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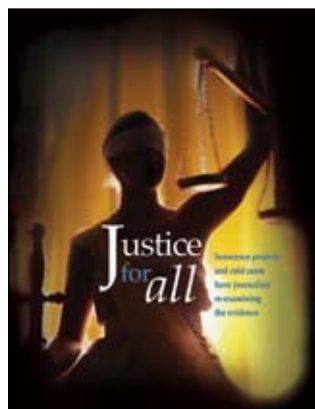
THE IRE JOURNAL

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Justice
for
all



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Media play an important role in seeking justice in unsolved crimes or questionable convictions.

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FROM THE IRE OFFICES

A bigger tent

BY MARK HORVIT
IRE EXECUTIVE DIRECTOR

What is a journalist?
In a simpler time, that was a simpler question.

IRE's definition has always been pretty inclusive: Those who practiced journalism full time have had the ability to apply for membership. For most of our organization's history, that meant reporters and editors working for newspapers (mainstream and alternative; publishing daily, weekly or less frequently), magazines, TV and radio stations – you know, the places where news was traditionally found.

Today that definition has been blown wide open.

Now that publishing is as simple as sending a quick note from your cellphone to a network of friends or subscribers, just about anyone can get their story to the public.

But while definitions and delivery systems have changed, one thing has not: the need to make sure that whoever gathers the news does so with accuracy, ethics and watchdog skills.

That's why we've revised our bylaws to be more inclusive of part-time reporters and editors, including citizen journalists who want to gain the skills to better inform their communities.

Even under the old rules, a full-time blogger who reported news (as opposed to what they had for breakfast or who they were dating) was eligible for membership. But we knew we were missing out on an important part of the new media landscape – folks who gather the news, though not necessarily as a full-time profession.

The bylaws were amended to allow “individuals who are engaged part time in reporting or editing” to be associate members, meaning they get all the educational and other benefits of membership with the exception of voting rights.

So now part-time bloggers can join IRE. That means the teacher, the attorney and the neighborhood watchdog who devote some of their time to scrutinizing city hall, the courthouse or the school board – and who post news stories about what they find – are welcome to apply.

“This change in membership is part of IRE's efforts to address the evolving needs of journalists,” says IRE board president Cheryl Phillips. “IRE will continue to be a leader in teaching journalists of all stripes the skills they need to investigate and produce important public-service journalism, whether it's in a blog, in paper or on the air.”

Our goal is simple: to open IRE's resources and training to more people who are upholding the values of the Fourth Estate. As traditional news organizations cut back staffing and budgets, the role of citizen journalists will become ever more crucial in keeping elected and appointed officials in check. It's in everyone's interest that they have the skills to do so.

Delving into the past to right old wrongs is nothing new for journalists. There is a rich tradition of reporters who have looked into old criminal cases to truth-test the results obtained by a justice system that is far from perfect or to continue investigating unsolved crimes.

This issue of the *Journal* looks at the impact journalists can make both in investigating whether the right person is behind bars or why no one is in prison for crimes committed long ago.

Ted Gest, president of Criminal Justice Journalists, explores journalists' roles in such stories beginning on page 15.

Mike McGraw, of *The Kansas City Star*, delved into the case of a fatal arson fire and raised serious doubts about the convictions of five people in what he describes as one of his town's coldest cases. What he discovered left his faith in the criminal justice system shaken. It has also sparked an investigation by the U.S. Justice Department and drawn the attention of the Midwestern Innocence Project, which is looking into the case in conjunction with a class at the University of Missouri led by former IRE executive director Steve Weinberg.

The Columbus Dispatch collaborated with a private DNA testing lab to take a fresh look at a number of convictions in Ohio. (As a side note, this article was selected for the *Journal* before

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Mark Horvit is executive director of IRE and the National Institute for Computer-Assisted Reporting. He can be reached at mhorvit@ire.org or 573-882-2042.

McCormick grant will expand Ethnic Media workshops

A \$100,000 grant from the McCormick Foundation will allow us to continue and expand our Ethnic Media Watchdog program. The funding will support a series of regional workshops that will bring low-cost, high-quality training on local, regional and national topics to journalists working in small- to medium-sized ethnic media organizations in areas throughout the U.S. Participants learn techniques and tips that help them add depth to their stories and to do work that has greater impact in their communities.

To date, IRE has conducted Ethnic Media Watchdog seminars in Chicago, New York, Minneapolis and Atlanta for more than 200 journalists with support from McCormick, the New York Times Company Foundation and several partners. This new funding will allow IRE to bring the training to additional communities and improve and expand the program. The new series will begin in 2009 - please watch for the dates and locations on IRE's training Web page: www.ire.org/training.

One of the strongest components of this program has been its collaborative nature. We look forward to continuing to work with Brant Houston, Knight Chair at the University of Illinois and former executive director of IRE, New America Media and the Community Media Workshop in Chicago, as well as the University of Missouri School of Journalism, among other future partners.

"The Ethnic Media workshops are one of the most important initiatives that IRE has undertaken in recent years," says IRE executive director Mark Horvit. "Ethnic media are a vital, growing part of our industry, and we want to help provide techniques and resources for their passionate, community-based reporting. Working with these journalists has been a great collaborative process, and having them become members of IRE enriches our organization. We look forward to the new series."

If you are interested in having this training come to your area, please contact Mark at mhorvit@ire.org.

Minority fellowships available for CAR Boot Camp in January

IRE will be offering two Minority Fellowships for the Computer-Assisted Reporting Boot Camp, Jan. 4-9 in Columbia, Mo.

The Ottaway Fellowships, established by David Ottaway and the Ottaway Family Fund, cover registration fees and travel expenses to attend hands-on training in using spreadsheets and databases in everyday reporting and investigations. Fellows also receive a one-year IRE membership.

IRE invites you to apply or share this information with colleagues. CAR Boot Camps offer a one-of-a-kind introduction to skills that can change careers. For details, please visit www.ire.org/training/bootcamps/index.html or download a fellowship application.

Ideas sought for CAR conference

Planning is under way for the 2009 CAR conference in Indianapolis being held March 19-22, and we're looking for your ideas as we put the program together.

If there are panels or hands-on sessions that you'd like to see us offer, please send an email with your suggestion to confideas@ire.org. We plan to have sessions and tracks for everyone from the beginner to those who are more advanced.

Please provide a short description of the panel, and if you'd like to suggest speakers or trainers for the session, those are welcome as well. Also make sure to include contact information so we can get back in touch with you.

Registration is now available for the conference. For more information, go to www.ire.org/training/conference/indy09.



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ISSUE CATEGORIES: NEWS

News IRE fellowship offers funds for trainees

A donor with ties to IRE has given the organization more than \$1.2 million to fund its Minority Fellowship program.

The gift will provide at least five trainees with support for their work. The program is set to launch in 2009.

The IRE award applications will be submitted to the donor's foundation. Applications will be accepted from Jan. 20, 2008, and will be awarded at the 2008 IRE Conference in March 2009.

Knight Foundation expands matching grant for IRE Endowment Fund

IRE's endowment fund received a \$1 million matching grant from the Knight Foundation. The grant will be used to fund the program through 2010.

Feb. 28, 2008

Milarsky named Database Library director

Debra Milarsky, a former reporter and database editor with the South Florida Sun Sentinel, began her tenure at the 2008 CAR Conference in January 2008.

Most of her career was spent at the South Florida Sun Sentinel, where she worked as a reporter, news reporter and finally as a manager in the newsroom. She has also worked for the Miami Herald, the Miami Herald's parent company, and the Miami Herald's parent company's parent company.

She will continue to be a strong addition to IRE, but her main focus will be on continuing to build the Database Library, while making it a leader in providing information and the means to analyze it intelligently. Milarsky will have ongoing contact with IRE members on an ongoing basis before the library will play an even more important role for the future.

The IRE and NCJRS Database Library plays an important part in the organization's role in giving the news media an essential reporting information and the means to analyze it intelligently. Milarsky will have ongoing contact with IRE members on an ongoing basis before the library will play an even more important role for the future.

IRE will continue to be based in Florida until we can permanently relocate to the IRE headquarters in Columbia, Mo. We can be reached at info@ire.org.

MEMBER NEWS

The *Milwaukee Journal Sentinel* won the Associated Press Managing Editors' second Innovator of the Year Award for launching an investigative reporting team that won a Pulitzer Prize for local reporting this year. IRE members at the paper include **Gina Barton, Ellen Gabler, Mark Katches, Ben Poston, Raquel Rutledge, Cary Spivak and Dave Umhoefer.** ■ **Roberta Baskin** and the WJLA-Washington, D.C. I-Team won a national News and Documentary Emmy Award for outstanding regional news story in investigative reporting for "Drilling for Dollars." ■ **Darran Caudle, Tony Pipitone** and Tim Arnhem of WKMG-Orlando won first place at the SPJ Annual Green Eyeshade Awards in the TV investigative reporting category for "Food Fight." ■ **Fernando Diaz**, a reporter with *The Chicago Reporter*, was named the National Association of Hispanic Journalists' Emerging Journalist of the Year. ■ The Online Journalism Awards gave **Reese Dunklin** and Brooks Egerton of *The Dallas Morning News* top honors in the investigative journalism category for large Web sites for "Unequal Justice." The five-part series showed how convicted murderers in Texas could get probation and avoid criminal convictions. ■ **Dan Grech** of American Public Media's "Marketplace" received a 2008 Ochberg Fellowship through the Dart Center for Journalism & Trauma. Grech won the Ruben Salazar Journalism Award for radio through the California Chicano News Media Association for "Migrants as Pesos." He also received first place in the SPJ Green Eyeshade Awards in the radio enterprise business reporting category for "Venezuela's 21st Century Socialism." ■ **David E. Kaplan**, former chief investigative correspondent at *U.S. News & World Report*, joined the Center for Public Integrity in April. He has been named editorial director and remains head of the Center's International Consortium of Investigative Journalists. ■ Delegates at the Society of Professional Journalists National Convention in Atlanta elected **Hagit Limor**, an investigative reporter at WCPO-

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E-mail Member News items to Tori Moss, tori@ire.org. Please include contact information for verification.

WATCHDOG TEAM PAYS OFF

BY MARK KATCHES
MILWAUKEE JOURNAL SENTINEL

At a time when newsrooms are slashing and burning, the *Milwaukee Journal Sentinel* built one of the largest investigative teams in the country.

The investment in public service journalism has paid off.

In 2008, the *Journal Sentinel* won the Pulitzer Prize for Local Reporting – for the first story pursued by the first reporter named to the team, Dave Umhoefer. He exposed a pension scandal in Milwaukee County marked by cronyism and backroom deals that cost taxpayers \$50 million. His reporting prompted the county to turn itself in to the IRS.

A separate team of reporters won a Sigma Delta Chi award for chronicling the government's failures to regulate dangerous chemicals.

In September, the newsroom's Watchdog Team added the Associated Press Managing Editors' Innovator of the Year award to its list of 2008 accolades. APME judges cited the *Journal Sentinel* for its commitment to investigative reporting – both in print and online.

Lots of newsrooms produce outstanding investigative projects. But two things have helped us stand out: the size of our team and our multidimensional approach. Instead of emphasizing only big, ambitious projects that take months, our newsroom stresses quick-hitters, blogs, consumer-focused watchdog stories and searchable databases that drive Web traffic.

The Public Investigator Team has used laboratory testing to expose dirty beer taps in Wisconsin pubs and has mined restaurant inspection data to show that thousands of restaurants are going more than a year without an inspection. The reporters also used electronic data to determine that the vast majority of Wisconsin pediatricians were failing to conduct federally mandated lead screening tests for young children.

The Watchdog Team built and maintains the newsroom's Data on Demand Web page, which hosts about three dozen searchable databases, including ones listing government salaries and serious nursing home violations. The complete set of databases generated more than 4 million page views in the past year. Popular databases such as Milwaukee County restaurant inspections are updated monthly. Every time we update the inspection database, we get about 100,000 page views in a matter of hours.

"It's important to continually update our searchable databases because our online audience has come to expect data that is up-to-date and relevant to their lives," said Ben Poston, our Watchdog Team's computer-assisted reporting specialist who built Data on Demand.

The team also created a Citizen Watchdog page that serves as a one-stop center for Wisconsin residents wanting to do their own exploring. It includes links to campaign contributions, lobbying reports, business records, government meeting agendas and much more.

And we launched a new political watchdog column called "No Quarter," written by veteran investigative reporter Daniel Bice.

"We would have a large hole in our coverage if the Watchdog Team produced nothing but six- and nine-month investigations. I am able to do quick-hit pieces that hold officials accountable," said Bice, who writes twice a week. "I've recently written columns about a state lawmaker who invests in strip clubs and a school board member who travels extensively but didn't actually attend the conferences she was sent to. Those columns had high impact locally, led to high traffic counts on our Web site and created high visibility for the Watchdog Team."

The investigative culture at the *Journal Sentinel* extends beyond the Watchdog Team. Daily beat reporters are getting into the act – helping to brand the *Journal Sentinel* as the go-to site for hard-hitting, high-impact investigative reporting in Wisconsin. The newsroom has published more than 70 stories under the *Journal Sentinel* Watchdog Report label since February 2007. Many were produced by daily beat writers working on their own or with Watchdog Team members.

The best example of this collaboration was "Chemical Fallout," our Sigma Delta Chi award winner. Investigative reporters Meg Kissinger and

Cary Spivak teamed with science writer Susanne Rust to produce the two-part series over two consecutive Sundays in November and December of 2007.

"Nobody knows a subject area – whether an industry, science or governmental body – better than a good beat reporter," Spivak said. "They also know the best sources to call when pursuing an investigation."

The reporters built a database of more than 250 scientific studies focusing on the chemical bisphenol A – found in baby bottles and other hard plastics. Rust tracked down scientific research spanning two decades. No newsroom had ever attempted to analyze the studies. The vast majority of those studies found that the chemical harmed laboratory animals, causing cancer and a host of developmental problems. The few studies that determined the chemical to be safe were mostly funded by the chemical industry. Yet the government had largely ignored the findings. Kissinger and Rust have continued to break new ground on the story this year.

Before February 2007, the *Journal Sentinel* didn't have a dedicated investigative reporting team. So we built one from scratch, mostly by reassigning reporters already in the newsroom who had a strong track record of doing investigations. Most of the Watchdog Team's eight reporters have clear, focused areas of specialty including law and order, local government, health and welfare, and business. Their specialties help them mine sources and stay connected.

"Building the team has helped create a culture in the newsroom that values investigative reporting," said Gina Barton, the paper's law and order investigative reporter. "As a result, everyone, including the beat reporters, has more time to work on these kinds of stories. There is an extremely positive spirit of collaboration in the newsroom as a result of the team's existence."

One of our most successful new features is called Public Investigator. Reporters Ellen Gabler and Raquel Rutledge have written about shady political dealings and problems in local schools. But their primary mission is consumer watchdog stories. They average about one story a week. They also blog daily.

"Public Investigator gives us the opportunity to consistently write and report quick-hit investigations," Gabler said. "The community needs and wants that kind of reporting. Many times our stories are about how someone got a raw deal. Often times they're about what the government did or didn't do. We also have the opportunity to do a wide range of stories. Some are small issues – seemingly dull or trivial at first. But after some digging we usually discover that the problem affects the masses. Other stories highlight systemic problems where government or business is falling short."

The Public Investigator Team has used laboratory testing to expose dirty beer taps in Wisconsin pubs and has mined restaurant inspection data to show that thousands of restaurants are going more than a year without an inspection. The reporters also used electronic data to determine that the vast majority of Wisconsin pediatricians were failing to conduct federally mandated lead screening tests for young children.

One investigation even helped save a man's house. Rutledge wrote a series of stories about a mentally disabled man who was issued a \$50 violation by the city of Milwaukee for failing to get new tags on his broken-down van parked in his own driveway. The man didn't pay the fine, which

escalated to more than \$2,500 in late fees. Finally, the city took the extraordinary action of foreclosing on the man's home, which he owned free and clear. The Public Investigator stories brought the case to light. A Good Samaritan came forward to pay the man's fine, and the city dropped its foreclosure efforts.

Each time they write about people getting a raw deal, Gabler and Rutledge are flooded with tips.

"People feel like they have someone to get to the bottom of things," Gabler said. "Historically, newspapers have had a watchdog role in society. Public Investigator lets us fill that role in an approachable and fun way."

Since we launched our Watchdog Team, we've

said goodbye to about 50 colleagues who left through two rounds of voluntary buyouts. Our team has not been immune. We lost our most experienced investigative reporter in the latest buyouts. But we remain a formidable group with the strong backing of our top editors, who see investigative reporting as critical to the paper's mission.

"Yes, investigative reporting takes time and is expensive," Barton said. "But our editors realize it's one of the things newspapers can do that virtually no one else can."

Mark Katches is assistant managing editor of projects and investigations at the Milwaukee Journal Sentinel and a former IRE board member.

THE RIGHT STUFF

Inside the *Journal Sentinel's* multidimensional approach to investigative reporting

Quick hitters: We've produced some great long-term projects, but quick hitters are our bread and butter. Since February 2007, the newsroom has published 74 stories under the *Journal Sentinel* Watchdog Reports label. The label helps with branding. Many of the stories are produced by daily beat reporters, who are encouraged to find watchdog stories.

Ambitious projects: The two stories that took the longest time last year had a huge impact and won major national awards. We have a good track record of picking the right stories to pursue.

Consumer watchdog reporting: Using a lot of laboratory testing and data crunching, our two-person Public Investigator Team averages more than one story a week – and the majority of those stories land on 1A. In the past, many of these stories would have fallen through the cracks. But the P.I. Team gives voice to individuals who feel like they got a raw deal from contractors, landlords or City Hall.

Political watchdog columnist: The hard-edged, twice-weekly "No Quarter" column keeps the heat on elected officials.

Searchable databases: Most databases on our Data on Demand page are tied to stories. The databases have been one of the biggest drivers of Web traffic in our newsroom. We built and maintain Data on Demand.

Blogging: The Public Investigator Team has its own blog and updates it at least once a day. The other investigative reporters contribute to a second blog called "Dogged." The blogs provide an opportunity to update readers about ongoing stories, share nuggets that might not make the print version and create buzz before our next investigative stories land.

Watchdog tools for the public: We created Citizen Watchdog for Wisconsin residents to do their own investigative reporting. Readers can find everything from criminal courts databases to local government meeting agendas and meeting minutes.



Kevin Eisenhut | Milwaukee Journal Sentinel

Milwaukee Journal Sentinel reporter Dave Umhoefer (far left) reacts to the news that he has won a Pulitzer Prize for Local Reporting. Celebrating with him are editors Carl Schwartz (seated), Martin Kaiser, Mark Katches and George Stanley.

Watchdog Reports, Data on Demand, Citizen Watchdog, Public Investigator, Daniel Bice: No Quarter and the Dogged Blog can be found at the *Milwaukee Journal Sentinel's* Watchdog Online Web site at www.jsonline.com/index/index.aspx?id=201.

DISPARITY OF REPAIR

Race gap found in pothole patching

BY BEN POSTON, KEEGAN KYLE AND GRANT SMITH
MILWAUKEE JOURNAL SENTINEL

Milwaukeeans suffered through a brutal winter of 2007-08 that dropped more than 100 inches of snow on parts of Brew City. It was the second-highest snowfall total on record, trailing only the dreaded winter of 1885-86.

Freezing and thawing twisted the city's streets, and constant plowing generally made problems worse. Local print and broadcast media documented the winter storms and resulting pothole woes, but most of the coverage was anecdotal. Media reported potholes like a county fair – the same angles year after year.

After reviewing the coverage, Keegan Kyle, an intern on the *Milwaukee Journal Sentinel's* Public Investigator team, learned from the city Department of Public Works in July that residents can file complaints about potholes by phone or through an online system.

From talking to sources, Kyle discovered that street maintenance officials managed a database of pothole repairs to help in deploying crews. He filed a Public Records Act request to obtain an electronic list of every pothole repair made during the first six and a half months of the year.

More than a month later, the *Journal Sentinel* published a report that found that the larger the minority population in a Milwaukee neighborhood, the longer it took city crews to fix potholes. Repairs in mostly minority census tracts took an average of 11 days, while those in mostly white census tracts took seven days. To reach this conclusion, the reporters did mapping and statistical analysis along with old-fashioned shoe-leather reporting.

The pothole analysis was a feasible project because Milwaukee, like many cities, is managing service distribution and citizen complaints through electronic systems. Databases like these give journalists the resources to talk about city services on topics that usually only receive coverage in seasonal or budget stories. Reporters can specifically pinpoint different levels of service across regions or populations and thematically address the small things like potholes that matter to readers in a big way.

The challenge is finding databases and working with sometimes resistant government officials. Journalists must assume that every online submission form is part of an electronic system and that the data is a public record. We also must learn to think outside the definitions provided by government officials and use data creatively. The city of Milwaukee created the pothole data to deploy crews – we analyzed it to gauge performance.

This story can be used as a template for measuring

public service in any city, provided the government keeps an accurate electronic record of its work. If they have the computer know-how, reporters can look at everything from burned-out streetlights to street sweeping to police response times.

Pulling the thread

Kyle initially wanted to figure out how long it took crews to fix potholes after residents complained about specific locations. Three business days after he filed his records request, the city provided at no charge a database about more than 11,000 potholes.

It included a pothole's location, the complaint date and repair completion date, and a comments section full of descriptions. One person said that one pothole was "going to break my car in half" and another was "so big it could swallow up a garbage truck."

Kyle did preliminary calculations in Microsoft Excel and found that it took city crews an average of 9 days to repair potholes citywide. He accomplished the original goal but the location data inspired a new approach: What neighborhoods and aldermanic districts took the longest for pothole crews to repair? The location data field provided a relatively clean address for mapping software to show which census tracts and districts waited the longest.

This approach became a priority when Kyle discussed Milwaukee's road conditions with veteran reporters in the newsroom. There was a suspicion that roads on the north side of the city had significantly more potholes than other parts of the city. Milwaukee is consistently ranked as one of the most segregated cities in the country, with the north side composed of predominantly minority neighborhoods.

Mapping analysis

Journal Sentinel computer-assisted reporting intern Grant Smith joined the project to analyze and map the pothole repair data. Smith used Microsoft Access to clean the data. He used ArcView mapping software and BatchGeocode.com to map the pothole locations, which could be one pothole or many spread over a city block.

Using ArcView, Smith mapped 11,326 potholes the city had fixed from January to mid-July and totaled them by aldermanic districts and U.S. census tracts. He used the spatial join tool in ArcMap to group the potholes. More than 500 pothole locations, or about 5 percent, could not be mapped because there was incomplete data or because the mapping software could not match the location.

Smith calculated the average number of days it

took the city to fix potholes broken down by aldermanic district and by census tract to show more nuance and take demographics into account. His mapping analysis identified clear geographical disparities in the times it took to repair potholes – specifically, that potholes in mostly minority census tracts took longer to fix than mostly white areas.

The disparity of repair times by census tract created a clear line in the sand. Mostly minority neighborhoods north of Capitol Drive, a heavily traveled street, waited weeks longer to be repaired than whiter neighborhoods to the south. Using this clear boundary, Smith divided the city into two pothole service areas. The response times were significantly different.

Statistical analysis

The newspaper's computer-assisted reporting specialist, Ben Poston, took the data grouped by census tracts and used SPSS statistical software to run a multiple linear regression to see how the different factors were associated with the time to repair potholes. Linear regression allows statisticians to determine how two or more variables are related, the strengths of those relationships and if one variable predicts another.

Using this method, he was able to take into account median income and population density. Reporters found that although median income and population density together accounted for nearly 6 percent of the difference in repair times, minority percentage accounted for about an additional 16 percent.

The analysis could not account for factors such as the age or size of roadways, citywide traffic counts or pothole severity, which the city considers as priorities. The city's own database didn't include information on these factors.

Before running the analysis, Poston contacted Jennifer LaFleur, director of computer-assisted reporting at ProPublica. LaFleur had imparted her wisdom at the IRE Statistics Bootcamp in April 2008 at Arizona State University in Tempe. She provided guidance and caution in all stages of the analysis.

We sent the findings and methodology to two University of Wisconsin statistics professors for review. They told us that the methodology and results were solid and even pointed out some trends in the data we hadn't noticed. Vetting a statistical model and results with experts is a critical step.

The Department of Public Works, which handles street maintenance, insisted that race is not a factor in determining when and where potholes are fixed on Milwaukee's 1,400 miles of city streets.

The team of reporters and Mark Katches, assistant managing editor for projects and investigations, met with city officials to discuss our analysis before the story's publication. We laid out exactly how we conducted our analysis and provided a copy of our methodology sidebar. The city officials told us pothole repair crews are instructed to fix the most heavily traveled roads first while residential areas take a lower priority. Any discrepancies in service would be attributable to this deployment strategy, they said.

At Katches' urging, we decided to take a hard look at the city's explanation and found immediate problems. For instance, we found that complaints about potholes on arterial streets in the north part of the city took longer to address than on arterial streets farther south, even when considering daily traffic counts. We found that even response times for high-priority arterial streets in the north were longer or equal to response times for low-priority residential streets farther south, where the white population is larger.

Reaction from the community

Some civic leaders said the *Journal Sentinel's* investigation raised questions about whether public services are being distributed equally. At least one alderman said he would consider requesting an audit of all city services, everything from snow removal to street cleaning.

Milwaukee's mayor and aldermen accepted the geographic disparity but disputed the correlation with race. Some aldermen said reporting the race disparity was so outrageous that the entire analysis should be disregarded. They based their opinion on a statement from a research aide in the mayor's office who told aldermen that the newspaper's statistical analysis did not take into account all relevant factors. The *Journal Sentinel* acknowledged those caveats as part of its story. The aide did not dispute the findings of the analysis but said the results might have been different had additional factors been considered, which is true of any statistical analysis.

Other aldermen said the racial disparity was evidence of their constituents' suspicions and they could no longer defend the city against those accusations. Those aldermen, who represent minority areas, lashed out against street maintenance officials at a Public Works Committee meeting for failing to recognize and respond to the disparities.

"We generally give you guys the benefit of the doubt [with service delivery]," said Alderman Ashanti Hamilton, whose district waited the longest for pothole repairs – 15 days. "You have lost the benefit of the doubt."

Five days after the *Journal Sentinel* published the story, the mayor's office said it would no longer respond to calls or e-mails about potholes because it had spent too much time on the issue. In light of its pothole investigation, the *Journal Sentinel* is considering a review of other city services such as street replacement cycles.

Ben Poston joined the Milwaukee Journal Sentinel as computer-assisted reporting specialist in June 2007. Keegan Kyle was a 2008 summer intern who worked on the Journal Sentinel's Public Investigator team. He is a 2008 graduate of the University of Wisconsin-Madison School of Journalism and Mass Communication. Grant Smith was a 2008 summer computer-assisted reporting intern at the Journal Sentinel. A 2008 graduate of the Missouri School of Journalism, Smith is a freelance computer-assisted reporting specialist based in Memphis.

Gary Porter | Milwaukee Journal Sentinel



Craig Maier, a worker with the City of Milwaukee, fills potholes on a stretch of W. Carmen Avenue.

Reporters can specifically pinpoint different levels of service across regions or populations and thematically address the small things like potholes that matter to readers in a big way.

Courtesy of the Kingsville Police Department



Investigator Mike Tamez of the Kingsville, Texas, Police Department displays the \$1 million he discovered hidden in a Land Rover in January 2008.

DECONSTRUCTING “DIRTY MONEY”

BY JOHN BURNETT
NATIONAL PUBLIC RADIO

Police officers and sheriff’s deputies across America are pulling drivers over not just to look for drugs, but to confiscate cash.

National Public Radio producer Marisa Penalzo and I spent nine months delving into a subculture in which the availability of hundreds of millions of drug dollars have, in some cases, distorted the mission of law-enforcement agencies. “Dirty Money,” a four-part NPR series broadcast June 15-18, showed how some agencies have gotten hooked on seizing drug money.

Throughout our investigation, we conducted 90 interviews primarily in U.S. cities and towns along the highways that serve as rivers of drug money flowing back toward Mexico and into big U.S. narcotics markets like Atlanta. The Drug Enforcement Administration estimates that \$12 billion is repatriated to Latin America in drug profits every year, most of it as cash smuggled in vehicles. Federal and state laws permit police and prosecutors to confiscate suspicious cash and, after a controversial legal procedure called civil forfeiture, keep a portion of it for their

own budgets – astonishingly without ever finding narcotics on the suspect or arresting anyone.

The law says that the officer must be able to show the currency is linked to drug trafficking. But as we found, police agencies can take a wad of bills from a driver even if there’s scant evidence. The 24-year-old forfeiture program is popular among citizens and law enforcement alike. “There’s nothing better than to take money away from a drug dealer and give it to the police to catch drug dealers,” says Martin Braddy, a district attorney in northeast Texas.

But what happens when a police agency becomes dependent on regular income from drug money seizures? Critics say this dependency violates the spirit of federal forfeiture laws, which specify that “the prospect of receiving federal forfeited funds should not influence relative priorities of law-enforcement agencies.” We found law-enforcement officials in small, underfunded city and county governments who made no attempts to hide the fact that they needed to seize drug money to do their jobs effectively. The sheriff of Kleberg County, Texas, told

me that the southbound lane of U.S. Highway 77 – a major currency smuggling corridor to Mexico – is their “piggybank.”

Mike McCrum, a San Antonio attorney and former federal prosecutor, says, “Twenty years ago a way for a small county to build up its financial coffers was to run speed traps. It’s now evolved into stopping southbound cars into Mexico to see if they have large amounts of cash.”

So many police agencies are seizing so much cash – \$1.6 billion in the federal program alone last year, not including state seizures – that it has created a boom in law-enforcement spending. We found police and sheriff’s departments in sleepy counties tricked out like Delta Force with high-powered weapons, drug dogs and muscle cars, using drug money to underwrite salaries, and on and on. By law, these departments are supposed to use seized funds for law-enforcement purposes. And in all fairness, most of the expenditures we reviewed were legitimate. But we also found, through a search of federal records and newspaper articles, numerous cases in which law-enforcement agencies had misspent some of their forfeiture money on items like margarita machines, golf shirts and college scholarships.

Many legal experts believe there is an inherent conflict of interest when authorities profit from enforcing the law.

“One of the biggest problems, especially at the state level, is that there’s a big financial incentive to bring cases because they get to keep a large portion of the money for their own purposes,” says David Smith, an Alexandria, Va., attorney who is former deputy of the asset forfeiture section in the Justice Department and an author of two books on forfeiture law.

There had been aggressive reporting on forfeiture abuse in the 1990s, which ultimately led to the federal Civil Asset Forfeiture Reform Act of 2000. But what we learned is that journalists have largely ignored the story since 9/11, even as the reforms have fallen short and abuses have begun to pile up again.

If your city or county is located on a major trafficking artery, it could be interesting to find out how much drug money the authorities are pulling off the highways. The best place to start is the U.S. Department of Justice’s Web site (www.usdoj.gov/jmd/afp/02fundreport/2007affr/report2b.htm), which shows the amounts of all equitable sharing payments – seized drug money – returned to individual agencies.

The Web site not only tells you what amount of total forfeiture dollars each state received, but how much each of the roughly 8,000 participating police agencies gets. For a good overview of the arcane program, read the annual reports on the DOJ’s asset forfeiture program (www.usdoj.gov/jmd/afp/02fundreport/index.htm).

But the federal civil forfeiture system – cases handled by the DEA and U.S. attorney’s offices – is only half of the story. Most states have their own for-

John Burnett | National Public Radio



Chief Deputy Eddie Ingram, renowned for his skills at finding smuggled contraband, looks for drugs in the back seat of a suspect’s car during a traffic stop in Eufaula, Ala.

feiture laws that mimic the federal system. In Texas, for instance, which has some of the nation’s busiest smuggling arteries, the million dollars seized in a traffic stop can just as easily be sent to state prosecutors. Local district attorneys love forfeiture cases because, unlike the federal program, the state system allows their offices to keep a portion of the swag. In Louisiana, even judges get to keep part of the proceeds.

In Texas, each law-enforcement agency and DA’s office is required to file a Chapter 59 Asset Forfeiture report with the state attorney general. Unfortunately, the records are not online. I filed a Public Information Act request and obtained data similar to that available on the DOJ Web site. But each state is different. In Georgia, the state Bureau of Investigation maintains forfeiture records.

The next step is to find out how law-enforcement and prosecutor’s offices are spending all of the forfeiture money. The Justice Department’s Web site doesn’t give a clue. In Texas, the Chapter 59 reports list broad categories such as salaries, equipment and travel but lack specifics. For instance, according to testimony at a Texas state legislative hearing looking into forfeiture spending abuse, the Kimble County, Texas, district attorney used seized drug money to take his staff and their spouses to Hawaii for seminars, which included a \$14,000 per diem.

“We authorized them to take the bad guys’ money and protect the public,” said state Sen. John Whitmire, who called the hearing. “It’s a useful tool, but it’s being abused.”

To get this important expenditure information, you have to send state public records requests to individual law-enforcement agencies, which may be reluctant to reveal how they’re spending the drug money. But it’s worth being persistent. These kinds of public records requests have led to dozens of hard-hitting newspaper stories around the country on how officials use the money for questionable purposes.

Another route is to read the DOJ Office of Inspector General’s annual audits of recipients of Equitable Sharing funds (http://149.101.1.32/oig/grants/_equ.htm). These documents can reveal interesting infor-

John Burnett | National Public Radio



Chris Hunt, standing in his Atlanta auto-detailing shop, is fighting a federal prosecutor to get his \$5,581 back.

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mation about how certain law-enforcement agencies use and misuse drug dollars. But the OIG conducts an average of only five audits of forfeiture funds a year, so there's not a surfeit of audits – which, of course, is part of the problem.

When a deputy pulls over an 18-wheeler and finds \$1 million hidden in a secret compartment, it's pretty easy to deduce that it's dirty money. But what about the driver who's carrying \$5,000, which is seized because his story about its provenance simply doesn't satisfy the officer?

One of the big questions for us was whether some cops had become so zealous in their pursuit of dirty money that they were stopping and shaking down innocent drivers. How to find these cases was a terrific challenge. While I believe the practice – literally, highway robbery – is rare, sources told me this abuse was happening. According to police, few of these seizures are challenged because of the assumption that the money is dirty and the courier is guilty. But lawyers told me that the suspects are sometimes Mexican nationals who just want to get away from an officer in uniform. Or the individual might not challenge the confiscation of his cash because of “the high cost of hiring an attorney, which often exceeds the amount of property involved,” says attorney David Smith.

First, I conducted Nexis searches of newspaper stories using phrases like “forfeiture abuse,” hoping a fellow reporter somewhere had uncovered this type of case. No luck. Next, I contacted defense lawyer associations in six southern states and asked them to send out an e-mail query to their members asking for references of civil forfeiture abuse cases. Of a dozen responses, two cases – one in Texas and one in Georgia – were egregious enough that we decided to use them in the series.

The individual cases also provided interesting audio and visual elements that enhanced the “Dirty Money” Web pages created by NPR's digital managing editor Tanya Ballard Brown. For instance, we posted the original police video of two Georgia deputies quizzing driver Christopher Hunt about the origin of his \$5,581. He claimed it was proceeds from his Atlanta car detailing business; they claimed it was drug money. He is now suing the government to get it back.

This was the strongest evidence compiled by the U.S. government to prove beyond a reasonable doubt that Chris Hunt was a drug dealer:

1. The deputy smelled marijuana.
2. The deputy observed “an untestable” amount of what appeared to be marijuana on the floorboard.
3. Drug dogs hit on the cash when it was brought back to the station.

No narcotics were found, and Hunt was not arrested.

Under civil forfeiture law, this sort of case is not only acceptable but common. NPR's library did a Pacer search of other federal currency forfeiture

Perhaps the most extreme case of forfeiture abuse I found occurred in Robeson County, N.C. Two sheriff's deputies racially profiled Hispanic drivers on Interstate 95, stopped them, seized more than \$9 million between 2000 and 2004 and skimmed money off the top for themselves.

cases during the past four years from Lamar County, Ga., where Hunt was stopped. We examined the evidence and found similar cases to Hunt's in which the government confiscated money simply because the car smelled of marijuana, the deputy thought the driver acted nervous, the driver was carrying a wad of cash or a drug dog alerted on it.

David Smith concluded: “Something is rotten down there.”

Investigative reporting is challenging in radio-land, where minutes are precious and it's often difficult to explain dense, statistical information with no visuals. But we were able to post to the Web the information that we couldn't use on the air.

We used one case in its entirety as a Web exclusive. Michael Annan, a 40-year-old immigrant from Ghana, was carrying \$43,720 rolled up in a sock in the pockets of his coveralls – everything he had saved from nine years of construction and dredging work in Florida and Georgia. He was African. He didn't trust banks. The deputies in Camden County, Ga., who stopped him on an interstate became convinced he was a dope dealer and took his money. Annan had to pay a lawyer \$12,000 – more than a quarter of the amount – to get back his life savings.

I found his case by looking at an audit of the Camden County Sheriff's Office forfeiture fund expenditures and finding several entries of large sums returned to individuals. We followed up with the attorney, who put me in touch with Annan.

Perhaps the most extreme case of forfeiture abuse I found occurred in Robeson County, N.C. Two sheriff's deputies racially profiled Hispanic drivers on Interstate 95, stopped them, seized more than \$9 million between 2000 and 2004 and skimmed money off the top for themselves. They were caught in a federal investigation called Operation Tarnished Badge.

The federal judge commented, “They weren't enforcing the law at all. They would just go fishing.”

For the Reporter's Notebook and links to individual stories, go to www.npr.org/templates/story/story.php?storyId=91769878.

John Burnett is a correspondent for National Public Radio based in Austin, Texas.

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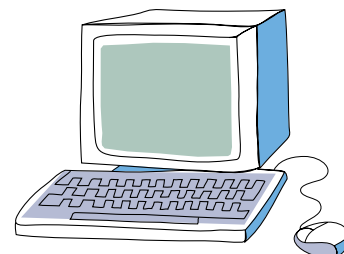
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A silhouette of a person, likely a woman, holding a scale of justice. The person is wearing a blindfold and a headband. The background is a warm, golden glow, suggesting a sunset or sunrise. The scale is held high in the right hand, and the person's left hand is resting on their hip. The overall mood is one of solemnity and justice.

Justice for *all*

Innocence projects
and cold cases
have journalists
re-examining
the evidence

REPORTERS HELP CRACK CASES

BY TED GEST
CRIMINAL JUSTICE JOURNALISTS

America's criminal justice system is notoriously imperfect: According to the FBI, fewer than half of the reported violent crimes in this country are solved, and even one-third of the most serious category – murder – don't result in an arrest or other resolution.

That leaves millions of violent episodes that eventually are classified as "cold cases." Given that it is the crimes that are solved that typically dominate the airwaves, front pages and Web sites, why and when should reporters look at the investigations that seemingly never went anywhere?

One reason: public interest. People naturally want to know what happened to the probe into a spectacular murder five, 10 or even 25 years ago. Just this year, the *Washington Post* published a 12-part series recounting the case of Chandra Levy, the federal intern murdered in 2001.

The story certainly had its titillating aspects. It gained fame because of Levy's relationship with then-U.S. Rep. Gary Condit (D-Calif.), whose political career was ruined by the publicity over his association with the young woman.

The *Post's* review went far beyond just detailing the congressman's dalliances; it disclosed serious lapses on the part of Washington, D.C.'s Metropolitan Police Department that may have thwarted a solution. The newspaper did not provide conclusive proof of the killer's identity but focused on one suspect, who might have been charged had law enforcement agencies communicated better and seized evidence promptly after the crime.

Sometimes the media play an important role in jump-starting a cold-case investigation.

In Alabama, the *Mobile Press-Register* decided last year to write about the 2000 killing of Jettis Holifield, 20, in Prichard, after his mother called reporter Robert McClendon. She said she had key information about the case that local police in the city adjoining Mobile had ignored. The newspaper published several stories in 2007 on the "all but forgotten" murder, prompting state Attorney General Troy King to assign an investigator.

The state found DNA evidence it never had analyzed from a ski mask used by the shooter. That led to Tarrance Shavers, 26, who was sentenced in a plea deal to three years in prison in August 2008. McClendon says that public interest in the case prompted the *Press-Register* to report on 10 other cold-case murders, all of them appearing to be "stranger" cases in

which the victim did not know the perpetrator. None of those has been solved yet, however.

In the Twin Cities last May, a woman channel-surfing caught a news headline on the anniversary of the murders of two women named Susan who were killed on the same day two years apart in the 1980s. Viewer Tracey Williams knew the younger victim, 16-year-old Susan Rheineck. For 23 years, Williams felt guilty about her friend's murder. Rheineck had asked Williams to go to a party on May 16, 1985. Williams declined, and that was the last she heard from Rheineck. The next day, Rheineck was found strangled and sexually assaulted in the woods near the Mississippi River in St. Paul.

Williams had suspicions about who might have murdered her friend. Fear for her own safety kept Williams from calling the police all those years. When she saw the police tipline at the end of this year's report on WCCO-TV, Williams finally broke her silence and called St. Paul police, who are following up on the leads.

The story was one of more than two dozen cold cases that WCCO's Caroline Lowe has reported on in the past three years. (She maintains a Web page on the subject at www.wcco.com/coldcase.) Lowe says that some stories come to her from victims' families and friends who want a fresh look at their loved ones' murders. The tipsters often mention TV crime programs like CSI and news reports on the role of DNA in assuring delayed justice. Other cases come from detectives who have run out of leads and hope renewed attention might jog someone's memory or conscience.

Some of the best interviews, and sources of photos and videos, are loved ones who did not want to deal with the news media when the case was fresh, says Lowe.

In the summer of 2007, the *Spokane Spokesman-Review* began a series of stories on the city's 28 unsolved homicides (which claimed 31 victims). Sgt. Joe Peterson of the police department's major crime unit reflected, "All these homicides have victims, and somewhere they have families. We owe it to them, and the community, to find out who did it." In one story, the newspaper wrote: "As years pass, relationships can change among those who know about a homicide, and people might develop guilty consciences. Details about a night or a person that didn't seem to matter at the time of a killing suddenly matter and can make a difference in solving a case."

Police reporter Jody Lawrence-Turner says a police detective suggested the subject of cold cases to her, and she then persuaded her newspaper to run the series, which now has recounted seven cases of about 60 unsolved murders and missing persons cases in the Spokane region in both print and video. Although none of the cases recounted by the *Spokesman-Review* has been solved, the publication of one article prompted authorities to narrow the suspect list to one person, who has yet to be charged. The series can be found at www.spokesmanreview.com/coldcase.

Lawrence-Turner says the series received the largest number of hits on the newspaper's Web site in the weeks it ran. Devoting resources to the series is justified, she says, because every victim "is somebody's brother, son, sister or daughter."

The basic reporting on cold cases is similar to that involved in any crime. There may be fewer sources than usual on a case from the distant past, but law enforcement sources and victims' family members and friends may be more open to discussing the crime publicly after many years have elapsed, reporters say. But "don't assume that DNA is the smoking gun" in solving a case, says Jesse Fruhwirth of the Ogden, Utah, *Standard-Examiner*. A reporter at another newspaper wrote that a "27-year-old cloud of suspicion was lifted" over the husband of a murder victim after DNA tests showed evidence of another man having been in contact with her. It turned out that DNA from both the husband and a new suspect were found, so the husband remained a suspect.

Explaining one reason why it is worthwhile for the media to pursue cold cases, WCCO's Lowe says, "Hundreds of people get away with murder in our community alone. Look at the success of [Fox TV's] America's Most Wanted and you see the power of media to help find criminals and bring justice to some."

Ted Gest is president of Criminal Justice Journalists, a national organization based in Washington, D.C., and affiliated with the Jerry Lee Center of Criminology at the University of Pennsylvania and the Center on the Media, Crime and Justice at John Jay College of Criminal Justice. Gest was a reporter and editor at U.S. News & World Report and the St. Louis Post-Dispatch and covered police, courts, corrections and criminal-justice policy. He is the author of "Crime & Politics."



Investigators look for clues after a massive explosion that killed six Kansas City firefighters in 1988. Eight years later, five people from the neighborhood were indicted and later convicted in a federal trial.

NO EYEWITNESSES, LITTLE EVIDENCE

Investigation raises doubts over 5 life sentences

BY MIKE MCGRAW
THE KANSAS CITY STAR

“And Cain said to God, ‘My sin is greater than I can bear...anyone who finds me will kill me.’ God replied to him, ‘Therefore – anyone who kills Cain will be avenged seven-fold,’ and God placed a mark upon Cain, so that all who find him would not kill him.” (Genesis 4:13-15)

Before I started poking around in one of Kansas City’s coldest cold cases – the 1988 deaths of six firefighters – I took it pretty much on faith that Cain was good for whacking Abel.

Now I’m not so sure.

Yes, Cain copped to the crime – and to the highest authority. But false confessions are common in the world of wrongful convictions. And if I learned anything from my first cold-case project, it was a strong reminder of something we all already know:

Never take anything for granted.

Researching this case didn’t take me anywhere near the Garden of Eden, but it did send me on a disturbing trip through the criminal justice system, a place where following the rules of procedure sometimes gets in the way of seeking the truth.

In the end, I came away believing that this kind of work is arguably journalism’s highest calling: What can be more important, after all, than the loss of one’s freedom through a mistake, malfeasance or a lazy defense attorney?

While all five defendants convicted in the case I investigated are still in prison, the stories have so far resulted in an independent investigation by the Justice Department’s Office of Inspector General and a decision by the Midwestern Innocence Project to take up their case.

In the early morning hours of Nov. 29, 1988, security guards at a highway construction site in south Kansas City reported two arson fires: one in a guard’s pickup truck and another in a trailer filled with a low-grade explosive called ANFO (ammonium nitrate and fuel oil).

Two pumpers responded. One put out the truck fire, then joined the other pumper near the burning trailer.

As the firefighters fought that blaze in the trailer, apparently unaware that it contained 25,000 pounds of ANFO, it blew up, instantly killing all six. (By comparison, only 5,000 pounds of ANFO was used in the Murrah Building explosion seven years later).

The Kansas City blast was felt as far as 50 miles away.

Homicide detectives, bomb and arson cops and agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives descended on the site and launched several separate, often uncoordinated investigations.

Local police cast a wide net, following hundreds of leads, including tips about suspects in a nearby neighborhood. The ATF concentrated on another theory, supported by several sources, that the explosion was related to labor unrest over the use of concrete delivered by nonunion companies.

The investigations eventually stalled. The ATF dropped its investigation into union sabotage and adopted the theory that local police ultimately had abandoned – that local toughs were behind the explosion.

In 1996, eight years after the blast, five people from that neighborhood were indicted by a grand jury under a little known federal statute for conspiracy to commit arson. They all were convicted in a federal trial early the next year.

A done deal

By 2006, the five people convicted and sentenced to life in prison for the crime had been all but forgotten. They had spent 10 years in prison, had exhausted their appeals and had no hope of parole.

The case had been investigated for eight years by scores of local police officers and federal agents. The suspects had been represented by five competent attorneys during the six-week trial. Ultimately, a jury of their peers had convicted them.

The families of the firefighters had gotten the closure they had waited for so long and had moved on. And, while the case was still discussed occasionally in the local legal community – for reasons that will become clear later – it had been largely forgotten by the public.

So why did my editors at *The Kansas City Star* think it might be a good idea to start poking around in it? And why would I, even for a split second, think I could find something that an army of local investigators had missed?

One reason is a man named Pat O'Connor, former publisher of a local alternative newspaper. O'Connor, whose newspaper had published stories questioning the convictions shortly after the 1997 federal trial, never had believed the defendants were guilty.

In 1999, he began financing an appeal in the case and paid for a private investigator to interview some of the witnesses. Several of them already had recanted their trial testimony.

O'Connor then asked *The Star* to take another look.

The other reasons *The Star* got involved go straight to the heart of why reporters should ask tougher questions about the legal system and stop taking so many of its conclusions for granted.

Lingering doubts

In reality, there always had been doubts about the convictions in the case. A careful reading of *The Star's* files, stories from other publications and the 4,000-page trial transcript clearly show why. (I'm on my fourth read of the transcript and still finding new information.)

There were no eyewitnesses, there was no physical evidence, and the federal government's theory about what happened that night – it never was more than a theory – was full of holes.

What's more, not one of the defendants accepted the government's offer of a five-year prison stay in return for rolling over on their co-defendants. Instead, they're serving life in prison.

In the end, the best the government could do was find witnesses who were willing to testify that they heard one or the other of the five defendants admit involvement in the crime. And that's just what those witnesses did.

There were lots of witnesses willing to say that – enough to convince the jury, at least.

In fact, the government's pretrial witness list eventually grew to more than 100, thanks in part to a \$50,000 reward, the fact that copies of the reward posters were posted in prisons and jails throughout Kansas and Missouri, and because of accommodating federal investigators. In several cases, those investigators testified as character witnesses in the sentencing hearings of prosecution witnesses who were in trouble for other crimes.

But criminal checks showed that 24 of those witnesses had a total of 76 felony convictions for offenses such as assault, drug sales, prison escapes, embezzlement, counterfeiting, fraud, forgery, sexual assault, explosives violations and manslaughter.

One government witness alone had 17 felony convictions. Another once claimed she'd had selective amnesia, according to the trial transcript. One was legally blind, but later told a reporter that she was confident the defendants were guilty partly because she is a Pisces and therefore "psychic."

Indeed, of all the government witnesses, according to a *Star* analysis, 47 waited years to come forward or changed their stories between the crime and the trial eight years later.

When the defense cross-examined prosecution witness Virgil David Whitt, this exchange occurred:

Q: You have lied to people before, haven't you?

A: Yes, I have.

Q: You don't have any problem lying to people to get things you want, do you?

A: No, sir.

One witness actually told me that under the code of snitching, "It's all right to accuse someone of a crime if they didn't really do it. What's really bad is to snitch on someone who's actually guilty."

Justice for all

QUICK LOOK

Name of the story, and when it was published:

No real name; a series of stories as part of an ongoing investigation into the deaths of six Kansas City firefighters in 1988

How the story got started:

There had always been questions about convictions in the case within our newsroom and the local legal community; we were also urged to take a look at the case by a local philanthropist and alternative newspaper publisher who has funded stories, investigations and appeals since the convictions in the case in 1997.

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

Off and on, approximately two years

Major types of documents used:

Court documents, ATF and Kansas City police investigative files, Department of Justice files and memos obtained under FOIA, and property room inventories, documents from various people-finding search engines, including Reporter's Edge, Merlin and Nexis

Major types of human sources used:

Interviewed ATF agents, DOJ prosecutors, judges, other prosecutors, police officers, family members, all those who were convicted, legal experts, ATF whistleblowers and witnesses

Discovering discovery

Besides a searchable copy of the trial transcript, by far the best tool for looking into such cases is the files of the defense lawyers. Most of those documents are referred to as “discovery” material, which prosecutors must turn over to the defense prior to the trial.

Indeed, those files should contain every government document used in the convictions and anything that wasn’t used, if it could have pointed to the defendant’s innocence.

In my case, getting the discovery material gave me thousands of additional documents to study.

Most lawyers, especially if they lost the case, are likely to share those documents with you, but expect yellowed paper, rusty staples and little if any organization. In fact, you’ll probably want to totally reorganize their files.

Don’t assume the lawyers kept every document they were given, or that they were given every document they should have gotten.

A careful comparison of those documents with files obtained from prosecutors through open records requests could identify important material (lawyers call it “Brady” material) that should have been turned over to the defense but may not have been.

Interviewing the interviewed

By far the most useful documents in those files, at least when it came to the firefighters’ case, were reports of interviews by local police and the ATF. There were around 1,000 of them in this case.

The first rule I applied in evaluating these interviews was not to take anything for granted or to accept that they necessarily bore any resemblance to what the witnesses actually said or believed at the time.

Indeed, in the case of many witnesses in the firefighters’ case, I was able to compare an original interview shortly after the blast with a later police interview and then an ATF interview years later.

As it turns out, many people miraculously remembered pertinent damning facts eight years after they originally told investigators they had no helpful information – often when they had something to gain or lose if they did not cooperate.

In some cases, witnesses said they were “interviewed” for lengthy periods of time before investigators turned on a tape recorder to document the last five or ten minutes, during which the witness would sometimes simply parrot what he or she had been hearing for the last hour or two.

Many witnesses were also willing to say – 20 years after the crime – that they didn’t really say what was in the report; that they didn’t say it quite the way investigators portrayed it; or that they lied or went along with the cops because they were scared, felt threatened or needed help in another criminal case.

Several witnesses even told me that government agents had wired them and sent them back to the suspects or their relatives to try to get admissions

on tape, but that the ploy didn’t work; no admissions were made.

Arguably those transcripts should have been turned over to defense attorneys, but at least one such transcript never was. One witness acknowledged that he was told never to reveal to anyone that he had been wired.

The end result

The last major article *The Star* published about the case appeared on June 29 with this lead:

“Carie Neighbors said [government investigators] threatened to take away her son. Jerry Rooks said they warned him he’d get a stiffer jail sentence. Alan Bethard said they charged him with a more serious crime.

“Now, those witnesses and up to 12 others – many speaking publicly for the first time – have told *The Kansas City Star* that a federal investigator in the firefighters’ explosion case pressured them to lie.”

The federal prosecutor in the case, Assistant U.S. Attorney Paul Becker, said none of his investigators used improper tactics.

The newspaper also found numerous witnesses who claimed security guards at the site had acknowledged some involvement in the crime.

(*The Star’s* investigation, along with earlier stories, interactive graphics and video, can be viewed at www.kansascity.com/firefighters.)

Rich Sugg | The Kansas City Star



Firefighters examine the scene of the explosion, which was felt 50 miles away.

Three days after the story ran, the U.S. attorney for the Western District of Missouri announced that he had requested that the U.S. Department of Justice conduct an independent review.

He referred all further questions to the Department of Justice in Washington D.C., which has declined comment.

Mike McGraw is a special projects reporter for The Kansas City Star. He also worked at The Hartford (Conn.) Courant and The Des Moines Register in Iowa. He has covered a wide range of issues including organized labor, agribusiness, meatpacking, food safety and art world fraud. He is a former member of the IRE board of directors and a contributor to IRE’s “The Reporter’s Handbook.” His awards include the Pulitzer Prize for national reporting and two George Polk awards.

Keith Myers | The Kansas City Star



A memorial honors six firefighters who died in an arson-related explosion at a construction site in 1988.

Justice for all

Tips for investigating cold cases

Get an electronic, searchable copy of the trial transcript and read it carefully. Then read it again, and again.

Don't be reluctant to look into really old cases; the passage of time often helps more than it hurts.

Seek the cooperation of all the defense attorneys in the case and ask them to share all their files, including all discovery material; then seek copies of the prosecution's entire case separately in an open records request and compare the two files.

The local bar association, lawyers at local innocence projects and at law schools can be great sources to help navigate the legal maze and help determine if your findings could help reopen a case.

Study in depth, then check and recheck the feasibility of the prosecution's theory.

Look for "tunnel vision," which is common in some wrongful conviction cases, where investigators ignore or downplay evidence that doesn't match their theory of the crime.

Be skeptical of "snitch" testimony, in which witnesses have been rewarded in some way by prosecutors.

Remember that failures on the part of defense attorneys can be as important – or more so – as improper actions by prosecutors.

Check for sanctions, complaints or ethics violations by prosecutors and defense attorneys.

Look especially hard at high-profile cases where there is ample public and political pressure for a conviction.

Study any related cases, such as civil cases, in which lawyers often can spend more time and money on expert witnesses and depositions.

Cases with DNA evidence are especially popular with local innocence projects but non-DNA cases are important, too, and often ignored.

Reach out to all investigators in a case, even if they had only a minor role.

Retired cops are often reluctant to go on the record on cold cases for fear the legal system will suck them back into it. Let them go off the record because they can help you focus your research.

Analyze all of the prosecution witnesses, their backgrounds, their possible motivations, whether they have testified for the prosecution in other cases and whether they got a pass on pending legal problems.

Re-interview all of the defense and alibi witnesses because poor defense attorneys and court rules and limitations often can prevent pertinent facts from getting to the jury.

If you need to recharge your batteries in the middle of your research, read John Grisham's only nonfiction book to date, "The Innocent Man." Then read Franz Kafka's "The Trial."

— Mike McGraw, *The Kansas City Star*



The Reporters Committee for Freedom of the Press is seeking an experienced reporter/editor to serve as its **Journalism Fellow**.

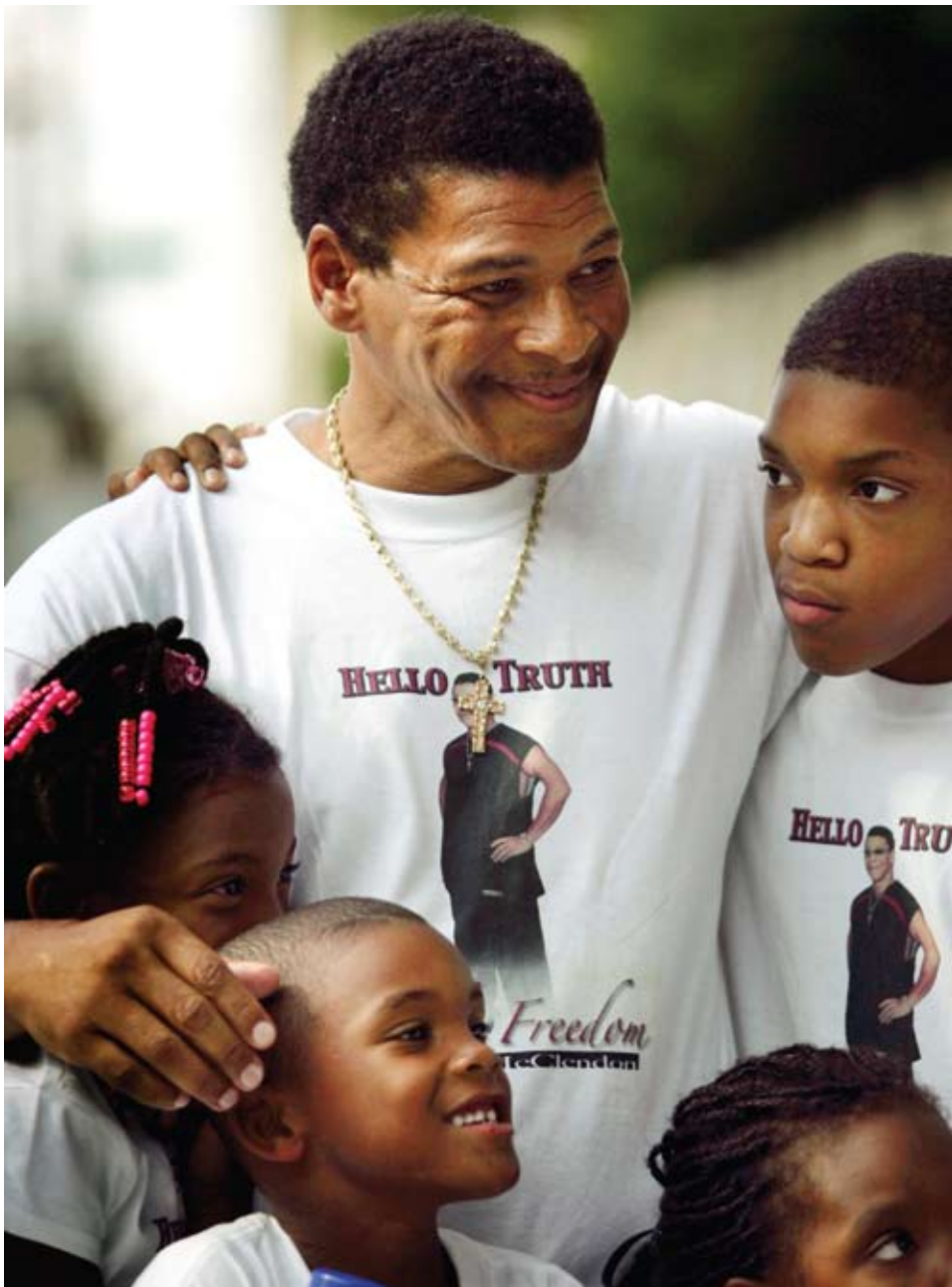
Description: The recipient of the one-year fellowship will have the opportunity to learn about free press issues first hand. The fellow will write, edit and design for the Committee's publications and Web site.

Minimum requirements: Three years journalism experience and a strong interest in free press issues.

Benefits: \$40,000 plus full health benefits for a one-year fellowship beginning in September 2009. The fellow also will audit a course on First Amendment /media law.

Application deadline: March 2, 2009

See <http://www.rcfp.org/fellowships> for more information



Robert McClendon of Columbus, Ohio and his grandchildren celebrate his release after 18 years in prison for a rape he did not commit.

TEST OF CONVICTIONS

A unique collaboration works to free the wrongly imprisoned

BY GEOFF DUTTON AND MIKE WAGNER
THE COLUMBUS DISPATCH

Every few weeks in the United States, DNA testing frees another prisoner who had served years, sometimes decades, for a rape or murder he or she didn't commit.

Yet in Ohio, authorities weren't using this powerful technology to identify and free innocent inmates.

There wasn't any reason to believe that Ohio had avoided sending innocent men and women to prison over the years, too. So why weren't mistakes being caught and corrected with DNA testing?

When *Columbus Dispatch* projects editor Doug Haddix held a team meeting to discuss story ideas, reporter Mike Wagner suggested digging into inmate DNA testing in Ohio. As part of a project, Wagner figured that the newspaper could identify a few worthy cases, write about them and have *The Dispatch* pay for testing.

As supportive as the newspaper had been of ambitious projects over the years, it seemed farfetched that the company bean counters would underwrite expensive DNA tests for convicted rapists and murderers. But we soon learned that even if we had unlimited money, we didn't have access to the evidence that needed testing, much less legal standing to represent prisoners in court.

Still, the premise was too intriguing – and the issue too important – to ignore. Wagner and reporter Geoff Dutton began preliminary reporting to look for an avenue into the story. It was a roundabout journey, but the newspaper ultimately succeeded in orchestrating testing for 30 inmates. It would be a critical part – but just one part – of a five-day series and online multimedia presentation, "Test of Convictions," published a year later in January 2008.

One inmate highlighted by the newspaper was freed this summer, after spending 18 years in prison for a child rape he didn't commit. Testing on other cases is under way.

Other journalists considering such work should consider not just the potential payoff but the challenges of the unorthodox collaborations with outside partners.

The benefits of collaboration

The Ohio Innocence Project was among the first resources we contacted. Based at the University of Cincinnati, the legal clinic has second-year law students working under the direction of two professors as part of a national network whose mission is to use DNA testing to free wrongfully convicted inmates.

At that point, our original story premise seemed more farfetched than ever. The challenge of testing wasn't simply how to pay for it. The professors and students gave *Dispatch* reporters a deeper understanding of the law and the formidable barriers to winning a judge's approval for DNA testing.

Yet there was clearly a whole range of investigative reporting possibilities that hadn't been explored.

The reporters asked Mark Godsey, director of the Ohio Innocence Project, about the possibility of a private lab paying for the tests. Godsey arranged a meeting with the DNA Diagnostics Center, the only private DNA lab in the state with a forensics division. The lab had previously worked on Innocence Project cases and performed contract work for the state crime lab as well.

It was a fortuitous turn. Lab officials were enthusiastic about the prospect of a large-scale examination of Ohio's inmate DNA testing program.

Like most private DNA labs, DNA Diagnostics generated most of its work and profits from paternity testing. But one of the owners recalled attending a seminar by Barry Scheck in the early 1990s, as the famed O.J. Simpson attorney was forming the first Innocence Project in New York. It stirred in him a passion for the power of DNA to solve crimes and free the innocent.

After several conversations with the reporters, DNA Diagnostics offered to provide free testing for up to 30 cases identified by the newspaper. We were surprised and thrilled. Thirty cases amounted to about 10 percent of all the applicants who had applied over the years to a state program begun in 2003 for inmates who wanted to use DNA testing to prove their innocence. Nobody tracked what happened to the cases.

It might end up costing the lab tens of thousands of dollars but lab officials explained that they routinely spent thousands of dollars on pro bono work, typically on DNA training seminars for lawyers and law-enforcement officials around the country. They'd even done free paternity testing for "Who's Your Daddy?" segments for daytime talk shows. They

viewed participation in *The Dispatch* project as a unique opportunity to serve the public.

Proving innocence

In 2005, two inmates had made headlines when they proved their innocence and were released from prison. They were generally regarded as success stories, but they also vividly illustrated how in many ways the men won their freedom in spite of the law, not because of it.

And what about the others?

More than 300 inmates had applied for testing, each petitioning the court in the county where they were convicted. Some had help from the Ohio Innocence Project or the Ohio Public Defender's office, but even many of those applications were hastily prepared and filed in mass before the law allowing such testing expired for current inmates. (Legislators later reactivated the law on a permanent basis.)

The legal clinic had an established method for examining and evaluating cases, but had limited resources and typically worked only a few active cases at a time.

This project would be unlike anything they had ever done and was certainly uncharted waters for the newspaper.

Neither the Ohio Innocence Project nor *The Dispatch* was accustomed to teaming up with an outsider. So we established clear boundaries from the outset.

The reporters would participate in a systematic vetting of cases and the Ohio Innocence Project agreed to review the cases with them to identify the best prospects and reapply for testing on their behalf. Ultimately, however, the reporters would make the

Justice for all

QUICK LOOK

Name of the story, and when it was published:

"Test of Convictions," Jan. 27–31, 2008 (original series), plus follow-ups

How the story got started:

Very few inmates claiming innocence were being granted DNA testing. The newspaper wanted to know why.

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

One year

Major types of documents used:

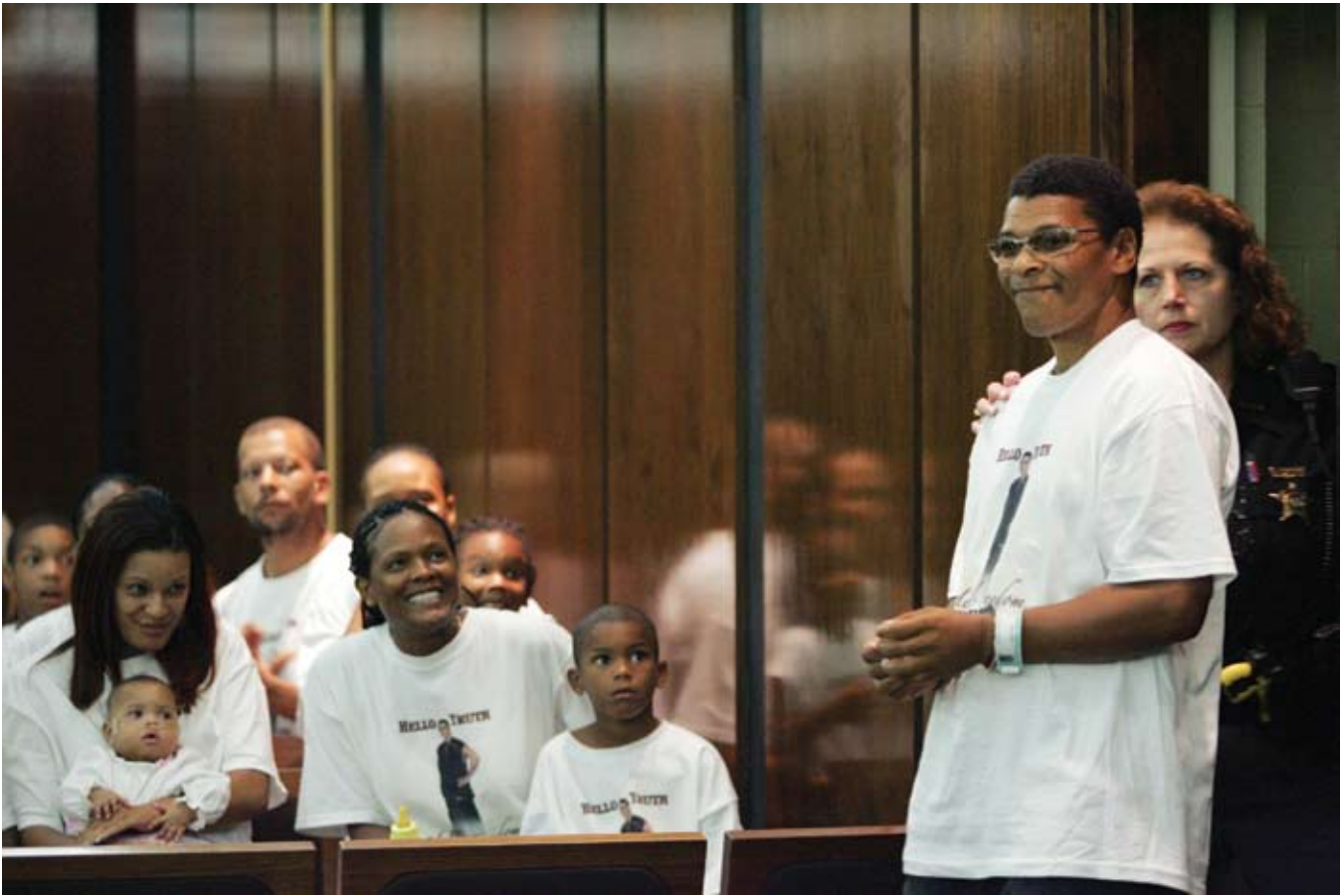
The newspaper submitted more than 200 requests for documents from police, prosecutors, clerks of court and coroners – and built files on all 313 cases of inmates who applied for a DNA test.

Major types of human sources used:

Prison inmates and former inmates, and their families; crime victims; prosecutors; judges; defense attorneys, forensic scientists, court records clerks, academicians and others who specialize in wrongful convictions and DNA.



Ohio Death Row inmate Melvin Bonnell gathers his paperwork after an interview about his case. He wants a DNA test, which he says will show that he did not kill a Cleveland man.



Robert McClendon walks into a Columbus courtroom for a hearing that will lead to his release from prison. Family and friends beam as they anticipate his freedom after 18 years of wrongful imprisonment.

final call on picking the 30 cases.

In turn, the newspaper would defer to the legal judgment of the lawyers once those cases were filed in court. And of course if the Innocence Project liked any cases the newspaper didn't want to include, the lawyers could separately pursue those cases as they would any other case outside the scope of the *Dispatch* project. (In the end, we reached consensus on all of the cases.)

But we had several months of work to do before evaluating cases.

We conducted a document dragnet and built a file on each of the 313 cases, which spanned 51 counties. We sent about 200 public records requests for paperwork from the police, courts, coroners and labs and drove to every corner of the state to pore through government files, gathering records from the inmates' original convictions and any paperwork relating to their requests for DNA tests.

We then divided the cases and tracked the records requests with a spreadsheet. We also used the Lexis side of LexisNexis for the first time, gathering appeals court rulings. Eventually, we had stacks and stacks of file boxes, stuffed with the details that would help guide our decisions.

By late spring, we were ready to reconnect with the Ohio Innocence Project and begin formally reviewing the files with them.

We then contacted the Ohio Public Defender's office, who had represented many of the inmates. We mentioned cases that looked promising during our review with the Ohio Innocence Project and invited them to look over their old files and suggest cases that deserved another look.

Some of the assistant public defenders were skeptical. Lawyers were going to coordinate the filing of 30 DNA cases to coincide with the publication of a newspaper article? A lab was offering to test for free?

But their boss' eyes lit up. Ohio Public Defender David Bodiker watched quietly while his staff debated whether they should, or even could, participate. Finally, he interrupted: "Pull the damn files and do whatever we have to do to make this work."

Including and coordinating with outside partners was a time-consuming and completely foreign undertaking for us. It also was unusual to take such an activist role, championing cases.

But our goal wasn't to argue that these inmates were innocent. We were merely advocating for testing – for the court to consider scientifically objective information – that could prove an inmate innocent. The tests also could confirm guilt, which the parole board made clear could doom an inmate's chances for parole.

"If there's evidence – if there's technology that

allows us to prove truth – we ought to do everything we can to pursue it," *Dispatch* editor Benjamin J. Marrison said in a video on the newspaper's Web site that also featured officials from the Ohio Innocence Project and DNA Diagnostics, explaining the partnership.

Almost immediately after the reporters began digging into the paperwork, it became obvious the DNA testing system was flawed on many levels and the scope of the project should be much broader than identifying promising cases for testing.

In case after case, inmates had been rejected for state-funded DNA testing because the evidence had been lost or destroyed. Others had been denied for no apparent reason. The law requires the judge to specifically cite a reason for denying a DNA test, but many resorted to one-sentence rejections. Worse, in many cases the judge never ruled at all.

Perhaps most surprising, some inmates actually had been granted testing but it never was done.

We tracked how each case was handled (or mishandled) and collected the information in a database that allowed us to document key findings and provide a framework for our series. It also pointed us to specific cases, inmates and victims who could illustrate the tragic consequences of this broken system.

We also built a database of national DNA exon-

CONTINUED ON PAGE 24 >

Ohio Innocence Project values partners

By Kyle Healey

The shorts and sandals of law students at the Ohio Innocence Project collided with the shirts and ties of two scrappy reporters from the newsroom of *The Columbus Dispatch*.

The goal was to shed light on DNA testing in Ohio by highlighting specific inmates' cases and how DNA could prove their innocence or guilt once and for all.

The University of Cincinnati group dedicated to helping free innocent convicts took a nonchalant approach, with a firm grasp on the easy button. The journalists who sold papers for a living thundered around with a high-strung approach and a hand on the panic button. The clash of approaches and attitudes was a story in itself.

The guidelines for the project were quickly drawn: The Innocence Project would help build case files and argue the legal issues while the reporters would interview inmates and write stories. This was simple and sensible. It lasted maybe a week.

It became quickly apparent that the reporters were much better at getting records (many questionably public) and convincing prosecutors to open up their case files. This was the kind of access the Innocence Project could only dream about.

Likewise, the Innocence Project was quick to point out inmates who had great stories containing interesting details that were of little legal value but of great help in bringing their stories to life – the kind of details, we reminded them frequently, that investigative reporters are supposed to notice.

This dichotomy often left us questioning the value of each other's profession.

Overall, the project has been an outstanding success. We hope that other organizations follow our lead. The press coverage the reporters generated really advanced the cause of our cases and furthered our combined mission of making DNA testing readily available.

But I'd be remiss if I didn't at least warn of the potential conflict between the Innocence Project's duty of confidentiality to their clients and our hopes of generating buzz about their cases.

Both the Ohio Innocence Project and *The Dispatch* made it clear to the inmates up front what they were getting into, and that the newspaper would report the results of any testing, regardless of the outcome. If a test confirmed their guilt, they could probably forget about any chances of parole.

But, we told them, being part of this broader initiative could improve their shot at a test. Or at least that was our hope. In fact, it worked out better than expected.

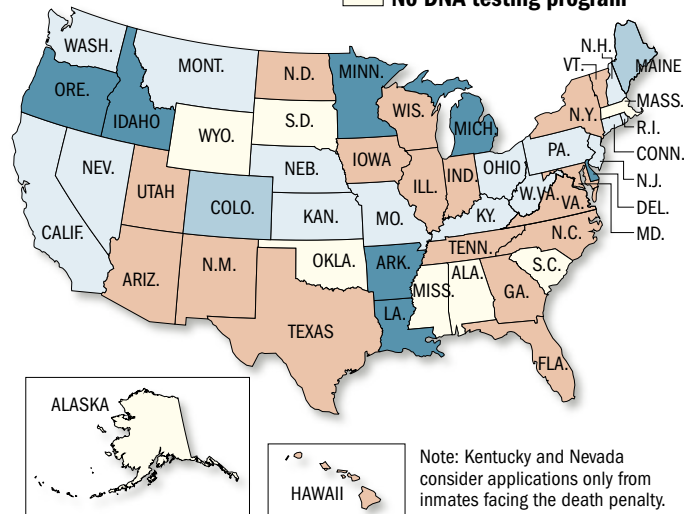
If you decide that pairing up with your local Innocence Project might make for a good story, just be prepared for their laid-back attitude – and try to set the print deadline out a few extra months.

Kyle Healey graduated in May from the University of Cincinnati College of Law. He's awaiting the results of his bar exam.

Restrictions on DNA tests

Ohio is among 15 states that require a convict to be in prison to qualify for a DNA test. This restriction — had it been in place nationally — would have prevented clearing numerous innocent men convicted of rape and murder.

Time limit for applying, by state:



Of the 209 convicts cleared by DNA nationally:

- ▶ At least 22 were on parole or out of prison.
- ▶ At least eight others, before being exonerated, had been paroled but were back in prison for parole violations.
- ▶ One was exonerated 11 months after he died of cancer while awaiting execution on Death Row in Florida for 14 years.

Sources: Innocence Project of New York, *Dispatch* research

THE COLUMBUS DISPATCH

Shari Lewis | The Columbus Dispatch



Mark Godsey (at podium), director of the Ohio Innocence Project, answers questions at a Statehouse news conference about proposed legislation that would make it easier for inmates to get DNA testing and require law-enforcement agencies to preserve evidence.

CONTINUED FROM PAGE 22

erations and DNA laws, drawing largely from the New York Innocence Project's Web site and supplementing it with our own research.

Soon we realized we were in danger of suffocating under reams of data findings, interview notes and background information. But Dutton had just been introduced to wiki software at the National Institute for Computer-Assisted Reporting conference in Cleveland and decided to try it.

A wiki operates like a dynamic electronic notebook for reporters and editors to organize and share information in a simple and searchable format. It couldn't be easier, and, in hindsight, it's difficult to imagine how we could have managed the project without it.

There had been little substantial coverage of inmate DNA testing in Ohio, but media outlets across the country had done a lot of impressive and groundbreaking work. We read it, learned from it and tried to plow some new ground with topics and writing approaches.

We also plotted and planned from the beginning with photographer Shari Lewis, Web designer Tim Meko and videographer Randy Walk. Together, they

created a multimedia package of photos, interactive graphics, video interviews with inmates and rape victims, an audio link to our interview with the governor, a mini documentary of a man freed by DNA, a video demonstration of DNA testing and video explaining the unorthodox collaboration between the newspaper, the Ohio Innocence Project and DNA Diagnostics.

Our collaboration paid off in a big way. Neither the newspaper, the lawyers nor the lab could have kick-started the system alone. But the combination of investigative reporting, intense publicity and legal and scientific muscle made for a powerful combination.

Prosecutors immediately consented to testing for two of our cases, before anything was even filed in court and vowed to follow through on old court orders for testing in several other cases that had been ignored.

Six months after publication, 15 cases had been approved for testing – more than had been tested in the five-year history of the program – and others still were pending in court.

In June, evidence from the first case arrived at the lab and was tested. The result: Semen on the underwear of a 10-year-old rape victim couldn't have

come from the man who had been in prison 18 years for the crime. Three weeks later, Robert McClendon of Columbus, who was ignored when he applied for DNA testing nearly four years earlier, walked out of prison a free man.

By then, a new law that would impose sweeping reforms to help prevent wrongful convictions and make it easier for more convicts to obtain state-funded DNA testing had been in the works for months. McClendon attended the introduction ceremony a week after his release.

To read "Test of Convictions," go to www.dispatch.com/dna.

Geoff Dutton has been a reporter for The Columbus Dispatch since 2002. He has investigated mortgage fraud and foreclosures, teenage criminals tried as adults, charity care by nonprofit hospitals and sexual assaults in a youth prison. Mike Wagner joined The Dispatch as a projects reporter in 2006. Previously, he worked as a reporter for the Dayton Daily News, where his investigative work included reports on military Humvee rollover casualties in Iraq, improprieties involving foreign athletes playing sports in the United States and the impact of megafarms in Ohio.



During a prison meeting, Ohio Innocence Project attorney Jennifer Paschen Bergeron tells Robert McClendon that DNA test results have cleared him of raping a young girl.

RESOURCES

BY TORI MOSS
THE IRE JOURNAL

Justice for all

Stories

- Story No. 16448: Philip Gourevitch, *The New Yorker*. A New York cop nearing retirement sought closure in his friend's 1970 murder and revived the abandoned search for Frank Koehler, a convicted felon police knew committed the crime and who had been wrongly listed as dead. (2000)
- Story No. 18429: Matt Crenson, Alan Clendenning, Sharon Cohen, Paul Shepard, Helen O'Neill, The Associated Press. The series of stories examined the unreliability of eyewitness identification and the hesitancy of the law and judges in accepting the scientific reality of DNA evidence. (2000)
- Story No. 20836: Scott Nowell, *Houston Press*. John Michael Harvey was convicted of raping a 4-year-old girl. The girl, who was 17 when the story ran, later said Harvey did not commit the crime and that she was coached by prosecutors and family members to say he did. The story examined the factors that convicted and, as of 2003, kept an innocent man in prison. (2003)
- Story No. 22053: Ruth Teichroeb, *Seattle Post-Intelligencer*. An investigation into one forensic scientist's repeated mistakes led to a series about the Washington State Patrol Crime Lab's continual DNA errors and contamination of major crime cases. (2004)
- Story No. 23501: Shaun Assael, *Glamour*. More than 20 years after Janet Chandler's murder, a group of film students created a documentary about her life and unsolved death. Their work prompted authorities to reinvestigate and led to the convictions of four men and one woman involved in the college student's abduction and gang rape. (2007)

Tipsheets

- No. 2123: "Investigating the Past: Tips for revisiting old criminal cases," Phoebe Zerwick, *Winston-Salem Journal*. Zerwick shares lessons learned from the paper's investigation into a man who was convicted of rape and murder but was later freed by DNA evidence.
- No. 2234: "How You, Too, Can Dig Up the Past," Jerry Mitchell, *The Clarion-Ledger*. Mitchell provides suggestions for finding the truth years after a crime through interviewing, examining records

and digging for evidence. (Also see Tipsheet No. 2715 by Mitchell.)

- No. 2716: "Walking the Graveyard: Caring about victims and the powerless so that we drive closer to the truth," Ruth Teichroeb, Bruce Shapiro, Miles Mofeit, Paul McEnroe, Scott North. The authors offer suggestions for producing stories related to unsolved murders. Building a trusting relationship with the loved ones of murder victims and covering cases that make you angry are two of the six suggestions.
- No. 2773: "Investigating Forensics," Robin Mejia. The author divides issues with forensics into two types: problems with the lab and problems with the test. Mejia also lists sources for stories revolving around both issues, including scientific journals, accreditation reports and transcripts.
- No. 2775: "Getting started on the cops beat," Tony Plohetski, *Austin American-Statesman*, Jeremy Kohler, *St. Louis Post-Dispatch*. The tipsheet details the steps reporters should take to familiarize themselves with the crime beat beyond police reports. Frequenting the jail house, seeking out disgruntled police officers and returning to the crime scenes after police leave are among the suggestions.

The IRE Journal

- "DNA Testing: Study calls into question long-trusted lab results," David Raziq, Anna Werner, KHOU-Houston. The investigation, "Evidence of Errors," found that the Houston Police Department's crime lab scientists repeatedly made mistakes in their tests and in their interpretation of those tests during court testimony. (Jan./Feb. 2004)
- "Innocence Projects: Investigations of wrongful convictions continue to spread as formal programs," Amanda Buck, *The IRE Journal*. The author explores the history and resurgence of innocence projects throughout the country, including The Court of Last Resort that novelist and lawyer Erle Stanley Gardner began in the 1940s. (May/June 2005)
- "Police Confessions: Records review shows cops using illegal, coercive tactics to nail innocent people," Steve Mills, *Chicago Tribune*. The series

examined interrogation procedures of the Chicago and Cook County police and found almost 250 cases from 1991 to 2000 where dubious confessions were obtained. (July/Aug. 2002)

- "Presumed Guilty: How negligent journalists contribute to wrongful convictions," Mike Masterson, Martin Yant. Through examples of past mistakes, the authors illustrate how journalists have to question the criminal justice system and fulfill their watchdog roles, particularly when lives are at stake. Guidelines to ensure journalists do not impede justice are also included. (March/April 1993)

Extra! Extra!

- "Nebraska fails to oversee death investigations," Karyn Spencer, *Omaha World-Herald*. The two-week series showed that Nebraska has no state oversight and few standards to ensure quality death investigations by coroners or law enforcement. The lack of oversight and standards led to murder cases remaining unsolved, coroners skipping autopsies to save money or guessing at the cause of death and bodies being exhumed to resolve questions from inadequate investigations. (Justice: March 11, 2008)
- "Questions raised about use of DNA in identifying suspects," Maura Dolan, Jason Felch, *Los Angeles Times*. An Arizona state lab analyst found several instances where people shared several of the 13 markers used to distinguish DNA. These findings defied the odds estimated by the FBI and raised questions about the reliability of DNA results to identify suspects. (Justice: July 22, 2008)
- "Teflon Don," Michael Levensohn, *Times Herald-Record*. An investigation painstakingly detailed how local businessman Donald Boehm reportedly looted an estate of millions of dollars and became the focus of a police investigation in the most notorious unsolved killing in the region. Beginning in April 2004, Levensohn conducted dozens of interviews and reviewed thousands of pages of court filings, contracts, property and bank records, correspondence and other documents. (Justice: July 27, 2006)
- "Trashing the Truth," Miles Mofeit, Susan Greene, *The Denver Post*. A four-part investigation found

The Knight-Bagehot Fellowship

Columbia University is now accepting applications for the Knight-Bagehot Fellowship in Economics and Business Journalism.

Administered by the Columbia Graduate School of Journalism, the Knight-Bagehot program offers experienced journalists a full academic year of study at Columbia University in New York City.

It includes courses at Columbia Business School and other University departments, plus seminars and informal meetings with prominent guests.

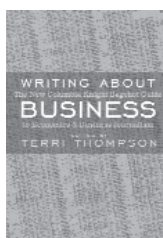
The nine-month fellowship is open to journalists with at least four years of experience. Applicants need not be business specialists, but they should be able to demonstrate that greater knowledge of economics, business and finance could add depth and understanding to their reporting.

The ten fellows selected for the 2009–2010 academic year will receive free tuition and a living-expense stipend of \$50,000. Qualified Knight-Bagehot Fellows may be eligible for a Master of Science in Journalism upon completion of this rigorous program.

The deadline for the 2009–2010 academic year is March 1, 2009.

FOR APPLICATIONS, CONTACT:

Ms. Terri Thompson, Director
Knight-Bagehot Fellowship
Columbia University
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E-mail: tat5@columbia.edu
www.journalism.columbia.edu/knight-bagehot



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Writing About Business: The New Columbia Knight-Bagehot Guide to Economics and Business Journalism, edited by Terri Thompson (480 pp.; \$27.50 in paper; ISBN 0-231-11835-X). Available from online and regular bookstores or from Columbia University Press: www.columbia.edu/cu/cup or 1-800-944-8648.

Columbia University is an affirmative action/equal opportunity institution.

that the loss and destruction of DNA evidence nationwide stalled thousands of cases, including undermining efforts of prisoners to prove their innocence. Reporters compiled data from lawyers and government records across the country to tell the personal stories behind the loss of tiny truth-bearing biological specimens. (Justice: Aug. 3, 2007)

- “Who killed Chandra Levy?” Sari Horwitz, Scott Higham and Sylvia Moreno, *The Washington Post*. A year-long project explored the murder investigation of government intern Chandra Levy. The reporters found critical leads were ignored in the investigation into her disappearance and murder. Seven years later, the murder remained unsolved. (Justice: July 14, 2008)

Uplink

- “Mapping It Out: Blocking out unsolved murders,” Doug Smith, *Los Angeles Times*. Smith began his project with reporter Jill Leovy’s suspicions that the Los Angeles Police Department was not properly allocating detectives to investigate murders in Los Angeles and a database she had acquired listing homicides in the city since 1988. Smith proved South Los Angeles detectives had higher caseloads and mapped the unsolved murders by city blocks. (Jan./Feb. 2005)

Online

- DNA Forensics (www.ornl.gov/sci/techresources/Human_Genome/elsi/forensics.shtml) The section of the federally funded Human Genome Project Information Web site provides information on the ethics and use of DNA for forensic identification and the national DNA database, CODIS. Links to other DNA forensics sites are included.
- Innocence Project (www.innocenceproject.org) The nonprofit organization’s Web site contains information on eyewitness misidentification, false confessions, forensic science fraud or misconduct and other issues related to wrongful convictions.

Justice
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BREAKTHROUGHS

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Databases help show Rx troubles in Nevada

BY ALEX RICHARDS
LAS VEGAS SUN

As is the case in many news stories, data analysis can capture and quantify a lot of the “what” but not necessarily the “why.” The *Las Vegas Sun*'s series about the state's increasing use of prescription painkillers was no exception.

“The New Addiction” began as a three-part series focusing on the swell of prescription narcotic consumption in Nevada and the rising human toll from the use and abuse of these substances. Analysis of Drug Enforcement Administration reports showed that in 2006 Nevada ranked first in hydrocodone use per capita – commonly known by brand names like Vicodin and Lortab – and fourth in oxycodone, methadone and morphine use. Records obtained from the Clark County coroner showed that the death rate from prescription painkillers had nearly tripled over 10 years and now outpaces fatal overdoses from illicit drugs like cocaine and methamphetamines.

Our reporting revealed the issue to be every bit as complex as we had expected. The lines among use, abuse and addiction are fuzzy; there is shaky scientific evidence to justify the drugs' exponential expansion beyond treating the terminally ill and/or cancer patients; and there is evidence that the illegal diversion and black market trade of these drugs continues to grow.

But the data work did help us frame our stories, ask better questions and elicit responses from experts concerning our findings.

The bedrock data source for our series came from online reports generated by the DEA's Automation of Reports and Consolidated Orders System (ARCOS) database (www.deadiversion.usdoj.gov/arcos/index.html). The DEA uses it to track the production and distribution of controlled substances to pharmacies and health care practitioners across the country. One inspiration for taking a hard look at the prescription

painkillers flowing into Nevada came from reporting and analysis done last year by Frank Bass of The Associated Press.

The ARCOS reports are a gold mine for journalists who want to tackle this issue on their own, but they come with a sizeable caveat: The annual drug summary figures (split by the first three digits of ZIP code) exist as several thousand pages in PDF form. In densely populated metropolitan areas, the generalized ZIP codes may cover a relatively small area, but the ZIPs are much larger in rural areas.

The DEA produces the same information each year in a much shorter collection of annual reports with all substances totaled by state.

The ARCOS reports containing state-level figures showed Nevada as a top consumer of several common prescription painkillers. The DEA already had taken the liberty of calculating a “grams per 100,000 people” rate for each substance and state on the list using Census 2000 population for all years.

Based on that information alone, we knew there had to be an underlying issue here worth examining. We just needed to match the total distribution weight each year with the appropriate population estimates. For certain states with relatively flat growth, using a dated population count wouldn't have much of an effect on where they placed on the list.

But that's not the case for Nevada, one of the fastest growing states in the country. Our population has roughly doubled in the past 15 years and grown by almost 30 percent since the last census. Even accounting for rapid growth, the state still ranked first in the nation for hydrocodone consumption in 2006, as well as fourth for medical morphine, methadone and oxycodone.

Most painkillers are meted out in milligrams (or even micrograms in the case of extremely potent

drugs like fentanyl), so we also altered our formula to create a “milligrams per capita” value for each state because we felt it would be an easier number for the reader to digest.

The reports separating drug sales by the first three digits of ZIP code weren't as helpful for the purposes of reporting our story, mainly because of the unbalanced way Nevada's population is distributed. With more than 70 percent of Nevadans concentrated in the Las Vegas metropolitan area and Clark County, the generalized ZIP codes sprawl across the state. It would have been difficult to make statements about the use in particular cities, townships or counties because of the way the data was presented.

But we dug in anyway to create a comprehensive infographic to accompany our series (www.lasvegassun.com/news/2008/jul/06/painful-truth-about-painkillers), focusing on the painkillers most used in Nevada.

To convert the PDFs to a format that lent itself more to analysis, I used Nuance's OmniPage, a commercial optical character recognition (OCR) program. OmniPage allows you to set up a flexible grid of rows and columns on each page for tabular data, as well as to save data in a variety of common electronic formats.

Comma-delimited text files worked best for me; they popped up easily in a single Microsoft Excel sheet for cleaning. Saving the recognized pages as an actual Excel document ended up spreading the data across several hundred sheets in a single workbook. I don't recommend it.

ESRI's ArcView can directly “add data” in the form of sheets from an Excel workbook, so I never had to save the converted ARCOS reports as dBASE files. They imported into the program intact and ready to be joined with a shapefile. I chose a recently updated shapefile that ESRI had provided on CD that already had a recent population estimate for each three-digit ZIP code area.

While the DEA data was great for assessing trends in distribution patterns, it said nothing about the toll of prescription narcotic use. We felt like the data was only part of the puzzle.

Autopsy reports are closed to the public in Nevada thanks to a 25-year-old opinion from Nevada's attorney general. But after the Clark County coroner responded to our polite request, we were able to get access to a simplified internal register that the office uses to track deaths.

We asked them to send a database of all deaths involving prescription painkillers, as well as a database of those involving illicit substances like cocaine, methamphetamine and heroin. At no cost to the *Sun*, the coroner's office was able to provide two Excel spreadsheets that contained nearly 3,700 records, including data such as the case number, deceased's name, date of death and the underlying cause.

The records provided by the state pharmacy board encompassed more than 30,000 prescribers and came in an Excel spreadsheet. It showed that a relatively small number of doctors and physician assistants – 5 percent – were writing prescriptions for nearly 90 percent of controlled substance doses.

I checked the two datasets using Microsoft Access database manager for duplicate records – deaths where both kinds of substances were a factor would appear in both coroner queries – by appending one table to the other and then running a query to look for case numbers that appeared more than once.

I also found that in a handful of cases in the early 1990s, the medical examiner had listed morphine as a cause of death but later clarified it as heroin. Since it was only a small number, I was able to look at cases where the cause field contained both morphine and heroin and determine where they fit in the final analysis.

The databases ended up showing a rapid annual increase in the number of fatal overdoses caused by substances like methadone and oxycodone. By 2007, deaths caused by these narcotic painkillers had actually overtaken deaths from street drugs. They also eclipsed motor vehicle deaths and were closing in on fatal shootings.

So we felt like we had hard evidence detailing the volume of drugs heading to hospitals, pharmacies and practitioners in our state. And the increase in consumption seemed to be having a dramatic effect on public health. But who was prescribing all of these drugs?

The Nevada Board of Pharmacy carefully guards most of this information. The prescription drug task force tracks prescriptions written and filled for controlled substances. Most states have them these days, but Nevada was one of the first.

In 2007, the database kept information on 260 million doses dispensed in Nevada. Unfortunately, this information included more than just prescription painkillers – there are also many other controlled substances that have medical benefits.

For our story, we were able to get a free extract of the database that contained the number of doses each practitioner had prescribed in the last 12 months (all identifying information was removed). The records provided by the state pharmacy board encompassed more than 30,000 prescribers and came in an Excel spreadsheet. It showed that a relatively small number of doctors and physician assistants – 5 percent – were writing prescriptions for nearly 90 percent of controlled substance doses.

All of this analysis was published in a three-part series. The final piece was a follow-up story by Marshall Allen that showed a strong response to our reporting by Nevada legislators. We also invited four members of the medical community and law enforcement to participate in a roundtable discussion on prescription painkillers at the *Sun* offices. A partial transcript of the discussion was published in the newspaper, with the full roundtable posted on the Web as streaming video.

Alex Richards is the computer-assisted reporting specialist for The Las Vegas Sun and a former data analyst for the National Institute for Computer-Assisted Reporting. Contact him at alex.richards@lasvegassun.com.



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Real journalists can learn from fictional TV reporter

BY STEVE WEINBERG
THE IRE JOURNAL

Most people who read novels consume them purely for pleasure. When I read novels with journalists as protagonists, however, I consider it part of my investigative reporting learning curve.

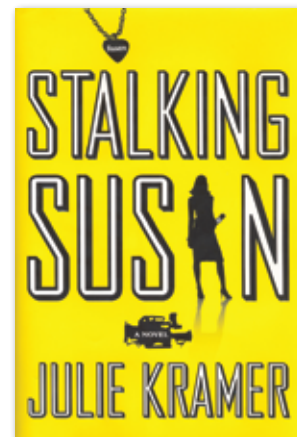
Although the category “journalism fiction” is not common in libraries, it is a huge portion of my reading and book collecting. This is my 30th year writing for *The IRE Journal*, so some of you who have been reading this magazine for a long time might recall that I acquire and devour novels starring investigative reporters. As I read and enjoy each book, I also am looking for craft tips. (My collection numbers in the thousands and is available for public use at the Missouri School of Journalism library.)

For decades, when asked, I have answered that perhaps the best journalism novel featuring an investigative reporter is “The Fly on the Wall” by Tony Hillerman. Published in 1971, it obviously contains nothing about digital databases, computer-

assisted reporting, e-mail, blogs or other modern marvels. (An interview with Hillerman appeared in the Summer 1985 issue of *The IRE Journal*.)

Now, a worthy contemporary successor has arrived – a novel by Julie Kramer, an IRE member who used to work as a producer at WCCO in Minneapolis and now freelances as a producer for NBC News. In “Stalking Susan,” the fictional protagonist is Riley Spartz, a female Minneapolis television investigative reporter with lots of exposés to her credit. Spartz is hoping to confirm that a serial killer has been at work in the Twin Cities. Then she hopes to corner that serial killer while also solving the cold cases left behind.

Television journalists will surely recognize Spartz as realistic, as she battles with her ratings-obsessed news director and tries to keep her patience while dealing with crazies who call into the station’s consumer tipline. Print journalists who have never worked in television news will



“Stalking Susan”
A novel by Julie Kramer,
IRE member
Doubleday, 308 pages,
published in July

appreciate the lessons they learn about the style and substance of that work environment.

Most impressive of all is how real-life journalist Kramer conveys the investigative culture and specific techniques throughout the book. It is bound to educate non-journalist readers about the difficult, vital craft. For journalists who read carefully and who are able to think beyond the rip-roaring plot of the novel, Kramer offers valuable tidbits. Some of them might break new ground for journalist readers. More likely, the tidbits will remind them to renew or heighten effective practices that are easy to slough off.

Here are a few tips – some inspirational, some on-the-ground practical – in the words of Spartz:

On cultivating seemingly low-level sources: “You can’t spend your news career waiting for a mysterious cliché in a trench coat to whisper state secrets. A low-level source with remarkable access can do almost as much damage. Give me a secretary with a straight-and-narrow conscience, working for a boss with a crooked soul, and I’ll give you a lead story for the late news. What bosses don’t understand is that whistleblowers don’t call reporters first. They call us last. Only when they are completely disillusioned by the knowledge that going through the system doesn’t work do they turn to us, the media. That’s when we turn scandal into ratings...”

On trying to locate a retired police detective with a common name: “Cops like to keep their home addresses and other personal information private. But Channel 3 had copies of state driver’s licenses and vehicle registrations. If those didn’t work, we could fall back on the hunting and fishing license files. Finding cop addresses in that bunch was like shooting fish in a barrel; cops always use their home address rather than risk their hunting license renewal going astray.”

Announcing the 2009 Phillips Foundation Journalism Fellowship Program

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The Phillips Foundation is dedicated to advancing the cause of objective journalism. The fellowship program seeks journalists who share the Foundation’s mission to advance constitutional principles, a democratic society and a vibrant free enterprise system.

Winners undertake a one-year project of their choosing focusing on journalism supportive of American culture and a free society. In addition, there are separate fellowships on the environment, on the benefits of free-market competition, and on law enforcement. Applications are now being accepted for 2009. Applications must be postmarked by March 2, 2009. The winners will be announced at an awards dinner in Washington in the spring. The fellowships will begin on September 1, 2009. Applicants must be U.S. citizens.

For applications and more information, visit our website or write:

Mr. John Farley
The Phillips Foundation
One Massachusetts Avenue NW, Suite 620 • Washington, DC 20001
Telephone 202-250-3887 ext. 609
Email: jfarley@thephillipsfoundation.org
www.thephillipsfoundation.org

Deadline March 2, 2009

Most impressive of all is how real-life journalist Kramer conveys the investigative culture and specific techniques throughout the book. It is bound to educate non-journalist readers about the difficult, vital craft.

While meeting a source at the gigantic Mall of America: “I used the mall as a backdrop for several consumer investigative stories. I often shoot undercover video with a hidden camera Early on, I’d mounted a bulky black-and-white camera in an oversized briefcase. Next came a lipstick lens in a Coach purse. But technology improved so much that now I’m able to shoot color video with a pinhole-sized lens hidden in an ink pen, brooch, button or even a pair of glasses. A wire runs from the lens to a small video recorder I carry in a fanny pack around my waist. I tape a tiny microphone to the V of my bra. I’m a B cup, ample enough to hide the mike, but not so voluptuous that the audio is muffled.”

On explaining a consumer investigation: “That pricing error story was good TV. . . . My motto is, if you can show 10,000 folks getting cheated out of a nickel, that’s as good as showing one guy getting bilked out of 500 big ones. Also more relevant to a wider audience.”

On understanding murderers: “A signature is something a perpetrator feels compelled to do. It goes beyond what’s necessary to commit the crime. Often it has a sexual component. Murderers change their MO as they learn better ways to kill, and better ways to stay ahead of the police. But a signature may reflect an inner need they can’t change.”

Vince Kohler, while holding a day job as a staff writer for the *Oregonian* in Portland, composed novels about journalists on the side. In the July-August 1992 issue of *The IRE Journal*, Kohler opened the essay “Writing Fiction: A Journalist’s Yearning” like this: “The best journalist I know doesn’t exist. He’s Eldon Larkin, hero of my humorous, I hope, Pacific Northwest mystery novels. . . . Eldon works for a small daily newspaper on Oregon’s rainy, isolated south coast. He’s underpaid, overweight and bedraggled, a city boy at odds with the rural culture. He’s beset by worries about cars and women. The balm for his soul is the fishing. But Eldon always gets the scoop and always solves the mystery.”

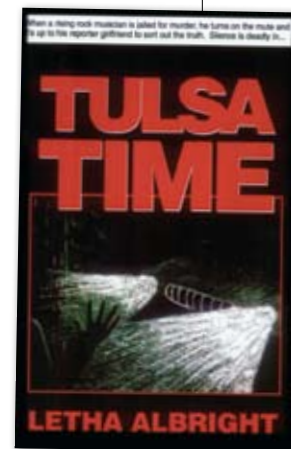
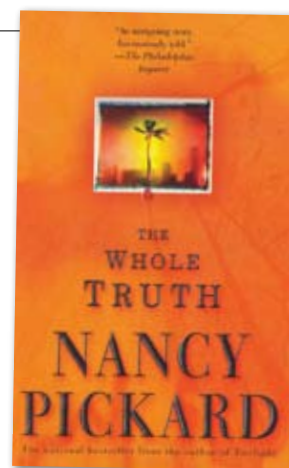
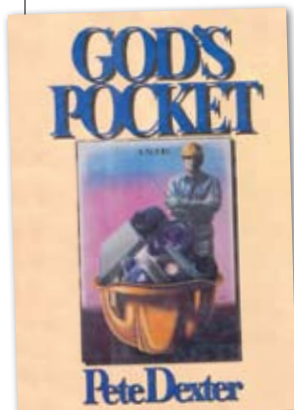
Steve Weinberg, a former executive director of IRE, is author of eight nonfiction books, including the just-published “Taking on the Trust: The Epic Battle of Ida Tarbell and John D. Rockefeller” (W.W. Norton).

FICTION FOR FODDER

In a 1992 issue of the *Journal*, I compiled a list that included a tiny percentage of the excellent novels featuring journalists that I have read. Those included, unsurprisingly, two by Vince Kohler (see main story), “Rainy North Woods” and “Rising Dog.”

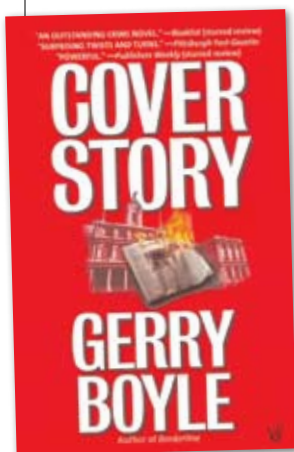
Others on my list included:

- “Control” by Jack Anderson
- “Fellow Travelers” by Alex Beam
- “The Circus Master’s Mission” by Joel Brinkley
- “The Whole Truth” by Robert Daley
- “Jewels of Our Fathers” by Kristy Daniels, the pen name of Dan Norman, and his wife Kristy Montee
- “God’s Pocket” by Pete Dexter
- “Savage Justice” by Ron Handberg
- “Payback” by Philip Harper, in real life Jonathan Neumann
- “Just Cause” by John Katzenbach
- “Images” by Cara Saylor Polk
- “Night” of the Ice Storm by David Stout
- “Conflict of Interest” by Les Whitten



Since 1992, I have read lots and lots of new journalism novels, some of them superb. Here are a few of many novels that deserve mention:

- “St. Burt’s Obituary” by Daniel Akst
- “Tulsa Time” by Letha Albright
- “All of Me” by Venise Berry
- “Cover Story” by Gerry Boyle
- “The Ice Maiden” by Edna Buchanan
- “Flight” by Jan Burke
- “Black and White and Dead All Over” by John Darnton
- “The Big Secret” by Pete Earley
- “Trashed” by Alison Gaylin
- “An Unfinished Season” by Ward Just
- “Sacred Cows” by Karen E. Olson
- “The Whole Truth” by Nancy Pickard
- “In the Midnight Hour” by Peg Tyre



REAL ESTATE IN REAL TIME

Web application produces instant analysis for neighborhoods

BY MATTHEW WAITE
ST. PETERSBURG TIMES

There are few times in your career when you get to give the executive editor a flat “no” and live to tell the tale. So when you get the chance, you take it. I got to do that over the holidays last year when my executive editor, Neil Brown, asked if we could reprise a story I had done in 2004 about home prices spiraling – the good way – in Tampa Bay area neighborhoods. He wanted to see what home prices spiraling the bad way looked like.

Good story, right? Good idea, right? Sort of.

When we did the original story, we took a couple of months and chronicled the price appreciations for houses in more than 500 neighborhoods. We published this information in more than 25 stories, from a 1A lead piece to dozens of articles spread out to each zone. Throw in a large double-truck map and you had the makings of a giant Sunday centerpiece story. That Sunday, we sold 10,000 more single copies than a typical Sunday. Everyone from readers to the top bosses was happy.

So why not do it again?

Well, I told my boss, what if we could do the same thing, except do it every week? And automatically? Maps, graphics, stories, trends over time, for each of the more than 500 neighborhoods in our circulation area. And all without human intervention.

So Neighborhood Watch was born. This dynamic, interactive site – found online at <http://watch.tampabay.com/homes> – is an exciting union of technical achievement and journalistic evolution. To date, we’re nearly halfway to our goal of having all 500 neighborhoods on the site.

With Neighborhood Watch, I’ve tried to do what reporters would do if they were writing about real estate in any neighborhood. The only difference is that I’m doing it for hundreds of neighborhoods at

once. I’ve written a series of queries that inform a very basic story – “Prices up, sales down in Snooty Oaks” – and then, from the database, we provide graphics that chart those trends visually over time. There are maps of the most recent sales and every sale in the last few years. There are links to nearby neighborhoods and links to other neighborhoods in the same price range – geographic context and value context. That each is accomplished via programming is, to me, irrelevant if the reader doesn’t care.

And so far, they don’t. Our readers are blown away that they can get this level of information in an easy-to-read format about a place that is intensely personal to them. The complaints I’ve gotten have all been from readers wanting more. The one nasty e-mail I received came from a Realtor who was mad that we included one of her competitor’s sales but not hers. Turns out that the sale was for a tax-exempt property that we exclude from the analysis.

On the technical side, what makes Neighborhood Watch interesting is that it’s the first time we’ve deployed a Web application with a spatially enabled database. That means the application can handle geographic data – streets, addresses, boundaries and other places – as well as names and prices. In our case, we used GeoDjango, now part of the standard version of the popular Django Web framework. With GeoDjango and the database backend PostgreSQL, we can do things in a Web framework that used to be the domain of expensive mapping software.

For example, I have a table of neighborhoods and a table of sales. The neighborhood table has the spatial attributes of that neighborhood stored in it, and the sales table has the latitude and longitude of the house stored in it. In the old database world, we’d have to figure out how to assign the neighborhood name to

each sale – usually a spatial join query in a mapping program that had to be done by a staffer.

Now? One line of code. It basically tells the application to select all sales within this neighborhood. The database is smart enough to know how to determine which addresses fall within a given neighborhood. This geo-awareness has uses far, far beyond this project.

The heavy lifting for Neighborhood Watch happens in two places: a series of import scripts and the query layer of the Django application. The scripts – basically lines of programming code – go out to the government servers where the real estate data is stored, download it, separate it into correct columns, load it into a series of tables and perform several calculations. For each neighborhood, the program computes the median sales values for each six-month period going back several years.

Those queries are resource hogs that are too slow to do on the fly. If you’ve been doing computer-assisted reporting for a long time, you can remember a day when any query took the better part of lunch. Now, a query that takes a couple of seconds is too long to let run on a Web application. Anything that long and you’d better start looking for ways to optimize it. Sometimes, the solution is to do the queries in advance and store the results in a table.

To pull something like this off requires a whole lot of technical sophistication. But make no mistake, I consider Neighborhood Watch an act of journalism, not sheer programming. Putting a database online is not journalism. Journalism, I believe, is the act of extracting meaning and context from information and presenting that to readers. Putting a database online is the equivalent of printing your notes – no context, no synthesis. In its best form, putting a database online is a public service.

The beautiful part of a Web application like this one is that the ink never dries on it. When we analyzed property values in 2004, there was a point in time when 400,000 copies of the newspaper were going to be printed, and that was that.

Now, I can add new features whenever they’re ready. I can remove things that don’t connect with readers. People already have asked for new features, like different measures and search tools. We’re going to add counties and create tools for neighborhood bloggers to embed data on their site, and we just started reverse-publishing data from the site into our neighborhood sections. Down the road, we’re going to add new data.

Neighborhood Watch has been a real technical challenge, but for my money, the thing that separates it is the journalism. That’s what defines us as an industry. It’s what we do. Just because it’s on the Web and it’s done with data and programming shouldn’t matter.

Matthew Waite is the news technologist – a hybrid journalist-programmer who builds news applications – for the St. Petersburg Times. Previously, he was a reporter for 10 years, most recently on the investigative team at the Times.

Neighborhood Watch
Look at home sales trends in your county or neighborhood.

COMING SOON!
Hillsborough & Hernando counties

What's the reason for this site?
The recent skyrocketing rise and meteoric fall of home values prompted us to build this tool to help visualize price and sales trends by county or by neighborhood. Suggestions? Is your neighborhood missing? Please e-mail the editor.

Pinellas Pinellas Pasco
Pinellas' priciest recent sales
60 Gulf Blvd, Sept. 22, 2008, \$2,200,000
308 Harbor Dr, Sept. 22, 2008, \$2,000,000
9241 Silverthorn Rd, Sept. 11, 2008, \$1,735,000
497 Johns Pass Ave, Sept. 10, 2008, \$1,240,000
353 Rosery Rd, Sept. 23, 2008, \$1,200,000

Start your search here.
Check county trends click to go to:
Pinellas Pasco
Note: At site launch we have data for Pinellas and Pasco counties. Data for other counties is coming soon.

Or here.
Check neighborhood trends
Pinellas Pasco
Choose a ZIP code:
Choose ZIP code: [dropdown]
Or choose a Pinellas neighborhood
Choose neighborhood: [dropdown]

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20 most recent sales

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Prices down, sales down in Pinebrook Estates

The median sale price of a single family house in Pinebrook Estates was down by \$13,000 or 6.0 percent from the second half 2007 to the first half 2008, according to a Tampabay.com analysis of sales records. The median sale value in first half 2008 was \$205,000, compared with \$218,000 in second half 2007. Sales were down by 8 sales or 57.1 percent from the first half 2008 to the second half 2007. In the first half 2008, 6 houses sold, compared with 14 in second half 2007.

Most recent sales in Pinebrook Estates

Address	Date of sale	Sale price	Details
6825 119th Pl N	Oct. 1, 2008	\$178,000	Details
7374 119th Ave N	Aug. 4, 2008	\$165,000	Details
6983 122nd Dr N	July 28, 2008	\$138,000	Details
11980 76th St N	July 8, 2008	\$155,000	Details
7400 121st Ave N	July 8, 2008	\$98,000	Details
6990 123rd Ave N	July 1, 2008	\$230,000	Details
12106 67th Ct N	June 23, 2008	\$220,000	Details
12526 70th St N	June 3, 2008	\$230,000	Details
7366 118th Ter N	May 29, 2008	\$190,000	Details
7392 118th Ter N	April 4, 2008	\$182,000	Details

Pinellas County

Prices down, sales down in Pinellas

The median sale price of a single family house was down by \$ 10,000 or 5.1 percent from July to August, according to a Tampabay.com analysis of sales records. The median sale value in August was \$185,000, compared with \$195,000 in July.

Sales were down by 240 sales or 40.7 percent from August to July. In August, 349 houses sold, compared with 589 in July.

Pinellas County median price by month, 2004-present



Mouse over the bars to see the data.

Pinellas County sale counts by month, 2004-present



Mouse over the bars to see the data.

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Learn step by step how to map data for daily news stories and larger projects. This practical introduction to mapping can be used alone or as a supplement to other books.

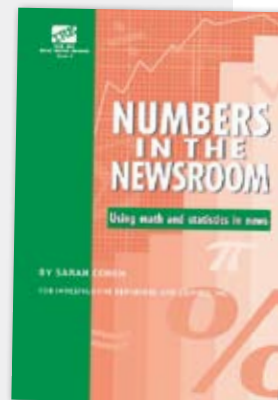
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FOI Files

SPECIAL INTERESTS

Campaign season exposes holes in FOI laws

BY CHARLES N. DAVIS

NATIONAL FREEDOM OF INFORMATION COALITION

This year's presidential campaign has captivated the nation, and freedom of information is playing a central role in how journalists cover it. Many of the stories emanating from this year's race – from Sen. Barack Obama's Chicago days to Gov. Sarah Palin's e-mails to the funding of the party conventions – are being driven by some fine FOI work.

Several unresolved issues raise important FOI questions that have vexed requesters in other contexts for years, including the public records status of e-mail and the proper parameters of executive privilege, deliberative privilege and the work product doctrine. We could be feeling the after-effects of some of these requests for years.

The hottest issue to date, and one that mirrors FOI flaps simmering in a number of states, involves Gov. Palin's e-mails.

The *Anchorage Daily News* raised one of the most frequent FOI questions of late in a Sept. 15 story by Lisa Demer about Gov. Sarah Palin: What's the FOI status of a public official's Blackberry messages?

"The tech-savvy governor has one of the devices (which allow users to read and send e-mails) for state business, another for personal matters, but those worlds intertwine," Demer wrote. "Palin routinely uses a private Yahoo e-mail account to conduct state business. Others in the governor's office sometimes use personal e-mail accounts, too."

The use of nongovernmental e-mail addresses for conducting public business is a troubling trend popping up with increasing frequency across the country. From my post at the National Freedom of Information Coalition, I field inquiries every week about public officials mixing public and nonpublic e-mails on Google accounts, text messages and Blackberry devices.

This issue should be simple, really. Whether the public official uses Yahoo, Gmail or a .gov address, e-mail discussing governmental business should be public unless it falls into a clearly defined exemption under state or federal FOI laws.

Were it as simple as that, the press would have access to a wide range of e-mails, not only from Palin but from governors in Missouri, Texas and several other states where gubernatorial e-mail FOI requests have languished.

Concerns over e-mail access are two-fold: On the one hand, public officials' e-mail should be presumptively public unless it meets an exemption under the law, and access advocates have to worry about retention of e-mail when it is saved on Yahoo or Google or any non-governmental accounts.

In other words, there are any number of reasons why government officials find online e-mail services so attractive – and none of them are good news for open government. It may well be time for access advocates to press lawmakers for statutory prohibitions on the use of nongovernmental e-mail accounts for discussing the public's business. Without such restrictions, we risk losing a huge chunk of our history to a veritable black hole.

The behavior of elected officials when it comes to fulfilling FOI requests tells the electorate much about promises of accountability and transparency. Staffers in Palin's administration used their personal e-mail accounts to discuss state business in an effort to avoid public disclosure, according to a substantial piece in the Sept. 13 *New York Times* by Jo Becker, Peter S. Goodman and Michael Powell. In one case, when a scientist wanted to look at state-issued e-mails regarding research on the effects of global warming on polar bears, the administration told him he'd have to pay \$468,784 to get them. He later got the e-mails through a federal FOIA request for close to nothing, a great lesson in FOI strategy:

A story by Bryan Bender of the *Boston Globe* highlighted a huge loophole in campaign finance laws that allowed nearly 200 pharmaceutical, information technology, automobile, airline and other corporations to donate at least \$112 million to the "host committees" organizing the 2008 political extravaganzas in Denver and St. Paul.

Always request from multiple agencies!

Another campaign-related issue was explored in a strong FOI-driven piece, this one from Bryan Bender of the *Boston Globe*. It highlighted a huge loophole in campaign finance laws that allowed nearly 200 pharmaceutical, information technology, automobile, airline and other corporations to donate at least \$112 million to the "host committees" organizing the 2008 political extravaganzas in Denver and St. Paul.

By bankrolling countless parties and closed-door receptions for lobbyists and members of Congress attending the conventions, both parties thumbed their noses at the intent of federal laws designed to prevent special interests from gaining undue influence with elected officials.

These are just a few of the high-profile uses of FOI in this year's campaign season stories. They serve as a timely reminder of the power of records, and the importance of ensuring that they remain public.

Charles N. Davis is an associate professor at the Missouri School of Journalism and the executive director of the National Freedom of Information Coalition, headquartered at the School. Visit the coalition's Web site at www.nfoic.org.

From the IRE offices

CONTINUED FROM PAGE 4

that project's editor, Doug Haddix, was asked to take an editing role with this publication). The *Dispatch's* efforts already have resulted in freeing one wrongly convicted man.

It's hard to have much more impact than freeing the innocent – or getting a killer off the streets. The work of these reporters offers a timely reminder of the difference that committed journalists can make.

Member news

CONTINUED FROM PAGE 5

Cincinnati, the national secretary/treasurer of the 9,000-member organization. ■ **Jeff Kelly Lowenstein** of *The Chicago Reporter* received a 2008 Ochberg Fellowship through the Dart Center for Journalism & Trauma. ■ **Reid Magney**, formerly a reporter with the *La Crosse (Wis.) Tribune*, is now the manager of WKBT.com, the Web site of the CBS affiliate in La Crosse. ■ **John Maines** and **Megan O'Matz** of the *Sun-Sentinel* won first place at the SPJ Annual Green Eyeshade Awards in the large daily public affairs reporting category for "License to Carry." ■ **Jenifer McKim**, formerly of *The Orange County Register*, has joined *The Boston Globe* and will cover residential real estate. She is a 2008 Nieman Fellow. ■ **John North** and two others at the *Knoxville News Sentinel* won first place at the SPJ Annual Green Eyeshade Awards in the large daily graphics category for "Searching for Cormac McCarthy." ■ **Karyn Spencer** of the *Omaha World-Herald* received a 2008 Ochberg Fellowship through the Dart Center for Journalism & Trauma. ■ **Pat Stith** retired from *The News & Observer* in Raleigh, N.C., after 37 years. He is a Pulitzer-prize-winning investigative reporter who exposed government corruption and those behind it. ■ **Mc Nelly Torres** of the *Sun-Sentinel* was awarded top prize by the National Association of Hispanic Journalists in the print investigative news category for "Is Your Nail Salon Safe?" She also won first place from the SPJ Annual Green Eyeshade Awards in the online-consumer reporting category for "Getting What You Pay For at the Pump?" ■ **Michael Zuckerman** was named the Center for Public Integrity's new project director for the Land Use Accountability Project.

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: Jaimi Dowdell, jaimi@ire.org, 314-402-3281; or Doug Haddix, doug@ire.org, 614-205-5420

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: Doug Haddix, doug@ire.org, 614-205-5420

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.

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IRE AWARDS 2008

ENTRY
FORM
INSIDE

The annual contest of Investigative Reporters and Editors, Inc.

**DEADLINE: Postmark
by Jan. 7, 2009**

Categories

Newspaper:

For outstanding investigative reporting at a daily or weekly newspaper.

Categories are: Circulation less than 100,000; Circulation between 100,000 and 250,000; Circulation between 250,000 and 500,000; Circulation more than 500,000; and Local-Circulation Weekly.

(Appropriate category determined by highest single-day circulation of the week.)

Television:

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

Other Media:

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

Online:

For outstanding investigative journalism primarily published on the Internet.

Special Categories:

Tom Renner Award: Outstanding reporting in any medium covering and exposing organized crime (limited to 10 stories).

IRE FOI Award: Honors individual or organization in any medium whose significant actions further open records or open government.

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

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

* If submitting an entry in the Renner or FOIA as well as another category, you must submit a separate, complete entry packet for each category.

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

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



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