor with the South Florida Sun-Sentinel, begins his tenure at the 2008 CAR Conference in Houston this week.

Much of his career was spent at the South Florida Sun-Sentinel, where he worked as a reporter, news researcher and finally as a manager in the newsroom library. He has also worked for Tribune Interactive. Most recently, Milarsky took a short hiatus from journalism to concentrate on Web programming.

His Web skills will be a strong addition for IRE. But his main focus will be on continuing to build the Database Library, while making its collection of government data more accessible to members on deadline.

Working with data to find interesting stories, and discovering new and

Earn an MA at AU's School of Communication.

Pursue projects at the Center.

INVESTIGATIVE JOURNALISM FELLOWSHIP

Applications due March 15



## FOI Files

## Journalists can tap the IRS 990-T to review business earnings of nonprofits

BY PETER PANEPENTO AND GRANT WILLIAMS  
THE CHRONICLE OF PHILANTHROPY

When a charity receives a donation, it does so entirely tax free.

However, when that same charity collects money from a business-like activity, such as selling an advertisement in a magazine, charging visitors to park, or renting out its facilities for a special event, it is required to pay tax on that income.

That tax—called unrelated business income tax by the Internal Revenue Service—is on the books to prevent charities from enjoying an unfair competitive edge over for-profit businesses that are required to pay the government a share of that income. It is also designed to prevent nonprofit groups from straying too far from their missions by focusing too much of their efforts on running side businesses.

Until recently, however, the public has had no way of tracking how charities account for their unrelated business income. As a result, charity watchdogs have long feared that many nonprofit groups are using loopholes and other accounting methods to write off millions in potentially taxable income.

Now a new federal law makes it possible to review the tax returns of charities that earn unrelated business income. Those returns provide a gold mine of information for investigative journalists who are looking to learn more about the business activities of charities in their communities. This is especially true at a time when nonprofit organizations such as colleges, medical centers, and museums are entering into increasingly complex business deals to help raise money.

### New access to Form 990-T

All nonprofit groups that generate more than \$25,000 in annual income are required to file IRS Form 990—an informational tax form that is available to the public. Most journalists who cover nonprofit organizations are familiar with this form, which is available directly from charities and

through the Web site Guidestar.org.

Form 990, however, offers only a limited view of a nonprofit's financial picture, especially for organizations that collect unrelated business income. For years, such groups have been required to provide some information about their unrelated income on the public Form 990. But they also provide key information about this income on Form 990-T.

Unlike Form 990, charities were not required to provide Form 990-T for public inspection. As a result, few, if any, did.

But with the passage of the Pension Protection Act of 2006, Congress is now putting pressure on charities to open their books on unrelated business income. The new law requires all organizations that file a Form 990-T to publicly disclose their forms—and it covers all forms filed with the IRS after August 17, 2006.

Under the law, organizations must provide a copy of their Form 990-T right away—on the same day—to anyone who requests the form in person.

Groups must also provide it within 30 days to anyone who makes a written request by e-mail, mail or fax. And they must provide copies without charge, other than a reasonable fee, for photocopying and mailing costs.

Because the change was tucked into a massive piece of legislation that received little mainstream attention, many journalists are not aware that they have a new way to learn about the financial picture of charities on their beats.

That gave *The Chronicle of Philanthropy* an opportunity to be among the first to use the forms for an actual investigative story. And because our paper has routinely covered the concerns about unrelated business income taxes, we knew what to look for.

### Uncovering the revenue

We knew from IRS statistics that charities

annually write down billions of dollars in unrelated business income and pay little or nothing in actual tax.

IRS figures show only 37.7 percent of the nearly 12,400 charities that reported unrelated-business income paid tax on those earnings during the 2004 tax year. Those organizations reported a collective gross business income of more than \$5.5 billion, yet paid only \$192.5 million in tax—meaning that for every dollar in unrelated-business income, these groups paid about 3.5 cents in federal taxes.

During the 2003 tax year, that figure was even lower. Charities paid about \$102.6 million in federal taxes on more than \$4.8 billion in unrelated business income—or 2.1 cents for every dollar earned.

We did not know, however, how this played out for individual charities. Which groups were taking advantage of the deductions? How were they able to write off their income? And what groups were paying the most?

We decided to take a wide-ranging look at how some of the nation's largest charities were calculating their unrelated business income to see if we could find patterns and shed light on the way the law works.

For our study, *The Chronicle* reviewed the most recent 990-T tax forms of dozens of prominent charities—a cross-section of nonprofit organizations like Harvard University, the American Red Cross, the Salvation Army, the National Geographic Society, the Christian Broadcasting Network, and the Metropolitan Museum of Art.

We chose to limit our focus, at first, to the nation's largest 300 organizations. We used *The Chronicle's* annual ranking of the country's most successful fundraising organizations as our sample.

After removing organizations that did not generate unrelated business income from the sample, we narrowed our list to 119 groups.

We then drafted a letter to each of those organizations to publicly request their forms. Based on the law, we gave them each 30 days to respond to our request.

Of those 119 groups, 91 provided us with their forms. Nineteen others never replied to our request or did not provide the forms. Nine groups responded to say that they do not file a Form 990-T.

But more important than the response rate was the information that was provided by the 91 groups who produced their forms.

### Earnings add up to loss

After we crunched the numbers, we found that many of the nation's largest charities are doing exactly what the IRS fears: They are writing off tens of millions of dollars in earnings into virtually nothing.

CONTINUED ON PAGE 41 ➤

# ON THE HOUSE

## Lobbyists provide prime D.C. fundraising venues

BY KEN DILANIAN  
USA TODAY

After passing a widely hailed set of congressional ethics and lobbying reforms last summer, Democratic leaders began making extravagant claims about what the new rules would accomplish. House Speaker Nancy Pelosi and others repeatedly said that the law would “break the link between lobbyists and legislators.”

But how could Congress make that assertion, we wondered, given that the lobbying law did nothing to change campaign finance rules—rules that allow lobbyists to play key roles in raising money for members of Congress?

True, the law made it much tougher for lobbyists to provide personal gifts, meals and travel for lawmakers, all long-sought changes. But wasn't it still the case that on any given night during the Congressional session, members of Congress were sipping drinks with lobbyists who wrote checks to their campaigns? Weren't lobbyists often paying for the meals consumed at political fundraisers? And weren't lobbyists hosting intimate \$1,000-a-ticket breakfasts and lunches, earning valuable face time with lawmakers while making pitches for their clients and industries?

Of course they were. But our first question was how we could document it.

Lobbyists aren't required to disclose their fundraising activity in Federal Election Commission filings—only their individual contributions.

Our second question was how we could tell the story in a fresh way.

USA Today congressional editor Eugene Kiely found the answer one day while clicking around on CQ Moneyline, a non-partisan subscription Web site ([moneyline.cq.com](http://moneyline.cq.com)) that tracks political money. Using the site's campaign spending search feature, he came across a series of \$75 payments from congressional campaigns to the Associated General Contractors of America, a major trade group. The purpose? “Facility rental.”

Kiely mused that he hadn't found a venue for his daughter's birthday party for less than \$400, so how could this group be charging just \$75? Clearly the lawmakers were enjoying a discount, courtesy of a well-funded lobby. I began a systematic search and found all sorts of similar rental payments from campaigns to lobbying groups, most of them for less than \$300. Many of them, I later learned, represented lobbyist-hosted fundraisers.

I also learned that it had become increasingly common in recent years for lobbyists, corporations and trade groups to maintain townhouses or offices

near the Capitol that double as fundraising spaces. In 2002, a sparkling new office building had been erected overlooking the Capitol that was marketed to lobbyists who wanted to host fundraisers. One of its major tenants, Van Scoyoc Associates, a top-grossing lobbying firm, hosted dozens of fundraisers there each year.

Even though lobbyists often pay for fundraisers at restaurants, clubs and their K Street offices across town, we concluded it would be easier and cleaner to tell this story by focusing on the Capitol Hill facilities. They seemed to allow for a unique level of access, at a time when lawmakers were suggesting to the public that such access no longer existed. Or, as Jeffrey Shoaf, chief lobbyist of the Associated General Contractors of America, put it, “It's a nice added bonus to say, ‘Hey, we're going to host it at our house.’”

Through fundraising invitations, news clips and real estate records, we were able to track down most of the lobbyist-owned townhouses near the Capitol. After three months of research, including dozens of interviews with lobbyists, we reported:

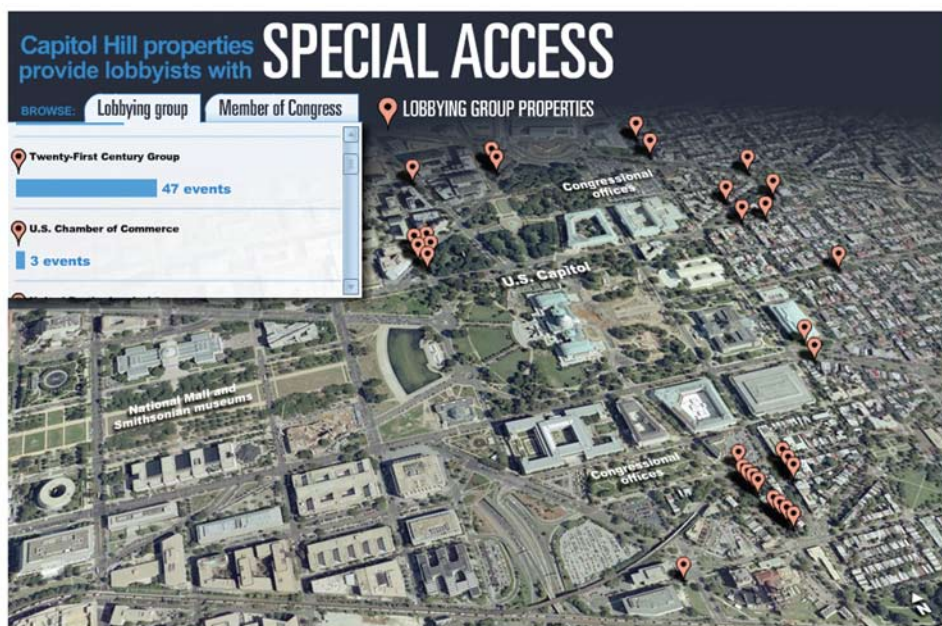
“In the past decade, 18 lobbying firms, corporations and labor unions have purchased townhouses or leased office space near the Capitol, joining more than a dozen others that had operated there for years ... . Despite a strict new ban on gifts to lawmakers, lobbyists routinely use these prime locations to legally wine and dine members of Congress while helping them to raise money ... . The lawmakers get a venue that is often free or low-cost, a short jaunt from the Capitol. The lobbyists get precious uninterrupted moments with lawmakers—the sort of money-fueled proximity the new lobbying law was designed to curtail. The public seldom learns what happens there because the law doesn't always require fundraising details to be reported.”

We counted more than 400 congressional fundraisers at lobbyist-, corporate- or labor-owned Capitol Hill facilities from January through November 2007, benefiting 214 lawmakers—40 percent of Congress. That was an incomplete total, we noted, because a series of loopholes allowed some fundraising spending to go undisclosed.

While “only a sliver of the fundraising universe,” the receptions illustrate “that lawmakers still are allowed to accept valuable favors from special interests willing to pay for access....”

When it came time to produce our story, database editor Paul Overberg and senior designer Ron Addington led the construction of an interactive Web graphic that allowed readers to click on townhouse locations to see which members of Congress had fundraisers there.

We showed examples of lawmakers acting on behalf of their fundraising hosts. House Transportation Chairman James Oberstar (D-Minn.) attended a breakfast fundraiser at UPS's townhouse, and then later that same day won committee passage of his bill, backed by UPS and hotly opposed by FedEx,



Sources: USA TODAY research, Federal Election Commission, District of Columbia real estate records, fundraising invitations, Google maps, [opensecrets.org](http://opensecrets.org), [usaspending.gov](http://usaspending.gov)  
Produced by H. Darr Beiser, Ron Coddington, Ken Dillanian, Eugene Kiely, Paul Overberg and Chad Palmer, USA TODAY

that would change the labor status of FedEx. He hadn't considered that the proximity of the two events might not look good, Oberstar said.

Among lobbyists, corporate executives and lawmakers, the story was greeted with a yawn. "This is business as usual," said a spokesman for UPS, which had opened its doors for 57 fundraisers.

But that sort of sentiment seemed to outrage the hundreds who posted comments about the story on *USA Today's* Web site, some of whom likened the campaign finance system to legalized bribery. C-SPAN's founder Brian Lamb invited me to discuss the story on his weekly "Q & A" interview show.

The techniques we used to report this story could be useful for anyone who wants to learn who is helping their members of Congress raise money.

Ultimately, we identified fundraisers two ways. First, we searched campaign disbursements on CQ Moneyline by purpose, using key words such as "catering," "rental," "fundraising" and "event." Those who don't have a subscription to CQ Moneyline can construct their own database from

FEC downloads. They can also search individual campaign reports, which they can download from the FEC Web site.

Second, we examined in-kind contributions by lobbyists and political action committees, which turned out to be a road map for fundraisers. "In-kinds" are contributions other than cash, and we obtained a database of them from the FEC press office. Often, when a lobbyist hosts a fundraiser, in-kind payments for food, drink, facility rental and other expenses are made from the PAC to the campaign.

In prior years, campaigns often didn't disclose the purpose of the in-kind spending, but the FEC now requires them to be specific, using terms such as "catering" or "fundraising." It's now much easier to identify fundraisers.

A word of caution: There are truck-sized loopholes in the FEC's reporting requirements. For example, if a company uses its facility to host fundraisers but also loans its space for free to civic groups, it doesn't have to charge campaigns or report an in-kind contribution. That's why campaign records reveal no fundraisers at FedEx's townhouse, for example, even though company

officials acknowledged hosting fundraisers there.

Also, lobbyists who host fundraisers at their homes near the Capitol fall under a rule that allows homeowners to spend \$1,000 on a fundraising party without reporting it.

Keep in mind that this type of investigation is not limited to Washington. Lobbyists are hosting fundraisers in state capitals as well. How are those fundraisers being paid for and accounted for? The answer may yield a good story.

In theory, more disclosure of lobbyist fundraising in Washington is coming. The new lobbying law contains a provision that requires lobbyists to disclose the names of any lawmaker who was the recipient of more than \$15,000 worth of contributions gathered (or "bundled") by that lobbyist in a six-month period.

But that provision doesn't require disclosure of the nature, date or location of specific fundraisers. It also awaits FEC enforcement rules, and as of press time, the FEC was paralyzed by an unrelated political dispute.

*Ken Dilanian covers Congress with a focus on investigations for USA Today.*

## FOI Files

CONTINUED FROM PAGE 39

Of the 91 large nonprofit organizations analyzed, 46—or 51 percent—listed zero or negative taxable income after taking deductions and making other calculations.

In all, the 91 groups in our review generated \$419.1 million in income through such activities as publishing magazines and operating museum shops, bookstores, parking facilities, and restaurants.

Once these organizations calculated their taxes, that \$419.1 million figure was reduced to a collective loss of \$3 million.

The National Geographic Society, for instance, reported nearly \$92.5 million in unrelated business income on its most recent Form 990-T, largely through the sale of advertising for its magazines. After taking its deductions, it reported nothing in taxable income, though it was required to pay the government about \$64,000 through the alternative minimum tax.

Harvard University, meanwhile, reported more than \$26.7 million in unrelated business income on its most recent Form 990-T. Once it took its deductions, that total was reduced to a loss—for tax purposes—of nearly \$1.8 million. As a result, it paid no tax on that income.

### A legal "excess of flexibility"

These findings, however, do not mean the nonprofit groups have run afoul of tax laws. In fact,

many of the legal experts we interviewed for the story said charities are merely following federal rules that have been on the books for years that allow them to take deductions for myriad operating expenses and shield much of their income from tax through exemptions.

But the finding certainly verified concerns by top IRS officials that current rules on unrelated business-income tax may allow "excess flexibility" for charities in some cases when they calculate the amount of their unrelated business taxable income.

Through our reporting, we found one common way that nonprofit groups reduce their income-tax liabilities is to take deductions for operating expenses, then apply those deductions to their tax bills—the same method that commercial businesses use.

But because of the way the rules are written, charities often have significant leeway in how they calculate those deductions.

While the federal law states that some forms of charities' commercial income are taxable—like advertising revenue from magazines and journals that nonprofit groups regularly publish, as well as income from insurance policies that they offer—the law also includes more than two dozen separate exemptions that allow organizations to shelter such income.

Some of these exemptions are in wide use,

including those for capital gains from the sale of stock or property, dividends and interest from investments, and some royalty and rental income.

We have since heard from IRS officials and from aides to Sen. Charles Grassley of Iowa who said that our findings may help push for a more comprehensive look at the rules to see if they should be tightened to prevent abuse.

Against that backdrop, journalists have a new avenue for finding interesting stories about nonprofit groups in their communities. It would be easy for a local reporter to do a scaled-down version of our study, looking at the Form 990-T disclosures of prominent charities, including universities, in their communities.

In addition, the Form 990-T might help provide additional insight into other stories that involve charities. This form is a fantastic new tool for getting a more complete picture of how charities operate.

Read the story: <http://philanthropy.com/free/articles/v20/i08/08003301.htm>

*Peter Panepento is The Chronicle of Philanthropy's online editor. He won an IRE certificate in 2005 while working for the Erie (Pa.) Times-News.*

*Grant Williams is investigations editor for The Chronicle of Philanthropy.*

# Don't miss valuable tips in IRE Awards book entries

BY STEVE WEINBERG  
THE IRE JOURNAL

When journalists enter the annual IRE Awards, they complete an entry form. The form does more than represent each entrant in the competition. It also conveys valuable information about how the investigation began and how it came together, and each form is archived in the IRE Resource Center.

Authors who published investigative books in 2007 shared their techniques on the paper trail and

the people trail, and their thought processes while shaping the narrative. Serving as a screening judge this year, I have read the books, as well as studied the entry forms to select lessons that can be applied beyond a specific book and a specific topic. Here is a selection of a few of the entrants in the book category, chosen here based

on their value as journalism resources.

(The following is unrelated to official IRE Awards judging. For the book category winner and finalists, see p. 13.)

## Lesson One: Revisit previous stories, looking for new realities

While researching "Exposed: The Toxic Chemistry of Everyday Products and What's at Stake for American Power" (Chelsea Green Publishing), author Mark Schapiro harked back 27 years, when he and David Weir co-wrote "Circle of Poison: Pesticides and People in a Hungry World." That book demonstrated how dangerous chemicals banned in the United States ended up sold overseas, in nations without meaningful government regulation. By 2005, Schapiro realized, the European Union had replaced the United States as the largest market for consumer goods. The European Union tended to restrict or ban suspected hazardous products more readily than the United States. How, Schapiro wondered, would U.S. manufacturers respond "when the world's other major economic power

issues regulations far more protective of citizen health than those in the United States?"

## Lesson Two: Question the conventional wisdom

Phillip Longman questioned the often-repeated generalization that "everybody knows" the medical care at Dept. of Veterans Affairs hospitals is subpar. By excluding himself from the "everybody" designation, he was able to examine VA hospitals with an open mind. He heard from numerous health care experts that VA hospitals functioned well. Then Longman studied massive amounts of data that confirmed what he had been hearing from experts. One important finding: VA hospitals' "lifetime relationships with their patients provided incentives to keep patients well that are lacking elsewhere in the health care system." He presents his evidence persuasively in "Best Care Anywhere: Why VA Health Care Is Better Than Yours" (Polio Press).

## Lesson Three: Winning trust of reluctant sources and subjects means being around a lot

Kevin Davis wanted to explain how and why public defenders do what they do for the accused. But he met resistance. "Public defenders have traditionally stayed out of the spotlight," he writes, "because they know that they have an unpopular role in the criminal justice system and are often viewed as hacks and bureaucrats eager to sell out their clients or shuffle them quickly through the system." Before he could write "Defending the Damned: Inside Chicago's Cook County Public Defender's Office" (Atria Books), Davis had to invest countless hours in courtrooms, law offices and social settings demonstrating his enthusiasm for the research and his earnestness as a researcher.

## Lesson Four: Look outside the mainstream for stories

To the extent that journalists pay attention to higher education, they tend to gravitate toward Harvard and Yale University, the University of California-Berkeley, and a relatively

small number of other elite campuses. Hanna Rosin focused instead on Patrick Henry College, a small Christian school in Virginia. She had heard that a leader of the homeschooling movement was founding a college to train young men and women who would work to overturn abortion rights and gay rights.

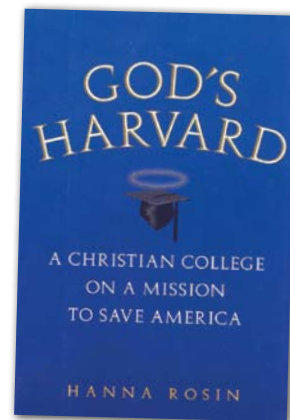
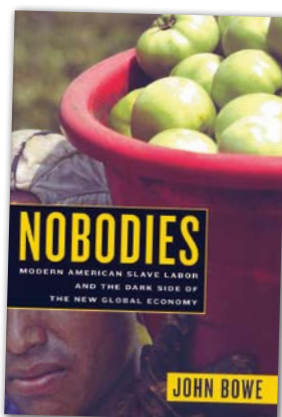
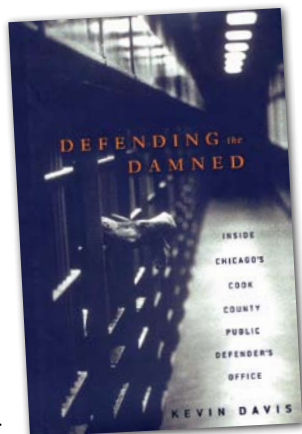
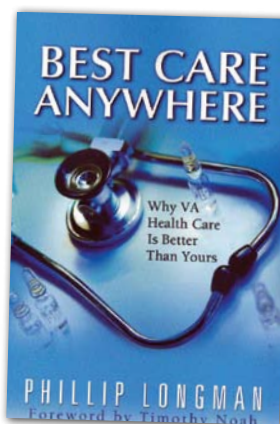
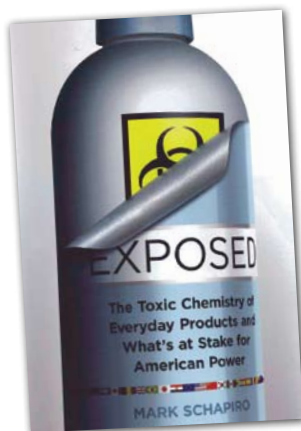
In "God's Harvard: A Christian College on a Mission to Save America" (Harcourt), Rosin embedded herself in and around the campus until she became familiar to students, staff

and faculty suspicious of supposedly liberal, mainstream journalists. Then Rosin carefully listened and observed day after day, week after week, month after month until she felt confident she understood the thought patterns of her sources and subjects.

## Lesson Five: Do not look the other way at massive unpleasantness

While driving around Appalachia conducting interviews for a book about how Americans perceive their jobs, John Bowe encountered Hispanic labor activists who mentioned a slavery case in Florida. That could have been a one-time story about an unusual case of degradation. Howe looked for the big picture, though, after hearing about the Florida situation. Was it unique, or was it merely the first instance of degradation to come to a journalist's attention? In "Nobodies: Modern American Slave Labor and the Dark Side of the New Global Economy" (Random House), Bowe crosses nation-state, language and cultural barriers to demonstrate the emotional callousness and physical cruelty of human beings to one another. Because of Howe's curiosity and stamina for digesting highly upsetting material, 21<sup>st</sup>-century slavery is no longer such a mystery.

Steve Weinberg, a former executive director of IRE, is author of eight nonfiction books, including the just-published "Taking on the Trust: The Epic Battle of Ida Tarbell and John D. Rockefeller" (W.W. Norton).



## Member news

CONTINUED FROM PAGE 5

of Investigative Journalists at the Center for Public Integrity. Kaplan will oversee a network of 100 journalists in 50 countries.

■ A WTAE-Pittsburgh team, which included **Jim Parsons**, was given a Peabody Award for "Fight for Open Records," a series about improprieties in Pennsylvania's state-run student loan agency. ■ The CBS News series 60 Minutes was given a Peabody Award for "The Killings in Haditha," a 2007 report by **Scott Pelley** that covered the worst single killing of civilians by U.S. soldiers since the Vietnam War. ■ The Scripps Howard Foundation announced that the *Chicago Tribune* received the \$10,000 Roy W. Howard Award for "Hidden Hazards." **Maurice Possley, Sam Roe** and **Patricia Callahan** contributed to the series that exposed flaws in the management of child product recalls. ■ **Laura Sullivan**, a National Public Radio correspondent, received a 2008 Dart Award for Excellence in Coverage of Trauma for the two-part investigative series "Sexual Abuse of Native American Women."



Reach the best in the business with IRE advertising in print, online and event sponsorships.



Contact Megan Means,  
meganm@ire.org

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

**IRE AND NICAR 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: Jeremy Milarsky, jeremy@ire.org or 573-882-1982. To order data, call 573-884-7711.

**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: Mark Horvit, mhorvit@ire.org, 573-882-1984

**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, 573-882-2127

**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: Mark Horvit, mhorvit@ire.org, 573-882-1984.

### For information on:

**ADVERTISING**—Megan Means, meganm@ire.org, 573-884-2360

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

**CONFERENCES AND BOOT CAMPS**—Stephanie Sinn, stephanie@ire.org, 573-882-8969

**LISTSERVS**—Amy Johnston, amy@ire.org, 573-884-1444

### Mailing Address:

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

CALL FOR ENTRIES

# BARLETT & STEELE AWARDS

## RECOGNIZING EXCELLENCE IN INVESTIGATIVE BUSINESS JOURNALISM

Presented by the  
Donald W. Reynolds  
National Center for  
Business Journalism

**SUBMISSION DEADLINE AUGUST 1, 2008**

**FIRST PLACE \$5,000**

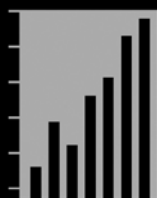
**RUNNER-UP \$2,000**

Named for the widely acclaimed investigative business journalist team of Don Barlett and Jim Steele, these awards, funded by the Reynolds Center, celebrate the best in print and online investigative business journalism.

*Jim Steele: "We'd like to see journalists who keep the bigger picture in mind. Someone who brings an understanding of complex issues that have not been properly explained. Don and I have an informal motto: Tell the readers something they don't know about."*

Entries must have appeared between July 1, 2007 and June 30, 2008. Each print publication or online organization is limited to two entries.

Find complete rules and details online at  
[www.businessjournalism.org/barlettsteeleawards/](http://www.businessjournalism.org/barlettsteeleawards/)



Donald W. Reynolds  
**National Center**  
*for* **Business Journalism**

Andrew Leckey, Director • [andrew.leckey@businessjournalism.org](mailto:andrew.leckey@businessjournalism.org) • 480-727-9186

Walter Cronkite School of Journalism and Mass Communication • Arizona State University

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



Investigative Reporters and Editors, Inc.  
Missouri School of Journalism  
138 Neff Annex  
Columbia MO, 65211  
[www.ire.org](http://www.ire.org)