

2010  
IRE AWARD  
WINNERS

# THE IRE JOURNAL

Spring 2011  
Volume 34  
Number 2

## Elder Abuse



### TOXIC SITES

Ambitious project maps, documents N.J. pollution

### COLLEGE MASHUP

Students join forces to investigate safety in transportation

### DRUG CARTELS

Memphis newspaper tracks connections to Mexican drug trade

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Entries must have been published online or in print in the year ending June 30, 2011.

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George Hugh Clayton, a retired Navy commander, visits his wife Alice's crypt at Tahoma National Cemetery in King County, Washington. She died of complications from a sore that was infected with the MRSA virus. His wife had been living in an unlicensed adult family home.

Photo by Alan Berner, *The Seattle Times*

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The IRE Journal (ISSN0164-7016) is published four times a year by Investigative Reporters and Editors, Inc. 141 Neff Annex, Missouri School of Journalism, Columbia, MO 65211, 573-882-2042. E-mail: [journal@ire.org](mailto:journal@ire.org). U.S. subscriptions are \$70 for individuals, \$85 for libraries and \$125 for institutions/businesses. International subscriptions are \$90 for individuals and \$150 for all others. Periodical postage paid at Jefferson City, Mo. Postmaster: Please send address changes to IRE. USPS #451-670

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## FROM THE IRE OFFICE

# Opening up open government

BY MARK HORVIT  
IRE EXECUTIVE DIRECTOR

I have some reservations about open government.

I realize that sounds nuts coming from the guy running IRE. But hear me out.

Last month I participated in the Media Access to Government Information Conference, hosted by the National Archives and sponsored by the DeWitt Wallace Center for Media and Democracy at Duke University. It was a chance for journalists and government officials to get together and talk about issues surrounding open records.

I learned a great deal during the daylong meeting and met some government officials who are working to make data and documents more available to the public.

But I also heard a disheartening theme emerge from some speakers and audience members, who talked about a shift in emphasis from handling open records requests to the open government initiative.

No doubt, that effort is vitally important. If agencies at the federal or state levels voluntarily make data and documents publicly available, that benefits everyone.

But several times during the day, speakers or audience members came back to the idea that the open government initiative somehow lessens the importance of open records laws. FOIA has problems? No need to worry about that, because data is being made available for you without the need to ask for it. Repeatedly, the wonders of such “proactive release” were proclaimed.

Maybe that would be OK if open government initiatives really opened government. But as we’ve seen during the past couple of years, in too many cases that’s not what happens.

The Obama administration launched with a promise of making government data more available. That has occurred in some important ways. But too often agencies make select databases – or only portions of those databases – publicly available. And oftentimes, the data can be interacted with only by using interfaces built by the government that don’t include back key elements.

That’s not open government. It’s selective access, and the greatest problem is that the access is being selected by those who control the information.

Gary Bass, executive director of OMB Watch, noted that while there have been many positive signs since Obama promised greater transparency, “something isn’t quite right ....It’s not the transformative government we’d hoped” we were getting.

Even if the initiative were working spectacularly, policies like this are too dependent on the will and the whims of those in power. Many of the efforts Obama launched two years ago are now being cut back severely by a Congress with little interest in spending public dollars to make information about how it’s spending those dollars public. It’s a disheartening development, and it shows the true colors of too many of those in power.

The bottom line is that any policy that relies too much on government to open itself is flawed, because it puts the balance of power in the wrong half of the equation. FOIA and state open records laws let the public decide what it wants and then demand it.

The point is that it’s not an either/or. We need government agencies to take the initiative and make information available to the public, without the need for the lengthy delays and the often high costs of the FOIA process.

But even more importantly, we need the FOIA process to work. How about an open government initiative that directs gatekeepers to fulfill records requests in a timely manner and at a reasonable price? An initiative that has teeth and enacts real penalties when bureaucrats ignore the law and withhold information, drag their feet for months or years, and then charge exorbitant fees meant mostly to discourage members of the public from getting information to which they are entitled.

IRE Board member and Duke professor Sarah Cohen nicely summed things up during her presentation.

“A lot has happened,” she said, “but not much has changed.”

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

## IRE budget reflects membership growth

IRE's Board of Directors will vote on our 2011-12 budget during the annual conference in Orlando in June. IRE's fiscal year begins July 1.

The proposed \$1.3 million budget builds on the strong year IRE has had for 2010-11. Membership has increased significantly during the past year. We have been averaging around 4,500 members for the past several months, compared to a high of about 3,900 toward the end of the previous fiscal year.

The budget includes funding for several of our core programs, including the Better Watchdog Workshop series, which has received a \$100,000 grant from the Ethics & Excellence in Journalism Foundation for next year; our computer-assisted reporting boot camps; and our in-newsroom training program.

Several newer programs also continue, including the Campus Coverage Project, in the last year of a \$500,000 grant from the Lumina Foundation for Education, and the Bilingual Border Workshop program, in the second year of a two-year grant from the Ford Foundation.

The proposed budget is posted on our website, [www.ire.org](http://www.ire.org), as a downloadable Excel spreadsheet, as is the current year's budget.

If you're attending the annual conference and would like to hear the budget discussion, the Board of Directors meets at 4 p.m. June 9 at the conference hotel.

## IRE receives \$100,000 grant for workshops

IRE has received a \$100,000 grant from the Ethics and Excellence in Journalism Foundation in support of its Better Watchdog Workshop program. This series of regional workshops, one of IRE's signature programs, brings vital training in investigative reporting techniques to journalists nationwide.

"Strong support from the Ethics & Excellence in Journalism Foundation has brought this crucial program to thousands of journalists throughout the country over the past several years," IRE Executive Director Mark Horvit said. "This new grant will have great impact in communities large and small, as we bring training that helps journalists provide better watchdog coverage for those they serve."

The Better Watchdog Workshop program teaches investigative techniques to journalists, journalism students and educators. Sessions can cover a range of topics, including using the Web as an investigative tool, key documents every reporter needs, tips and advice on handling open records requests, effective techniques for interviewing, and much more.

Ethics & Excellence in Journalism Foundation's mission is to invest in the future of journalism by building the ethics, skills, and opportunities needed to advance principled, probing news and information. The foundation, based in Oklahoma City, distributed \$1.5 million to 21 journalism organizations.

## Membership drive winners snag prizes

Three winners have been named in the most recent IRE membership drive. Thanks to everyone who joined or renewed their memberships during the effort.

The winners, selected by a random drawing, were:

**First place:** Alison Bath, *The Times* of Shreveport, La. – three nights hotel and free registration for the 2011 IRE Conference in Orlando.

**Second place:** Jennifer Kay, The Associated Press – a two-year membership extension.

**Third place:** Charles Seife, New York University – \$50 worth of merchandise from the IRE Book Store.

## MEMBER NEWS

Several IRE members won 2011 Pulitzer Prizes:

- **Paige St. John**, *Sarasota Herald-Tribune*, for investigative reporting for her expose of Florida's property-insurance system.
- **Jesse Eisinger** and **Jake Bernstein**, ProPublica, for national reporting, for their exposure of questionable practices on Wall Street.
- **Clifford J. Levy**, the *New York Times*, for international reporting, for reporting with Ellen Barry on Russia's justice system.

**Marshall Allen** and **Alex Richards** of the *Las Vegas Sun* won the Goldsmith Prize for Investigative Reporting for their series on infections and injuries at Las Vegas hospitals.

**Michael J. Berens**, reporter at the *Seattle Times*, won the 2010 Worth Bingham Prize for Investigative Journalism for his series on the exploitation of the elderly.

**Matt Goldberg** joins KNTV in the San Francisco Bay area as managing editor. He has been the senior investigative producer at KNBC in Los Angeles for the past eight years.

**Julie Kramer's** fourth thriller, "Killing Kate," will be released July 26 by Atria/Simon and Schuster. Her protagonist, investigative reporter Riley Spartz, discovers a killer drawing chalk outlines shaped like angels around victim's bodies.

**Sacha Pfeiffer**, formerly of the *Boston Globe*, has joined WBUR, Boston.

**John Russell**, business reporter for the *Indianapolis Star*, was named Journalist of the Year by the Indiana chapter of the Society of Professional Journalists. He also won first place in the Indiana SPJ Awards for investigative reporting for stories exposing conflicts of interest between Duke Energy and state regulators.

**Ted Sherman**, a staff writer for the *Star-Ledger* of New Jersey, and **Josh Margolin**, now a senior reporter with the *New York Post*, are authors of a new book on a federal corruption sting in New Jersey. "The Jersey Sting: A true story of corrupt pols, money laundering rabbis, black market kidneys and the informant who brought it all down," has just been released by St. Martin's Press.

**David Wren**, reporter at the *Sun News*, Myrtle Beach, S.C., was named Journalist of the Year by the South Carolina Press Association, for his investigative work.

Please send Member News items to Doug Haddix ([doug@ire.org](mailto:doug@ire.org)).  
Read updates online at <http://data.nicar.org/irejournal/membernews>.

## IRE MEDALS

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

- **Breach of Faith** – *Los Angeles Times*; Jeff Gottlieb, Ruben Vives, Kim Christensen, Hector Becerra, Corina Knoll, Robert J. Lopez, Paloma Esquivel, Paul Pringle, Jessica Garrison, Richard Winton, Shelby Grad, Steve Marble, Kimi Yoshino, Megan Garvey, Maloy Moore
- **Dangers in the Dust: Inside the Global Asbestos Trade** – International Consortium of Investigative Journalists with the BBC; Jim Morris, Steve Bradshaw, Ana Avila, Murali Krishnan, Roman Shleynov, Scilla Alecci, Te-Ping Chen, Dan Ettinger, Carlos Eduardo Huertas, Shantanu Guha Ray, Marcelo Soares, Abhishek Upadhyay, David E. Kaplan, Marina Walker Guevara, Anne Koch



## SPECIAL AWARDS

Medals are also awarded to winners of two special award categories:

### Renner Award:

- **Looting the Seas** – International Consortium for Investigative Reporters/Center for Public Integrity; Marina Walker Guevara, Kate Willson, David Donald, Marcos Garcia Rey, Jean-Pierre Canet, Scilla Alecci, Brigitte Alter, Martin Foster, Fred Laurin, Miranda Patrucic, Traver Riggins, Leo Sisti, Gul Tuysuz, David E. Kaplan, Steve Bradshaw, Bruno Sorrentino, Jenny Richards, Davina Rodrigues
- **The Other Side of Mercy** – *Seattle Times*; Ken Armstrong and Jonathan Martin

### FOI Award:

- **The Hidden Life of Guns** – *The Washington Post*; David S. Fallis, James V. Grimaldi, Sari Horwitz, Cheryl W. Thompson

## IRE CERTIFICATES

### NEWSPAPERS

**Circulation 250,000-500,000** (Two certificates awarded):

- **Under the Radar** – *St. Petersburg (Fla.) Times*; Jeff Testerman, John Martin, Richard Bockman
- **Seniors for Sale** – *The Seattle Times*; Michael Berens

**Circulation 100,000-250,000:**

- **Do No Harm: Hospital Care in Las Vegas** – *The Las Vegas Sun*; Marshall Allen, Alex Richards

**Circulation under 100,000:**

- **Florida's Insurance Nightmare** – *Sarasota (Fla.) Herald Tribune*; Paige St. John

**Local Circulation/Weeklies:**

- **Bloomberg's Offshore Millions and The Secret Campaign of Mayor Mike** – *New York Observer*; Aram Roston, Reid Pillifant, Azi Paybarah

### TELEVISION

**Network/Syndicated:**

- **Remington Under Fire** – CNBC; Scott Cohn, Jeff Pohlman, Emily Bodenber, Steve Banton, Mitch Weitzner

**Top 20 Markets:**

- **Grounds for Removal** – WFAA-Dallas; Brett Shipp, Mark Smith, Billy Bryant, Michael Valentine

**Below Top 20 Markets:**

- **Reality Check: Where are the Jobs?** – WTHR-Indianapolis; Bob Segall, Cyndee Hebert, Bill Ditton

### OTHER MEDIA

**Magazine/Specialty:**

- **Profiting from Fallen Soldiers** – Bloomberg Markets; David Evans

**Book:**

- **Anatomy of An Epidemic: Magic Bullets, Psychiatric Drugs, and the Astonishing Rise of Mental Illness in America** by Robert Whitaker

**Radio:**

- **Prison Profiting: Behind Arizona's Immigration Law** – National Public Radio; Laura Sullivan, Anne Hawke, Barbara Van Woerkom, Susanne Reber, Steve Drummond

**Online:**

- **Dialysis: High Costs and Hidden Perils** – ProPublica; Robin Fields, Jennifer LaFleur, Al Shaw

### SPECIAL CATEGORIES

**Student (All Media):**

- **Inside the RSOs** – *The Daily Helmsman* (The University of Memphis); Chelsea Boozer

**Breaking News Investigations (All Media):**

- **A Failure to Warn** – WSMV-Nashville; Jeremy Finley

**Gannett Award for Innovation in Watchdog Journalism (All Media):**

- **Dollars for Docs** – ProPublica; Charles Ornstein, Tracy Weber, Dan Nguyen

# 2010 IRE Award Winners and Finalists

## NEWSPAPERS

### LARGEST NEWSPAPERS (CIRCULATION MORE THAN 500,000) OR WIRE SERVICE:

#### MEDAL:

**Breach of Faith** – *Los Angeles Times*; Jeff Gottlieb, Ruben Vives, Kim Christensen, Hector Becerra, Corina Knoll, Robert J. Lopez, Paloma Esquivel, Paul Pringle, Jessica Garrison, Richard Winton, Shelby Grad, Steve Marble, Kimi Yoshino, Megan Garvey, Maloy Moore



Gottlieb

Vives

**Judges' comments:** At a time when many news organizations are pulling back and reducing coverage of outlying cities, *The Los Angeles Times* uncovered a story of incredible greed in one of the state's poorest towns, Bell. Fighting hard for the records to prove it, the *Times* put 11 reporters on the story and found that the Bell town government had bilked its 39,000 residents of millions of dollars in outlandishly high salaries and property taxes, even as the town cut services and laid off workers. Taxpayers were unknowingly forking over \$800,000 for the city manager, \$376,000 for an assistant city manager, \$457,000 for the police chief and \$100,000 for part-time council members. The impact of the series has been far-flung, including resignations, arrests, and the refund of \$2.9 million in overpaid taxes and fees.

**Los Angeles Times**

#### FINALISTS:

- **Kids and Cadmium** – Associated Press; Justin Pritchard
- **Deadly Neglect** – *Chicago Tribune*; Sam Roe and Jared S. Hopkins
- **Grading the Teachers** – *Los Angeles Times*; Jason Felch, Jason Song, Doug Smith, Sandra Poindexter, Julie Marquis, Beth Shuster
- **Radiation Boom** – *The New York Times*; Walt Bogdanich with Brent McDonald, Rob Harris, Cassie Bracken, Kristina Rebelo, Rebecca Ruiz, Jo McGinty, Simon Akam, Sarah Ferguson, Dan Lieberman, Bill Marsh, Mika Grondahl, Graham Roberts, Matt Purdy, Paul Fishleder

### LARGE NEWSPAPERS (CIRCULATION 250,000-500,000):

#### CERTIFICATE:

**Under the Radar** – *St. Petersburg (Fla.) Times*; Jeff Testerman, John Martin, Richard Bockman

**Judges' comments:** Jeff Testerman and John Martin uncovered an exceptionally brazen fake charity scheme that had collected millions of dollars in the name of veterans and funneled money to conservative politicians across the nation. They found the U.S. Navy Veterans Association was far less than it seemed. The association claimed offices in 41 states and nearly 67,000 members. But despite an elaborate website and what appeared to be a national board of directors, the newspaper could find no evidence of anybody – except the group's founder, who called himself Lt. Commander Bobby Thompson. Even his name was phony. He's now on the lam. As a result of the series, federal authorities are investigating, and an Ohio grand jury has returned indictments against "Thompson," alleging theft, racketeering and money laundering.



Testerman



Martin



Bockman

**St. Petersburg Times**

#### CERTIFICATE:

**Seniors for Sale** – *Seattle Times*; Michael Berens

**Judges' comments:** *The Seattle Times* revealed the tragic problems that evolved from an effort to give frail Washington residents an alternative to nursing homes – and save the state money. As Michael J. Berens discovered, it has resulted in thousands of elderly people being exploited and abused in a booming "adult home" industry. In this series of well-focused stories, Berens uncovered 236 previously unknown deaths from causes indicating neglect or abuse. He profiled elderly residents drugged and suffering excruciating injuries at the hands of amateur caregivers. He noted business owners went so far as to list frail residents as commodities for sale. The series led to the demotion of a state official who oversaw the facilities and reforms, including a requirement that home operators publicly post inspections.



Berens

**The Seattle Times**

#### FINALISTS:

- **Public Pensions: A Soaring Burden** – *Arizona Republic*; Craig Harris, Pat Flannery, Matt Dempsey, Corey White, David Wallace, Josh Susong, Eric Dick, Stuart Doughty, Chris George, Kat Rudell
- **An Agency where Patronage is Job One** – *Boston Globe*; Scott Allen, Marcella Bombardieri, Andrea Estes, Thomas Farragher
- **Strong at Any Cost** – *Star-Ledger* (Newark, N.J.); Amy Brittain, Mark Mueller, David Tucker

### MEDIUM NEWSPAPERS (CIRCULATION 100,000-250,000):

#### CERTIFICATE:

**Do No Harm: Hospital Care in Las Vegas** – *The Las Vegas Sun*; Marshall Allen, Alex Richards

**Judges' comments:** In a three-year investigation, *The Las Vegas Sun* did what the government could not achieve in eight years: Identify and publicly report preventable injuries and infection in Las Vegas hospitals. Using computer-assisted reporting, statistical analysis and new media, Marshall Allen and Alex Richards analyzed 2.9 million records finding 396 deaths, more than 2,000 infections from superbugs, and more than 700 injuries due to surgical accidents. Before this report, Nevadans could learn more about the odds of a slot machine than the quality of care from a local hospital. Within weeks of publication, some hospitals began revealing their own information publicly. Then lawmakers proposed three new laws and regulators began investigating under-reporting by hospitals.



Richards



Allen

**LAS VEGAS SUN**

#### FINALISTS:

- **Breaking Point** – *Asbury Park Press* (Neptune, N.J.); Paul D'Ambrosio, Shannon Mullen, Christopher Schnaars, Jean Mikle, Todd B. Bates, Andrea Clurfeld
- **City Rape Statistics Questioned** – *The Baltimore Sun*; Justin Fenton with Erica L. Green, Peter Hermann
- **Cradle of Secrets** – *The Charlotte (N.C.) Observer*; Fred Clasen-Kelly, Karen Garloch, Lisa Hammersly, Franco Ordonez, Phil Hoffman, John Simmons, Jeff Wilhelm, Bill Pitzer, Doug Miller, Jim Walser, Rogelio Aranda
- **Sex Offender, Other Felons Ran Camps for Homeless Kids** – *The Palm Beach (Fla.) Post*; Michael LaForgia

**NEWSPAPERS (CIRCULATION UNDER 100,000):**

**CERTIFICATE:**

**Florida's Insurance Nightmare** – *Sarasota (Fla.) Herald Tribune*; Paige St. John

**Judges' comments:** Florida residents have the highest property insurance rates in the world – souring the state economy, killing real estate sales and forcing families from their homes. Paige St. John showed the entire industry has been based on lies – about why there is a crisis, where the money is going and whether homeowners are even protected against catastrophe. Pushing back against an industry that hired PR firms to attack the story, St. John revealed how it created a bogus computer model to predict catastrophic hurricane strikes so insurers could hike premiums and how more than 100,000 homes are insured by companies so financially unstable they likely couldn't cover a house fire, let alone a hurricane. As a result of these stories, insurance companies have been ordered to rewrite contracts and return millions of dollars to policyholders. Eight competing newspapers cited St. John's stories in calling for changes in state legislation. Some already passed, with promises of more on the way.



St. John



**FINALISTS:**

- **Prison Workers' Compensation Investigation** – *Belleville (Ill.) News Democrat*; Beth Hundsdoerfer, George Pawlaczyk
- **Tax Buyers, Politicians Benefit From Tax Sales** – *Belleville (Ill.) News Democrat*; Brian Brueggeman, Mike Fitzgerald
- **Money Pit/Money Maker** – *Poughkeepsie (N.Y.) Journal*; Mary Beth Pfeiffer
- **DUI Offenders Allowed Back on the Road Too Soon** – *Reno Gazette-Journal*; Martha Bellisle

**LOCAL CIRCULATION WEEKLIES:**

**CERTIFICATE:**

**Bloomberg's Offshore Millions and The Secret Campaign of Mayor Mike** – *New York Observer*; Aram Roston, Reid Pillifant, Azi Paybarah

**Judges' comments:** Showing it never hurts to tell a story with humor, even in a financial investigation, this informative piece by freelancer Aram Roston and *Observer* reporters Reid Pillifant and Azi Paybarah details how New York City's mayor is encouraging city residents to invest and pay taxes, but has millions of his own dollars tucked away in off-shore tax shelters. The judges commend the reporters for finding and obtaining the documentation about the mayor's investments. The project was funded by the Investigative Fund of The Nation Institute.



Roston



**FINALISTS:**

- **Toxic Time Bomb** – *Long Island Press*; Christopher Twarowski, Joel Cairo
- **Mr. Big Stuff** – *Phoenix New Times*; Sarah Fenske
- **Watching the Protesters** – *Seattle Weekly*; Rick Anderson
- **NYPD Tapes** – *The Village Voice*; Graham Rayman



**TELEVISION**

**NETWORK/SYNDICATED:**



**CERTIFICATE:**

**Remington Under Fire** – CNBC; Scott Cohn, Jeff Pohlman, Emily Bodenberg, Steve Banton, Mitch Weitzner



Weitzner

Cohn

**Judges' comments:** Uncovering memos from the 1940s, CNBC showed that Remington knew its most popular bolt-action rifle could go off without pulling the trigger but rejected a fix because it would cost 5.5 cents more per gun. CNBC tracked down the writer of that memo, now 98 years old. This is a story of a massive cover-up – not only of the problem but the dozens of lives lost because of it. As a result of the story, the police chief in Portland, Maine, pulled all Remington 700s from the police department, and the U.S. Border Patrol is retrofitting all of its 700s. Remington's parent, Freedom Group, says every case was user error.

**FINALISTS:**

- **A Scholar and One's Paper** – Korean Broadcasting System (KBS); Joong-Seok Park, Tae-Hyung Kim; Jung-Hwan Kim, Sung-Joon Ko, Suk-Won Jang
- **Councilmen on Tourism** – RBSTV/GLOBO-TV (Brazil); Giovanni Grizzotti, Giancarlo Barzi, Jefferson Pacheco, LUCiano Luccas, Larissa Bitencourt, Dimitri Caldeira
- **The Second Rape** – Swedish Public Television – Nicke Nordmark, Hasse Johansson, Fredrik Westerberg, Lars-Goran Svensson

**TOP 20 MARKETS:**

**CERTIFICATE:**

**Grounds for Removal** – WFAA-Dallas; Brett Shipp, Mark Smith, Billy Bryant, Michael Valentine

**Judges' comments:** Hundreds of thousands of Americans go to sleep each night with a hidden time bomb ticking under their beds: faulty gas lines.



Sometimes those lines explode, killing or injuring the unsuspecting victims above. Such was the case time and time again in Texas where faulty gas lines running under residential neighborhoods exploded with no warning. Reporter Brett Shipp, producer Mark Smith, editor/photographer Billy Bryant and news director Michael Valentine spent four years finding and documenting a lack of regulatory oversight of gas lines across the state, even interviewing officials who couldn't say where the pipes were buried. The multipart series forced state officials to order the oil and gas industry to spend \$1 billion to dig up and replace aging lines and couplings.



Bryant, Shipp and Smith

**FINALISTS:**

- **Waste on the Water** – KING-Seattle; Susannah Frame, Kellie Cheadle, Steve Douglas, Doug Burgess, Mark Ginther,
- **Who Killed Doc?** – KSTP-Minneapolis; Mark Albert, Jim O'Connell, Lindsay Radford, John Mason, Mike Maybay
- **NYPD: Fighting Crime at All Costs** – WABC-New York; Jim Hoffer, Daniela Royes, Bryan White



## BELOW TOP 20 MARKETS:

### CERTIFICATE:

**Reality Check: Where are the Jobs?** – WTHR-Indianapolis; Bob Segall, Cyndee Hebert, Bill Ditton

**Judges' comments:** Superbly executed, this project holds government accountable for grossly inflated claims of job growth in Indiana. Reporter Bob Segall, producer Cyndee Hebert and photojournalist Bill Ditton spent 18 months and logged 8,000 miles traversing Indiana in search of these jobs. With great editing and clear, precise writing, they disclosed their findings – not scores of new workers, but cornfields and abandoned factories.

This is shoe-leather reporting at its best, terrific mapping and use of graphics, great building of databases, and terrific use of sound and standups. Following the series, officials acknowledged the inflated job claims and promised greater transparency and disclosure of public documents.



Ditton, Segall and Hebert

### FINALISTS:

- **Wrongful Arrest** – KCTV-Kansas City, Mo.; Dana Wright, Ken Ullery, Chris Henao
- **Untested Justice** – WREG-Memphis; Keli Rabon, Jim O'Donnell
- **Deception of the Desperate** – WSMV-Nashville; Jeremy Finley
- **Missing from the Bench** – WVUE-New Orleans; Lee Zurik, Donny Pearce, Greg Phillips, Mikel Schaefer

### OTHER MEDIA

### MAGAZINE/SPECIALTY PUBLICATION:

### CERTIFICATE:

**Profiting from Fallen Soldiers** – Bloomberg Markets; David Evans

**Judges' comments:** This story revealed a little-known insurance tactic that deprived death benefits to the families of dead soldiers. Insurance companies provided “checkbooks” to family members instead of a lump-sum death benefit.

The companies did not reveal that they were actually keeping that money to earn hundreds of millions of dollars. Even state regulators didn't realize these “checkbooks” provided no federal protection as is commonly available through a regular bank account.

The project includes stunning work with fully original reporting and immediate impact. Within 24 hours of publication, the VA opened a probe of its own insurance practices, and New York's attorney general launched a major fraud investigation. Six weeks after the story, the VA changed its policy, requiring one company to pay lump-sum benefits. Congress passed a bill in October requiring full disclosure by the VA and insurers of how death benefits are invested. More congressional investigations are under way.



Evans

### FINALISTS:

- **Renaissance 2010: Searching for Equity** – *Catalyst Chicago*; Sarah Karp, Lorraine Forte
- **Food and Supplement Safety** – *Consumer Reports*; Doug Podolsky, Leslie Ware, Nancy Metcalf, Andrea Rock, Robert Tiernan
- **Cracked** – The Investigative Fund at The Nation Institute; Renée Feltz
- **Age of Treason** – *Mother Jones*; Justine Sharrock, Lucian Read, Michael Mechanic

## BOOK:

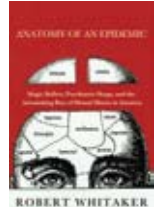
### CERTIFICATE:

**Anatomy of An Epidemic: Magic Bullets, Psychiatric Drugs, and the Astonishing Rise of Mental Illness in America** by Robert Whitaker



Whitaker

**Judges' comments:** This eye-opening investigation of the pharmaceutical industry and its relationship with the medical system lays out troubling evidence that the very medications prescribed for mental illness may, in increasing measure, be part of the problem. Whitaker marshals evidence to suggest medications “increase the risk that a person will become disabled” permanently by disorders such as depression, bipolar illness and schizophrenia. This book provides an in-depth exploration of medical studies and science and intersperses compelling anecdotal examples. In the end, Whitaker punches holes in the conventional wisdom of treatment of mental illness with drugs.



### FINALISTS:

- **All the Devils are Here: The Hidden History of the Financial Crisis** by Bethany McLean and Joe Nocera
- **Yellow Dirt: An American Story of a Poisoned Land and A People Betrayed** by Judy Pasternak

### RADIO:

### CERTIFICATE:

**Prison Profiting: Behind Arizona's Immigration Law** – National Public Radio; Laura Sullivan, Anne Hawke, Barbara Van Woerkom, Susanne Reber, Steve Drummond

**Judges' comments:** Laura Sullivan pushed way beyond the headlines to reveal who and what is behind the controversial Arizona immigration law. While most news outlets focused on the consequences of the bill that allowed police to lock up anyone they stop who cannot show proof of legal residency, NPR's investigation went behind the scenes. It shows how the private prison industry, which has much to gain, and the American Legislative Council Exchange, a conservative organization, actually drafted model legislation and lobbied for the law.



The judges thought NPR's decision to look at the law as a new business model made this entry the overwhelming winner in the category.



Reber



Sullivan



Drummond

### FINALISTS:

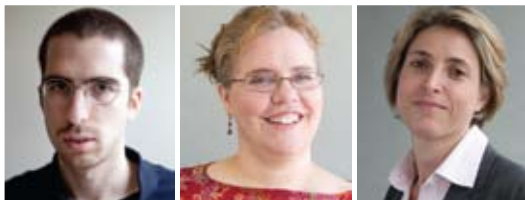
- **ICE Quietly Relaxes Ban on Using Stun Gun on Jailed Detainees** – Minnesota Public Radio; Sasha Aslanian, Bill Wareham, Mike Edgerly
- **Home or Nursing Home: America's Empty Promise to Give the Elderly and Disabled a Choice** – National Public Radio; Joseph Shapiro, Susanne Reber, Steven Drummond, Robert Benincasa, John Poole, Andrew Prince, Alicia Cypress, Becky Lettenberger, Alyson Hurt, Nelson Hsu, Brandon Petrowsky, Barbara Van Woerkom, Marisa Penaloza, Christine Arrasmith
- **Trafficked** – Youth Radio; Denise Tejada, Ellin O'Leary, Brett Myers, Charlie Foster, Lissa Soep, Brandon McFarland, Bill Sokol, Christopher Turpin, Graham Smith

**ONLINE:**

**CERTIFICATE:**

**Dialysis: High Costs and Hidden Perils** – ProPublica; Robin Fields, Jennifer LaFleur, Al Shaw

**Judges' comments:** Fields did a masterful job, explaining why there is a widely disparate dialysis treatment system in our country, one that costs taxpayers billions and yet too often, provides inferior, damaging care. She was able to explain complicated medical issues and put numbers into context. She battled for the data and documents against government and corporate interference. After 27 months of persistent public records requests, ProPublica was able to put together a geographically searchable database that any of the 400,000 patients in this country on dialysis can use to compare care. One U.S. senator is demanding answers from Medicare and Medicare Services about clinic conditions and the lack of effective regulatory oversight. This story is a great public service.



Shaw LaFleur Fields

**FINALISTS:**

- **Dollars for Docs** – ProPublica; Charles Ornstein, Tracy Weber, Dan Nguyen
- **Following the Unlimited Money** – Sunlight Foundation; Bill Allison, Anu Narayanswamy, Ryan Sibley, Aaron Bycoffe, Paul Blumenthal, Lindsay Young

**SPECIAL CATEGORIES**

**TOM RENNER AWARD**

**MEDAL:**

**Looting the Seas** – International Consortium for Investigative Reporters/Center for Public Integrity; Marina Walker Guevara, Kate Willson, David Donald, Marcos Garcia Rey, Jean-Pierre Canet, Scilla Alecci, Brigitte Alfer, Martin Foster, Fred Laurin, Miranda Patrucic, Traver Riggins, Leo Sisti, Gul Tuysuz, David E. Kaplan, Steve Bradshaw, Bruno Sorrentino, Jenny Richards, Davina Rodrigues

**Judges' comments:** From Tokyo's Tsukiji fish market to the tuna boats working the waters off the coast of Montpellier, France, this sweeping report involved 18 reporters working in nine countries chronicling the \$4 billion black-market bluefin tuna business. Reporters found a system working under the radar to harvest fish against international practices, doctoring numbers to appease regulators, and trading tuna off the books in the countries where it brings the highest value. The reports employed records from 10 countries, including legal briefs, corporate reports and databases used by regulators to track the trade. Using print, online and broadcast distribution, the series pointed to one of the largest illegal empires in the world, tying together evidence across the globe that might not have been connected otherwise. The series attracted attention worldwide, initiating reforms in both the international body that regulates Atlantic tuna fishing and in individual countries that fish for tuna.



**MEDAL:**

**The Other Side of Mercy** – *The Seattle Times*; Ken Armstrong and Jonathan Martin



Armstrong Martin

**Judges' comments:** This follow-up on *The Seattle Times'* original Pulitzer Prize Breaking News coverage of the killing of four police officers in a Seattle suburb is a darkly fascinating tale of the man behind the killings and the system that failed to keep him behind bars. Reporters traced Maurice Clemmons' criminal history to his teen incarceration in Arkansas and the many years he spent in and out of prison, growing more angry and resentful of society. Using more than 100 hours of recorded phone calls, records from the prison systems citing Clemmons' inability to improve himself, and documents showing a series of officials who repeatedly arrested and released Clemmons without regard for what he might do while free, the reporting slowly brought the reader back to the Washington state crimes with a much better understanding of how they could have happened. In the end, the multipart account is as riveting as any crime novel, leaving the reader wishing it were just a piece of fiction instead of being a terrifying, real-life story of madness and mayhem.



**FINALISTS:**

- **Fire Mark** – Innocence Institute of Point Park University; Amanda Gillooly, Matt Stroud, Bill Moushey
- **Barry Minkow 2.0** – *LA Weekly*; Beth Barrett
- **What Killed Aiyana Stanley-Jones?** – *Mother Jones*; Charlie LeDuff, Danny Wilcox Frazier, Clara Jeffery

**FOI AWARD**

**MEDAL:**

**The Hidden Life of Guns** – *The Washington Post*; David S. Fallis, James V. Grimaldi, Sari Horwitz, Cheryl W. Thompson



Fallis, Horwitz, Thompson, Grimaldi

**Judges' comments:** For the extensive use of FOIA but also for finding a way around its exemptions, *The Washington Post* is awarded the 2010 IRE FOIA Medal. In 2003, Congress created an exemption to the Freedom of Information Act. It cut off the release of data tying a gun used in a crime to the store or dealer who first sold it. That didn't stop the *Post* from doing it the hard way, with public-record requests to state governments which gathered data on more than 35,000 guns traced to crimes, which were then assembled into lists of top gun dealers. The *Post* also put together the first comprehensive database showing 511 police officers killed by firearms. The facts were chilling – for instance, just one gun store sold more than 2,500 guns recovered in crimes in the Washington area. This well-written story detailed the very real consequences of inattentiveness and political influence peddling. The reaction to the story was immediate. The Obama administration announced an emergency implementation of a rule that would require reporting bulk sales of assault weapons at the Mexican border, and a grand jury was convened in Texas to investigate one of the retailers highlighted by the *Post*.



**FINALISTS:**

- **Keeping Secrets** – *The News & Observer* (Raleigh, N.C.); Dan Kane, David Raynor
- **Dialysis: High Costs and Hidden Perils** – ProPublica; Robin Fields
- **The Perfect Pension Fund** – *St. Petersburg (Fla.) Times*; Sydney P. Freedberg, Kris Hundley, Connie Humburg, Shirl Kennedy, Carolyn Edds, Richard Bockman
- **Murder Mysteries** – Scripps Howard News Service; Thomas Hargrove

## STUDENT WORK (ALL MEDIA)

### CERTIFICATE:

**Inside the RSOs** – *The Daily Helmsman* (The University of Memphis); Chelsea Boozer

**Judges' comments:** A student reporter at the University of Memphis' *Daily Helmsman*, Chelsea Boozer did what journalists do: Question authority, scrap for refused public records and then stand up for the defenseless. Boozer tapped into a difficult and under-covered topic on campus: how student fees were spent. She



Boozer

**The DAILY HELMSMAN**

shined a light on the perks of student government leaders, including their paid tuition, parking and stipends, all funded by a mandatory student activity fee. Her digging found budgets tapped for student travel and T-shirts for the student senate. Her efforts forced a student senator to be dismissed. Student leaders now post their budget publicly.

### FINALISTS:

• **Behind the Label** – Columbia Graduate School of Journalism; Mar Cabra, Sarah Fitzpatrick

## BREAKING NEWS INVESTIGATIONS (ALL MEDIA)

### CERTIFICATE:

**A Failure to Warn** – WSMV-Nashville; Jeremy Finley

**Judges' comments:** With considerable difficulty as the flood waters swamped Nashville last year, Jeremy Finley and WSMV moved fast to gain access to phone records, emails and other documents before government agencies could cut them off. This story chronicles a systematic breakdown, bureaucratic mismanagement, and questionable decisions between the U.S. Army Corp of Engineers and the local weather service that worsened the problems. The judges commended Finley for being able to work under extreme conditions. Others picked up the story, and resulting congressional hearings and internal investigations are bringing about changes that will hopefully produce better communications and warnings the next time around.



Finley

**WORKING 4 YOU**  
WSMV-TV NASHVILLE HD

### FINALISTS:

• **The Blowout** – 60 Minutes; Solly Granatstein, Graham Messick, Nicole Young, Michael Karzis, Rachael Kun, Michelle Boniface, Aaron Weisz  
• **Deep Trouble** – *The Wall Street Journal*; Ben Casselman, Russell Gold, Angel Gonzalez

## PARTNERSHIP/COLLABORATION

### MEDAL:

**Dangers in the Dust: Inside the Global Asbestos Trade** – International Consortium of Investigative Journalists with the BBC; Jim

Morris, Steve Bradshaw, Ana Avila, Murali Krishnan, Roman Shleynov, Scilla Alecci, Te-Ping Chen, Dan Ettinger, Carlos Eduardo Huertas, Shantanu Guha Ray, Marcelo Soares, Abhishek Upadhyay, David E. Kaplan, Marina Walker Guevara, Anne Koch

**Judges' comments:** This project took an eight-country team of reporters nine months to complete. It discovered that a global network of industry groups has spent nearly \$100 million since the 1980s to keep asbestos – a known killer banned or restricted in 52 countries – on the market. This investigation was done in countries where public records are hard to get, including China and India. Legal and corporate documents, scientific papers and budgets had to be translated and the numbers crunched. The statistics are more than impressive: 200 people interviewed in eight countries, a BBC documentary released in multiple languages, and 150 countries that received coverage from 250 outlets, blogs and websites in 20 languages. The project's impact has been far-reaching. The leader of the opposition in the Canadian House of Commons has called for an end to Canada's exports, and an Internet campaign resulted in 7,000 letters, many calling on Quebec to cut off loan guarantees to its only remaining asbestos mine.

### FINALISTS:

• **Flying Cheap** – Frontline and the Investigative Reporting Workshop in the School of Communication at American University; Rick Young, Catherine Rentz, Miles O'Brien, Fritz Kramer, David Fanning, Michael Sullivan, Raney Arson-Rath, Chuck Lewis, Wendell Cochran  
• **Wall Street Money Machine** – ProPublica; Jake Bernstein, Jesse Essinger  
• **Investors Club: How the University of California Regents Spin Public Money into Private Profit** – Spot.U.S; Peter Byrne with community-funding for the project from news organizations and individuals  
• **Brain Wars** – ProPublica and National Public Radio; T. Christian Miller, Daniel Zwerdling  
• **Europe's Hidden Billions** – *Financial Times* and the Bureau of Investigative Journalism; Cynthia O'Murchu, Stanley Pignal, Caelainn Barr, Annamarie Cumiskey, Rob McKinnon

## GANNETT AWARD FOR INNOVATION IN WATCHDOG JOURNALISM

### CERTIFICATE:

**Dollars for Docs** – ProPublica; Charles Ornstein, Tracy Weber, Dan Nguyen

**Judges' comments:** ProPublica's extraordinary efforts to obtain previously obfuscated data and then transform it into a dataset the public can use represents an outstanding investigation and public service. Each drug company had its own way of making it difficult to track doctor payments. ProPublica cracked each and carefully melded the mix so that patients anywhere in the country can see whether their doctor is collecting money from a pharmaceutical company, and for which drug. ProPublica went the extra step to teach journalists around the country how to use the embeddable searchable interface to do their own stories. Truly innovative, the work represents the best media can do for the public good.



Ornstein



Weber



Nguyen

### FINALISTS:

• **Do No Harm: Hospital Care in Las Vegas** – *The Las Vegas Sun*; Marshall Allen, Alex Richards  
• **WESD's Web of Deals** – *Salem (Ore.) Statesman Journal*; Tracy Loew, Michelle Maxwell, Amy Read, Rick Lyons, Matt Garton



The Scientific Chemical Processing Superfund site in Carlstadt, N.J., has been on the Superfund list for 27 years. It's still years away from being cleaned.

# TOXIC TROUBLES

Ambitious project documents  
long-term pollution problems

BY SCOTT FALLON AND JAMES M. O'NEILL  
*THE RECORD*

To put New Jersey's 20,000 toxic sites in perspective, consider that there are three for every square mile, or an average of 35 in each town. Add to that 111 Superfund sites, the most in the nation, and you have a state that has earned all the barbs from the likes of Leno and Letterman.

But what might be fodder for comedians is deadly serious for the people who live with pollution. Toxic chemicals have spread under entire neighborhoods. Two of our rivers (the Passaic and Hudson) are Superfund sites. Contamination has sickened residents and damaged property values.

*The Record* has an ongoing series called "Toxic Landscape," in which we investigate why some of the most polluted sites in

New Jersey have languished for decades. There are thousands of these sites in our backyard, and we are painstakingly mapping every one of them on a special page devoted to the series: [www.northjersey.com/specialreports/full/toxiclandscape.html](http://www.northjersey.com/specialreports/full/toxiclandscape.html).

So far we have shown that:

- The Superfund program has fallen short of its promise in North Jersey due to inattention, mistakes and questionable decisions by the Environmental Protection Agency.
- One of New Jersey's biggest polluters, DuPont, gave the state 70 acres of land inundated with high levels of lead and arsenic as reparation for contaminating groundwater.
- Despite more aggressive action by neighboring states, New Jersey has not ranked or tested sites for hundreds of contaminated groundwater plumes beneath homes that could send toxic vapors into basements.
- New Jersey is sometimes powerless to conduct basic environmental enforcement. In one case, the state failed for decades to force a small business owner to remove mounds of PCB-contaminated soil from his property.
- One of the most polluted sites in North Jersey will likely remain that way. Six years after Ford Motor Co. was forced to return to Ringwood to dig up thousands of tons of toxic paint sludge it had dumped, the EPA may allow the company to leave contamination in an area that serves as the watershed for 2.5 million residents.

These are stories that are hiding in plain sight. We know there are tons of toxic sites in New Jersey, but telling these stories requires exhumation of documents and sources.

In many respects, we are telling a history that has been concealed in warehouses. It involves bureaucratic inertia, neglect and, in some cases, outright defiance. But it goes beyond just the site's story, and takes into account the state of environmental regulation at the time decisions were made, as well as the industrial legacies of the communities that struggle with this pollution.

### Documenting each site

The stories are based in New Jersey but the topic is universal. A reporter in any state can delve into the backlog of toxic sites and unearth stories.

Here's how we did it in New Jersey.

At the direction of editors Debra Lynn Vial and Tim Nostrand, the series began as an online interactive feature to map the 2,800 sites in Bergen and Passaic counties, home to 1.4 million people and an industrial past that dates to Alexander Hamilton.

We wanted to give our readers an idea of where contaminated sites were and the status of cleanup efforts. In town after town, we kept finding sites that had been on the books for years – some for decades with little or no action. We highlighted those and enlisted several other reporters including Andrea Alexander, Nicholas Clunn and Giovanna Fabiano to research a number of sites in the communities they cover.

To do this, we had to dive into public records.

All of these stories involved document requests to the New Jersey Department of Environmental Protection using the state's open public records access law and, in some cases, FOIA requests



One of the largest Superfund sites in New Jersey, the Maywood Chemical Co. site spans three towns and 88 land parcels. Radioactive thorium, metals, pesticides and other pollutants contaminate the area. A full cleanup is not expected until 2018 – 35 years after it was put on the Superfund list.

to the federal Environmental Protection Agency. In one case a reporter obtained access to all records for a contaminated site dating to the mid-1980s and spent days in a state warehouse going through 36 boxes of material, including remedial investigations, site cleanup plans and groundwater monitoring results.

Some of the best documents were internal emails among regulators and correspondence between polluters and regulators. Those helped provide insight into the level of resistance some polluters put up as site investigation and cleanup plans were often stalled.

Some of the best documents were internal emails among regulators and correspondence between polluters and regulators. Those helped provide insight into the level of resistance some polluters put up as site investigation and cleanup plans were often stalled.



Containment booms lie in the Hudson River just east of the Quanta Resources Superfund site in Edgewater, N.J. The EPA has proposed entombing more than 150,000 cubic yards of coal tar, arsenic and other pollutants rather than excavating it.



The Ventron/Velsicol Superfund site in Wood-Ridge, N.J., heavily polluted with mercury, has been on the Superfund list since 1984. Soil removal began in 2009.

Despite the DEP's poor online records database, the state does have a GIS tool, which lets anybody layer various types of data over a map of the state, their county or town.

The reams of material also showed gaps in regulation. We have seen years between reports or correspondence on major sites, some of which have three decades worth of documents.

For Superfund, the EPA has plenty of documents for each location on its website. They're useful but not penetrating. You can get the basic history of the site, the cleanup efforts and, if you're lucky, some geologic maps diagramming the extent of the pollution and whether it's moving.

### Digging Takes Time

Nowhere will you find the answer to the question: Why is it taking so long? That's where FOIA comes in. Like the New Jersey records, the best materials are often emails and other correspondence.

The document search was not without its problems. Few site-remediation documents in New Jersey are digitized, and the DEP receives by far the most requests for document reviews than any other state agency. Go to the DEP reading room on any given day and it will be packed with lawyers, land developers, environmental consultants and activists going over records. That inevitably leads to a backlog of requests.

Although New Jersey has to respond to a public-records request within seven days, it could take two to three weeks to actually get an appointment to review the documents at the agency's reading room. If you were to select more than a few pages to copy, you would often have to wait two to three more weeks while clerks make the copies for you and mail them. In short, there was a lot of time wasted.

The *Record* invested in a small portable scanner that reporters can take to the state capital to make copies. This eliminated a lot of time and expense.

Despite the DEP's poor online records database, the state does have a GIS tool, which lets anybody layer various types of data over a map of the state, their county or town. Included in the data are the outlines of known contaminated plumes of groundwater and aerial photos of the buildings that sit above

those plumes. Often, contaminants such as solvents and benzene can vaporize up through the soil and find their way through cracks into residential and school basements, exposing unsuspecting residents and students to the toxic fumes.

*Record* assistant graphics editor Robert Rebach downloaded all the data on these contaminated plumes and remapped them with GIS software called ArcView. Dave Sheingold, who mans the newspaper's computer-assisted reporting lab, then used ArcView to tabulate the data and figure out how many homes sit above these plumes. This aspect of the project produced some striking visuals, including maps showing plumes and affected properties.

A few other tips:

- Get someone from inside an agency, whether the PR person or a staff scientist, to help you understand the lexicon you will encounter on such a project, because each entity, from the EPA to your state environmental department, has its own lingo.
- Another indispensable tool is the health risk data on the federal Agency for Toxic Substances and Disease Registry website. The ATSDR provides "ToxFAQ" fact sheets on many pollutants that include the typical commercial uses of a chemical or metal, what the likely exposure pathways are, how the pollutant affects human health, and what scientific studies have determined about the substance's carcinogenic tendencies.
- Given that this ongoing project involves not only environmental reporters but municipal reporters, our environmental team created a handbook providing step-by-step instructions for reporters to access and understand environmental records. First, we gave them tips of how to navigate the state DEP's website to find confirmed contaminated sites in their town, then the process for filing a request with the agency to look at each site's case file, then what to do and what documents to look for once they are actually in Trenton going through the files.
- While documents provide the foundation of these stories, never forget that the whole point is how contaminants affect people living nearby, so always try to tell the stories of contaminated

sites through the stories of people -- or through the voice of former employees of the polluter. Most of the documents we've gone through have had few redactions. That means employee names are scattered across the files, allowing us to try and track them down. This led to a story showing that contamination at mom-and-pop businesses had outlived the people responsible, creating financial burdens for their children and grandchildren.

- Many neighborhood advocacy groups and even the EPA now use social networking to keep in touch, so be sure to sign up for their Twitter feeds or frequently check their Facebook pages or websites for updates.

Since we are trying to map every site on our website as this project progresses, we decided not to try and do it all at once. We are posting info on each town's site bit by bit as we get to them, so information gets posted as soon as it's ready.

"Toxic Landscape" is a series that doesn't have an ending. The *Record* has made a commitment to uncover the stories behind one of the most pressing issues in our state. We will be at this for a long time.

*Scott Fallon and James M. O'Neill have covered environmental issues for The Record since 2008. Fallon previously worked at The Philadelphia Inquirer. O'Neill has worked at The Dallas Morning News, The Philadelphia Inquirer and The Providence Journal.*



Drinking water continues to be treated for trichloroethylene, chloroform and several other chemicals that have polluted wells in Fair Lawn, N.J. The well field has been a Superfund site since 1983 but the EPA is just now investigating whether the contamination is spreading to homes and businesses.

# IRE Census Toolkit

Investigative Reporters and Editors has produced, gathered and organized a wealth of resources for mining census data. New Census 2010 data will be released on a rolling basis through the summer.

American Community Survey census data comes



out every year now, down to the tract level. Here's a sample of the tools to help IRE members with background, story ideas, data and more ...

## Webinars

Need a focused overview with loads of census story ideas, data tips and a detailed timetable of data releases? IRE has produced two half-hour webinars to help you gear up: one for Census 2010 and the other for the American Community Survey. Download them at <http://ow.ly/3PaSf>. Each half-hour webinar costs \$5 (IRE members) or \$10 (nonmembers). Each is a single PDF file with built-in audio.

## Custom Data

Through a new partnership with *USA TODAY*, IRE members can download analysis-ready files for census redistricting data, being released through March for all states. The spreadsheet files include comparable Census 2000 data for tracking trends during the past decade at several levels, including state, counties, cities, tracts, school districts and legislative districts. IRE members can download files as they're released state-by-state at <http://ire.org/getcensus>.

## Online Resources

Visit our one-stop site: [www.ire.org/census](http://www.ire.org/census). There, you'll find other training opportunities, links to think tanks and other online resources, IRE census tipsheets, IRE Journal stories about census coverage, and official documents and guides from the U.S. Census Bureau. New resources are added regularly.

## Census Listserv

IRE maintains various listservs, including one dedicated to the census. Members can search the list serv archives, post new questions seeking advice and contribute their census expertise to the greater IRE community. With each data release, activity picks up on the census listserv as members share knowledge, point out potential problems and help find solutions. Details are online at [www.ire.org/join/listserv.html](http://www.ire.org/join/listserv.html).



Boys walk by an armed official in Celaya in the Mexican state of Guanajuato, near the place where two grenades were hurled at a police outpost in November 2009. No one was hurt. Celaya is much more dangerous than Queretaro, which has a reputation for safety and is only 25 minutes away by car. Some say the difference is that drug cartels have agreed to keep Queretaro safe.

# THE CARTEL NEXT DOOR

Mexican drug rings may have  
close ties to your community

BY DANIEL CONNOLLY  
THE (MEMPHIS) COMMERCIAL APPEAL

An estimated 35,000 people have died in Mexico's drug violence since President Felipe Calderon launched a crackdown in 2006, according to Associated Press reports.

The money that drug users spend in your community may be helping Mexican cartels pay their employees, bribe officials, buy weapons, and hire people to torture and kill rivals.

If you live in the United States, you can help shed light on the problem by exploring the impact of the trans-border drug trade where you live. If you don't live in the U.S., you may still be able to apply the concepts.

It makes sense to focus on Mexican trafficking organizations because their influence extends throughout the United States and beyond, and because they are causing tremendous bloodshed in Mexico. An estimated 35,000 people have died in Mexico's drug violence since President Felipe Calderon launched a crackdown in 2006, according to Associated Press reports.

I spent about 15 months part time researching international drug trafficking for the (Memphis) *Commercial Appeal* while I continued to cover the county government beat. I focused on Craig Petties, a man from Memphis who was accused of working as a high-level broker for Mexico's Beltran Leyva cartel to ship hundreds of kilograms of cocaine and more than a ton of marijuana to Tennessee and other states. Prosecutors accused him of making cell phone calls from Mexico to arrange drug shipments and to order killings in Memphis.

Mexican authorities caught him in the city of Queretaro in January 2008 and deported him to the United States. The government revealed in February of this year that Petties had secretly pleaded guilty in December 2009 to various charges, including conspiracy, drug trafficking and participation in four murders.

Our series "Blood Trade: Memphis and the Mexican Drug War," was published in the summer of 2010. ([www.commercialappeal.com/blood-trade](http://www.commercialappeal.com/blood-trade))

## Finding a local focus

One of the best ways to write about the international drug business in your community is to take an in-depth look at a case that's closed or nearly closed. Learn about various cases, select one, then focus on one person within that case.

Big cases usually land in the federal courts, and the online system known as PACER can give you full-text access to filings. You can search for violations of specific drug trafficking statutes, money laundering or any other federal law by using PACER's advanced search functions or by using the nonprofit



Transactional Records Access Clearinghouse, or TRAC. (<http://trac.syr.edu>)

Lise Olsen of the *Houston Chronicle* also suggests requesting interviews with agents at the local offices of the FBI, Immigration and Customs Enforcement (ICE), and/or DEA. You can ask about closed cases similar to the ones you're working on, even though the agents may only be able to speak on background or point you to documents. Offices on the border often have agents who work with counterparts in Mexico and can suggest contacts there. Olsen also suggests meeting former federal prosecutors who have handled similar cases to learn how the legal system works.

Once you've identified a case and a person as your focus, start by reading all of the federal court documents. Olsen suggests looking for agents' affidavits, which the government uses to support search warrants or seizures of property. These documents often contain colorful nuggets that are great for narratives.

Olsen also suggests that you fully background your subject by checking property records, business licenses, liquor licenses, and state criminal and civil cases. ICE may be able to confirm if the government ever has deported your subject.

Here are some other story ideas and tips:

- **Understand immigration patterns.** This tip comes from Sam Quinones of the *Los Angeles Times*, who wrote a 2010 series called "The Heroin Road" about Mexican heroin traffickers active in towns such as Charlotte, N.C., and Indianapolis. Quinones says Mexican cartels have spread throughout the country as they follow patterns of Mexican immigration. "All mafias hide among the immigrant groups in which they are a part," he says. The village-based social networks that help immigrants find jobs and housing also can help traffickers. Quinones identified Xalisco, a small town in Mexico's Nayarit state, as the hometown for many heroin entrepreneurs.
- **Talk to prisoners.** Quinones has written dozens of letters asking prisoners for interviews. Most refuse, but some say yes.



Marcus Turner, center, poses for album art for a recording by Memphis-area rap group Grenade Posse. He was later kidnapped and killed by the Craig Petties drug organization, according to law enforcement. Some of the group's lyrics make apparent references to drug trafficking. "Loose lips, they sink ships / especially when you're state to state."

Alan Spearman | The Commemorial Appeal



A hand grenade punched this softball-size hole in the sidewalk outside a police outpost in Celaya in the Mexican state of Guanajuato. The November 2009 attack was blamed on criminals trying to terrorize authorities in this town, just a 25-minute drive from Queretaro, a city known for a low crime rate. Mexico's drug gangs pressure authorities through a combination of violence and bribery.

## GOING FOR A GRANT

We were grateful to receive a grant from the Washington-based Pulitzer Center on Crisis Reporting that offset expenses for our 10-day trip to Mexico in December 2009. The Pulitzer Center is a nonpartisan organization that supports international reporting. Significantly, the grant allowed me to bring photographer and videographer Alan Spearman, who has strong international experience.

Some tips on getting grants:

- The Pulitzer Center isn't the only grant-making institution that supports international journalism. The International Consortium of Investigative Journalists lists several others on its website: the Dick Goldensohn Fund for International Investigative Reporting, the International Center for Journalists, The International Reporting Project, and SCOOP, an independent Denmark-based network of investigative reporters (<http://i-scoop.org/>). Some other grant-making organizations are the Alicia Patterson Foundation, the Fund for Investigative Journalism and the Investigative Fund of the Nation Institute.
- Your grant proposal should tell the story with precision; don't just say you want to write about a broad topic. In our case, the decision to focus on one drug trafficker made it easier to write a tight proposal.
- You must show how you'll give the grant-making organization what it needs. For instance, the Pulitzer Center wanted a lot of people to see the work it sponsors. So we put together a very detailed plan of how we would distribute our work through various outlets, and we were able to deliver.



Neighbors walk by the house in the upscale Milenio III neighborhood in Queretaro, Mexico, where Craig Petties of Memphis was arrested in January 2008. It's unclear how long Petties and his family stayed in this house.

By digging through archives, I learned that Memphis has been a hub for the illegal narcotics business since at least the 1930s. Today, it remains a poor city with low education levels, factors that prompt many to join the drug trade.

- **Talk to drug users.** Remember, demand drives the drug business. Marijuana users in particular may be open to interviews and photos because the drug is winning mainstream acceptance. You may be able to demonstrate that money from local marijuana sales is flowing to Mexican cartels. White people represent the biggest group of drug users in the United States, according to federal data – a good fact to mention when the traffickers you're writing about come from minority groups.
- **Research your area's drug history.** By digging through archives, I learned that Memphis has been a hub for the illegal narcotics business since at least the 1930s. Today, it remains a poor city with low education levels, factors that prompt many to join the drug trade.
- **Don't exaggerate spillover violence.** Generally, it's still rare for Mexican cartels to commit violent crime inside the United States. A big reason is that the United States has a functioning justice system and harsh federal prison sentences. Mexico, by contrast, has weak institutions, and the guilty often escape serious punishment.

### Venturing into Mexico

You can do great reporting on Mexico's drug war from the United States. But you may want to find out what's happening in Mexico. I did this, and found myself in a much scarier situation than I had expected.

Before I arrived in Queretaro in December 2009, I believed it was a normal town and that I would have the relatively straightforward job of learning how authorities caught Craig Petties and how city leaders were trying to keep out traffickers.

The region had a lower murder rate than Memphis. But soon after I arrived, many people told me that the main reason the area was calm was that drug traffickers had decided to make Queretaro a safe haven for themselves and their families. One person alleged on the record that the government was part of the pact.

There's no way to prove this is true, and we were never overtly threatened, but I believe drug traffickers were indeed present in the area. There were times when this knowledge filled me with fear. I also made some security blunders that could have been disastrous in a rougher place, such as accepting rides under less-than-ideal circumstances.

Fortunately, I wasn't by myself. The intrepid photographer/videographer Alan Spearman had accompanied me from the *Commercial Appeal* and helped get me through some anxious moments. And I had worked through contacts at IRE and Mexico's Centro de Periodismo y Etica Publica to link up with Rafael Pinzon, an independent reporter living in Queretaro. Pinzon would later introduce me to several other reporters, including Alejandro Hervert of the local newspaper *Noticias*.



Suspected members of the Zetas, an armed group, lie dead following a June 2009 shootout with police in Guanajuato state in central Mexico, near where Craig Petties of Memphis was arrested in January 2008. This image was one of many provided to *The Commercial Appeal* by *Noticias* newspaper in Queretaro.

The Mexican reporters brought us to interviews and guided us around the area, and we couldn't have completed the project without them.

We got through our visit OK, but there are no guarantees. *Los Angeles Times* reporter Sam Quinones has reported on drug trafficking in Mexico in the past, but now believes that a visit to the most dangerous areas, such as Ciudad Juarez, is not worth the risk. He says other parts of Mexico also could be hazardous.

"You have no idea who the enemy is in this war," he said. "You have no idea what the next hot spot is. You have no idea what the rules are."

Dudley Althaus, a longtime Mexico correspondent for the *Houston Chronicle*, says he doubts there's a magic formula for security. He says he never used to worry about safety when traveling. "Now I think about it a lot before and during any visit. Times have definitely changed."

*Daniel Connolly is a staff reporter for The Commercial Appeal newspaper in Memphis, covering county government and Mexican immigration. He thanks editors Chris Peck, Louis Graham, Tom Charlier and Peggy Burch for supporting the project and giving him time for research, including a visit to central Mexico.*



The January 2008 arrest of Craig Petties in the Mexican city of Queretaro made headlines there. The staff of *Noticias* newspaper gave journalists from *The Commercial Appeal* access to this page from their archives as well as many other images that had never been published outside the region.

## Staying safe in Mexico

Three reporters with extensive experience in Mexico provided useful safety tips: Dudley Althaus and Lise Olsen of the *Houston Chronicle*, and Olga R. Rodriguez of *The Associated Press*. Here's a summary of their advice:

- Don't go alone. Go with a photographer or other trusted partner.
- Mexico has many brave and capable journalists, and you should find a good local reporter to guide you. Work through IRE to find reliable people. Even some reporters have cartel links. That's why finding helpers through trusted networks is important. Althaus says Mexican journalists are in far more danger than foreign ones because they are always in the towns and cities they cover, and Rodriguez warns that you shouldn't push local reporters to go somewhere that they don't want to go.
- Tell your editor where you'll be every day and check in frequently. Let editors know whom to contact if you go missing.
- Take a cell phone that works in Mexico, and bring local and national numbers to call for back-up.
- Check the U.S. State Department travel warnings for Mexico and read recent news reports from the area you're visiting.
- Remember that in the most dangerous areas, even taxi drivers, waiters or people walking in the plaza may be lookouts or members of cartels. Althaus says you have to be careful about officials at any level, especially police officers. "Assume that your presence is known to the bad guys once you start reporting," he says. "That goes triple in smaller towns versus big cities like Juarez and Monterrey."
- Althaus says you don't have to tell everyone you meet that you're a journalist. But don't invent another profession or reason for being in town. "Be as open as you think wise when talking to people about the story you're working on, but don't provide too much detail that would get you crosswise with any gangster band." (I should note that some argue that it's sometimes safer not to say you're a reporter.)
- If you plan to spend a long time on a story in Mexico, request a journalist visa. Government officials in zones of conflict in Mexico may demand that you have one.
- Organizations such as DART offer training for working in war zones or danger zones. Get training if you can.
- Avoid illegal or unethical behavior. Remember, you can go to jail in Mexico, too.
- Interviews can put people in danger, so if you're interviewing crime victims or other sources whom you need to protect, talk with them in a private place so gangsters can't see them.
- If sources are unknown or dodgy, interview them in a public place, preferably of your choosing.
- Don't tell people your specific travel plans, when you're leaving town, etc. Keep your hotel information private, if possible.
- Violent places often seem normal, so stay alert.
- Leave town as soon as you're done reporting the story.
- Think about what you publish or broadcast and the possibility that it will put innocent people in danger.



Gary D. Coleman sits next to the pool at the Westchester Plaza assisted-living facility in Fort Worth, Texas. Bonds were used to finance this and other similar facilities, which are now in dire condition.

# DISSECTING BONDS

BY YAMIL BERARD  
FORT WORTH STAR-TELEGRAM

The picture it painted was astounding, leading some critics to describe the county as a “bond factory.” The county, through its bond finance corporations, was one of the largest issuers of conduit bonds in the nation and a leader in the number of bond defaults.

I stared at the hulking, 10-story building in Fort Worth, Texas, from a parking lot full of potholes and broken concrete. It seemed to hover over adjacent restaurants and apartments like Godzilla over Tokyo.

A man in a wheelchair motioned to me. He was ravaged by a palsy that kept his arms crossed, and I couldn’t fully understand what he was saying. But I nodded yes and told him I was a reporter who was visiting his home for the first time. I said a quick goodbye and headed to the door to meet another man, Gary Coleman, a former school district employee with scoliosis who had spent months in the hospital undergoing surgeries.

That day, Coleman was peering through the glass of the lobby trying to spot me. Quickly, he gestured me to a small elevator. We went nine stories up, and I had to cover my eyes and hold my breath because of the reek of urine and feces in the elevator.

I had little to complain about, though; I didn’t have to live there, but it was home for Coleman and hundreds of others with mental disorders, chronic medical conditions and other life-threatening impairments.

Westchester Plaza was the match that lit up a four-part package of stories about private-activity municipal bond projects. It was the piece that would rattle readers and ignite the most outrage. It made all the ink spent on describing the intricacy of bond ratings and refinancings worthwhile.

Without Westchester, readers may not have grasped the concerns about our county’s sideline private-activity municipal bond business. But there was another component to the package that was even more vital. That component is called EMMA – the Electronic Municipal Market Access ([emma.msrb.org](http://emma.msrb.org)), the brainchild of the Municipal Securities Rulemaking Board. EMMA is

the official clearinghouse of financial statements and material event disclosures for the once-opaque municipal bond world, under rules set by the Securities and Exchange Commission.

EMMA is an indispensable tool for reporters interested in coverage of private-activity municipal bonds, state and local government debt and the record number of municipal bond defaults. Experts warn that bigger trouble lies ahead, so some state and local governments are scrambling to veer off defaults. Other cash-strapped governments are facing higher borrowing costs.

Before EMMA, reporters faced frustrating days of mining for information on municipal bonds from a myriad of sources. One has been state information depositories, such as the Municipal Advisory Council of Texas, where financial statements and notices of material events affecting bonds are filed. But we have free access to just some of its material, and for only limited windows of time. We also had to depend on a barrage of public information requests to governments to obtain, in many instances, minimal data about bond debt. To track and analyze it, we were forced to create spreadsheets by yanking data from these various sources.

That could be quicksand. For my story, I obtained the county’s 2007 resolution authorizing the issue of \$35 million in bonds for Westchester Plaza. But the document produced almost more questions than answers about the financing. For example, it noted that the bonds had been refinanced. In other words, that \$35 million could have been part of an earlier authorization of bonds, and county commissioners only were approving the refinancing to lower borrowing costs.

Then a source of mine pointed me to EMMA, which had been launched in 2009 as the MSRB’s primary market disclosure service and was continuing to build its bank of documents about municipal bonds, including issues dating back decades.

Using EMMA, I was able to find documents about 1998 bonds for the facility that had defaulted, and I found that a portion of the new bonds issued were unrated, non-investment grade or junk bonds. Reading through numerous documents on the site, I also was able to obtain information I couldn’t get anywhere else on all the county’s private-activity, or “conduit,” bonds.

The picture it painted was astounding, leading some critics to describe the county as a “bond factory.” The county, through its bond finance corporations, was one of the largest issuers of conduit bonds in the nation and a leader in the number of bond defaults.

For most bonds on the site, you can find the offering statement, spelling out such things as what the bond proceeds were supposed to pay for, whether the bonds are insured and by whom, and the source of revenue that will retire the debt. There’s also information on how the bond issue is structured, such as whether it includes variable-rate bonds.

As part of the disclosures, you can also find information about lawsuits, IRS notices, bankruptcies, mergers and acquisitions, enforcement actions or other circumstances that could threaten a municipality’s ability to pay off bonds. The categories of searchable items on the database are vast. Here’s a step-by-step guide:

To pick a category, go to the fluorescent green “market activity” tab of the main page of the EMMA website.

Then, click on a blue tab labeled “continuing disclosures.”

After that, click on the green search tab on the far right corner. A continuing disclosure blue box will appear with a drop-down menu of categories.

To explore the different categories, click on the drop down arrow. It is then easy to search by state and issuer's name.

The MSRB is still adding documents to this search engine of continuing disclosures.

EMMA also can provide hyperlinks to additional disclosure information available on other websites. For one hospital bond issue, for instance, I found an event disclosure document filed by the hospital noting that an interest rate swaps had socked the hospital system for a loss in value of more than \$75 million.

EMMA also shines a light on the real-time values of bonds, a good gauge for finding out if borrowing costs are going to be higher than expected or if bonds will sell.

Any time I had a question about how to use EMMA, the MSRB quickly responded and provided clear explanations. On the website is also a video tutorial and documents explaining the basics of municipal bonds.

To get a feel for some of the information on EMMA, you could type in the name of your city or county in the "muni search" field, but use the advanced search and limit the search at least by state. Click on one of the results and you'll get to another screen showing offering statements. Reading an offering statement is a good way to familiarize yourself with a bond issue. The offering statement can be intimidating because it is hundreds of pages. It also can be a bear to download. But if you take the time to read it, zeroing in on important details, it will lay out for you a bond project's nuts and bolts, including everything from its physical address to its roots and founding history, its players and its supposed mission.

To check on a specific bond issue, you'll want to know what's called its CUSIP: the number assigned to it. You could ask your government for a list of its bond issues and their CUSIPs, or find the number on EMMA by typing in the government name and sorting through the list.

If you want to find out if your local government is running a conduit bond "factory," or if a number of the conduit bonds have defaulted, here's what you can do:

First, get a list of the conduit bonds that your government has authorized for such things as nursing homes, hospitals and assisted living centers. In Texas, those lists are available at the state comptroller's office. Our county had supplied us with a list, but it was incomplete and difficult to decipher. Bond projects were classified in different ways, under different names, that made apples-to-apples comparisons impossible.

Next, it's important to look at each bond project and assemble a spreadsheet with the project's name, issuance costs, insurance data, rating information and notable defaults. You also may want to jot down the names of advisers involved in the deals. These can include underwriters and attorneys. You want to look for patterns.

Once you become more familiar with EMMA, you can use it to dig for a host of consequences that have affected your municipality's bonds. You can search for IRS notices, bond calls, mergers and acquisitions, sale of property, bankruptcy, litigation and enforcement actions. (To do this, the green tab of the main page – "market activity" – takes you there. Next, a blue tab – "continuing disclosures" – followed by a green tab

that says "search." A continuing disclosure blue box will appear with a drop-down menu of categories. You can also search by state, CUSIP and issuer's name. The MSRB is adding documents to these disclosure lists.)

Because EMMA is relatively new, there are document gaps. You may find yourself rather lost without a CUSIP, the real gatekeeper to information on EMMA. So you'll need to turn to other sources to find that CUSIP and to seek other bond information.

EMMA also depends on issuers to update and to continually submit information. If a material event disclosure document is not there, you may have to contact the issuer directly. Also, it can be a challenge to get a comprehensive picture of multiple series of the same bond or refinancings, even with EMMA's help. You would have to look to other sources, including municipal and financial experts who completed the transactions, to explain the sequencing and order of the bond issuances.

EMMA is expecting to unveil more enhancements in coming months. Issuers will be able to voluntarily post preliminary official statements and other pre-sale information. Audited financial statements and financial information, as well as hyperlinks to other disclosure information from another website, may also soon be posted.

It may seem an overwhelming job to evaluate billions of dollars worth of municipal bond projects. But EMMA makes that job easier. Armed with a spreadsheet and a laser-sharp focus (that weeds out reams of superfluous material), a reporter can provide a public service to those taxpayers who want to learn about their municipality's financial priorities. At a time when governments are increasingly debilitated by debt, spurring murmurings of potential crashes in muni bonds, it's the time for local journalists to be ahead on the story – watchful and ready – if things really begin to spin out of control.

*Yamil Berard is a reporter for the Fort Worth Star-Telegram. Her interests lie in covering the financial priorities of state and local governments, pension systems and other issues affecting taxpayer interests.*

Armed with a spreadsheet and a laser-sharp focus (that weeds out reams of superfluous material), a reporter can provide a public service to those taxpayers who want to learn about their municipality's financial priorities.



Myrtice Bohne lives in an apartment at the Westchester Plaza, a municipal bond project in Fort Worth, Texas.

# Elder Abuse

Fragile senior citizens are susceptible to all sorts of abuse.

Their living conditions – whether in nursing homes or their own homes – can be unsanitary or downright dangerous.

Medical care can be spotty or unavailable when they need it most. And scammers can prey on seniors with money – draining their life savings with shocking efficiency.

In this package of stories, *The IRE Journal* spotlights recent investigations that have exposed neglect and abuse of seniors. Sadly, the stories could be researched and written in many communities across America.



George Hugh Clayton, retired Navy commander, visits his wife Alice's crypt at Tahoma National Cemetery. She died of complications from a sore infected with the MRSA virus. Her family didn't realize the adult family home where she lived was unlicensed.



# Selling out seniors

Lax regulation, oversight create dangerous mix in adult-care homes

By Michael Berens  
The Seattle Times

**U**nemployed? Struggling to make the mortgage? Want to rake in lots of money without leaving home? Then the state of Washington has a deal for you – and so do dozens of states – if you’ll agree to provide room and board for vulnerable seniors.

Don’t worry if you dropped out of high school. Don’t fret if your only experience with elder care was a temporary job as an unlicensed aide. You qualify.

In Washington and nationally, thousands of ordinary homeowners have received state licenses to provide care for up to six older adults. There are nearly 3,000 licensed homes in Washington. On paper, it sounds like a great deal for seniors: Live in a familiar neighborhood inside a cozy home and enjoy greater freedom and enhanced dignity.



Marie Yesland's husband, Clarence, died after complications from falling and breaking a hip in a home with a history of violations.

But this rapidly growing, scanty regulated industry has attracted scores of profiteers, including adult-home owners who've marketed elderly residents as investments. One owner advertised three elderly residents for sale for \$100,000 – cash only. Another ad teased: Start making money now!

The *Times'* yearlong series, *Seniors for Sale*, revealed that thousands of vulnerable adults have been exploited by profiteers and amateur caregivers inside adult homes – sometimes with deadly results. The series is available online at <http://ow.ly/4wFIO>.

In addition to uninvestigated deaths, the *Times* uncovered scores of cases in which elderly victims were imprisoned in their rooms, roped into their beds at night, strapped to chairs during the day so they wouldn't wander off, drugged into submission or denied medical treatment for weeks.

There are many lessons learned from this project that may aid other journalists who endeavor to peel open a secretive state agency, pursue the financially motivated migration of the elderly into the community, or seek little-known public records and investigative files.

### All your manuals, please

Government agencies love manuals. So should you. File a public record request for manuals of every computer database in the agency. There is nothing privileged in a manual – even if some of the actual data is confidential.

Database manuals are a key to successful public record negotiations. Don't guess what the agency keeps or how and where it's kept. Let the manuals be your map. The manuals, also known as file layouts, are essential to deciphering codes or abbreviations used to designate information in the data.

Also, file a public record request for all operating manuals and handbooks – the bureaucratic rules of the job. For

instance, every new state investigator is handed a staff handbook on protocols at the Washington's Department of Social and Health Services, which regulates adult homes. Handbooks contain a list of every document type (listing its name or number) that is generated and received by the office.

This strategy was central to the success of *Seniors for Sale*. I learned that adult home information was scattered and divided among more than a dozen paper records and databases. Without the manuals, I might have missed huge swaths of valuable records.

For instance, gathering a complete set of data enabled me to uncover that for every four new homes licensed, three existing homes closed down, often from bankruptcy or following allegations of abuse or neglect. The churn rate sometimes led to disastrous consequences.

### First draft, please

Reporters are not the only professionals to endure deep and merciless editing. State investigators are routinely edited by their supervisors. Comparison of first draft to finished report often yields great story moments.

Adult-home owners are frequently charged with administrative violations. However, most charges result in a negotiated settlement, a plea bargain of sorts. As part of the settlement, the state often agrees to edit out embarrassing details from the original charge. Edited versions sometimes contain blatant mischaracterizations.

You can also ask for the "working papers" of a state investigator. This is essentially the first draft. You can see what the investigator wanted to write versus what the investigator was allowed to write. Valuable stuff.

In the project, I reported how the final investigative file erased all references to the death of an elderly woman who died from untreated pressure sores – in an adult home that had garnered more violations than any other active home.

The investigator wrote in the initial report that the home should be closed. That was removed, too.

### Emails, please

Requesting emails is not a novel public records strategy, yet many reporters fail to file requests for these valuable internal communications.

I asked the Washington Department of Social and Health Services for emails that centered on efforts to relocate the aged from expensive nursing homes to less expensive residential homes.

State officials denied the existence of a quota system. In fact, one director claimed, they don't use the word "quota." But they did in their emails. In fact, a supervisor wrote about how quotas – she used the exact word – were too high and difficult to meet.

Why the sensitivity? The state saved money for every low-income person who was relocated from a nursing home to an adult family home. That's not a story angle the state wished to highlight. This is happening in dozens of states.

After receiving emails, create a spreadsheet to track the date and sender of each message. The *Times* requested emails from about 300 employees. When we inspected what the state provided, we found the emails came from only a handful of employees.



Effie Tutor-Dutton, center, former adult family caregiver, pleads guilty in a King County courtroom to a felony count of criminal mistreatment. She waited 22 days before notifying the family or seeking emergency help for a woman who had serious bedsores that led to a fatal infection.



Even worse, we discovered that the state did not retrieve emails from a computer server. Instead, employees were requested to search their own computers and select emails that they believed were applicable to our request. It's not a stretch of the imagination to believe that employees might hide embarrassing communications.

The *Times* has a pending public records lawsuit to obtain thousands of withheld emails.

## Narratives to spreadsheets

A valuable technique is to create databases from paper records. First instance, Washington has conducted thousands of complaint investigations involving adult homes. The problem, of course, is that the final report is in the form of a narrative.

The goal is to break down investigative reports into discreet blocks of information – manually pluck facts from paragraphs. I use Excel whenever possible. It's nothing more than a giant piece of digital graph paper comprised of blank columns and rows.

Every column represents a new block, or "field" of information. Some fields are easy to capture: home address, date of violation, name of home, name of owner, etc. Strive to capture every variable. I routinely create spreadsheets with more than 100 columns.

Separate everything. Did abuse occur? Was it physical? Sexual? Did injury result? Death? That's four fields of information without breaking a sweat. Get creative; no piece of information is too insignificant.

That's how I determined how many people choked to death on a hot dog (choking on food was a field) or fell to the floor undiscovered for hours; how many convicted felons worked as caregivers; how many victims were tied to beds and wheel chairs, or drugged to keep them under control.

The beauty of a self-created database is that you're using information compiled by the state as your source. It's hard for state officials to refute their own information.

## Layer and compare

Some of the richest findings – the stuff of juicy stories – are built by linking public records from diverse sources.

I tracked uninvestigated deaths inside adult homes by layering three types of records: an address list of every licensed adult home; a database of death certificates; and my self-created database of violations.

Everything was linked by address. Comparison of the adult home addresses to death certificates yielded a long list of deaths. Clearly, most deaths were the result of natural causes. But in dozens of cases, death certificates revealed cases where seniors died from late-stage pressure sores, falls, choking on food, and other suspicious or accidental circumstances.

After culling out a list of suspicious deaths – it's a case-by-case analysis – I compared the adult homes to my self-created database of enforcement actions. I looked for suspicious deaths in homes that were never the focus of an investigation.

Washington officials acknowledged that they missed dozens of suspicious deaths or, in some cases, failed to pass along evidence of abuse or neglect to law enforcement agencies. That has changed since the series.



Janice McDonald, left, and her sister Elaine Matsuda from New Jersey, placed their mother Nadra McSherry in a Tacoma adult care home that "seemed like the perfect place." They were unaware of the safety and health violations. Their mother died of complications of neglect.

## Follow the profiteers

How do seniors in need of care find places to live? Spend just a few minutes on the Web and you'll find dozens of companies that offer to find the perfect place – for free. There's a catch, of course.

One of the nation's largest companies, A Place for Mom, is based in Seattle and has offices in every state and is expanding globally. A majority of services appear to be little more than someone working from a home office. There is no training or license required – zero oversight.

In most states, senior placement companies charge a commission to the home that accepts the senior. It's usually the equivalent of one to two months rent – anywhere from a few thousand dollars to \$10,000.

The question is whether these services refer seniors to the best places or to any place that agrees to pay the commission.

It's a cutthroat industry with vast sums of money at stake. A Place for Mom rakes in tens of millions of dollars a year. The *Times* found that the company's referral list contained an adult home with more violations than any other home, a place where a woman had died of an untreated pressure sore.

With the aging of America, more and more entrepreneurs – and, unfortunately, dangerous profiteers – are looking for ways to capitalize on the elderly. Explore the Web, examine state agencies – big stories lurk in the smallest details.

*Michael Berens works on the investigative team at The Seattle Times. The "Seniors for Sale" series won an IRE Award and the Worth Bingham Prize for Investigative Journalism.*

# Elder Abuse



Dennis Ball, who is leading a citizen effort to reform probate court, stands outside the Maricopa County Probate Court. Ball says the court allowed a private fiduciary to ignore his mother's will, raid her trust and sell her assets against his wishes.

# Betrayal of trust

## Lawyers, for-profit fiduciaries plunder finances of the elderly

By Robert Anglen and Pat Kossan

*The Arizona Republic*

**A** judge locks a man in an Alzheimer's unit despite the fact that he doesn't have the disease. A woman with more than \$1.3 million in assets is left penniless and dependent on state assistance after court-appointed lawyers and private fiduciaries manage her care and finances. A law firm ratchets up the hourly rates of incapacitated adults it has been appointed by a judge to protect in violation of court rules, yet judge after judge approves the fees.

These snapshots are just a few of the cases in Maricopa County Probate Court, which is one of the nation's largest probate courts and until last year was viewed as a leader in laws to protect the elderly. Rules and regulations established by Arizona's Supreme Court to guard the welfare of vulnerable adults were held up as models for other states to follow.

But our ongoing investigation, "Probate Court: A Troubled System," exposed how the court has allowed the life savings of vulnerable adults to become cash machines for lawyers and for-profit fiduciaries. News stories and columns showed the failure of judges, state regulators and social service agencies to stop the drainage of incapacitated adults' assets, even when they ended up on welfare. The complete series – stories, video and interactive graphics – can be found at [www.probate.azcentral.com](http://www.probate.azcentral.com).

For years, Arizona probate courts operated without oversight or scrutiny. A close-knit community of lawyers and for-profit fiduciary businesses paid themselves enormous fees out of the assets of the individuals, whose health and welfare they were appointed by the court to manage. And judges overseeing these cases rarely stepped in to limit these fees, which wiped out estates worth hundreds of thousands of dollars in a matter of months.

Fees weren't limited to the rich; modest savings of average working people also were depleted in probate court. Even in cases where fees did not wipe out an estate, the costs were so high as to undermine a person's ability to pay for nursing and other long-term care.

When outsiders, including lawyers and relatives of court wards, attempted to object or intervene, they were sometimes fined by the court.

The result: Some of those charged with protecting Arizona's oldest and most frail population were given legal authority to wipe out savings accounts, sell family homes and auction personal belongings for maximum profit.

And taxpayers picked up the tab when the accounts ran dry.

### Squandered family fortunes

Of course, the first time any of us heard that millionaires were being driven onto Medicaid by the court system, we were more than a tad skeptical.

Stories of probate-court woes are often recounted by "victims" who are on the losing side of epic legal disputes that can be traced back to long-simmering family disputes. In many ways they are like custody disputes, where facts mix with emotion.

During our investigation, we encountered multiple cases where family fortunes were squandered in legal battles over such trivial things as who should attend a funeral, where ashes should be scattered and who would retain possession of a spatula.

But beginning in late 2008, *Arizona Republic* columnist Laurie Roberts started writing about individual probate court cases. Through court records, Roberts detailed the plights of three individuals whose dealings with the court system left them broke, locked up against their will and hiring new lawyers to fight their court-appointed ones.

In the newsroom, we were receiving financial documents from other sources, including lawyers and court wards and their relatives, about the fees being charged by court-appointed lawyers and fiduciaries.

Financials were backed by visceral allegations of abuse by fiduciaries and lawyers. In one case, a fiduciary paid itself \$24,000 from a ward's accounts while telling relatives that the ward did not have enough money to pay for a hearing aid and dental work.

In 2010, editors assigned us to determine whether these cases were anomalies or represented a systemic problem.

We immediately discovered that our combined knowledge about probate court was extremely limited. Neither of us had ever covered a probate court hearing. Nor did we have extensive knowledge about wills, trusts or estates.

The axiom about following the money initially proved problematic. The fees seemed outrageous -- \$75 per hour to read an email, send a fax or shop at Wal-Mart. Scheduling a dental appointment cost thousands. But documents showed that every case had been reviewed and approved by judges.

So we began to educate ourselves. We turned to probate



Marie Long entered probate court with \$1.3 million in assets. Today, she relies on state assistance after her money was used primarily to pay for lawyer and fiduciary fees. She has since suffered a stroke and lives in a Scottsdale assisted-living center.

lawyers and state regulators. We spoke with professors. We read probate manuals and state statutes. We attended probate hearings. We talked to victims. And we read lots of cases.

It turns out that probate is a specialized field that doesn't follow traditional court procedures. Unlike most cases, which start and end in a limited period of time, probate cases can last for decades. It all starts when a judge, usually acting on a petition from a family member, declares a person incapacitated or unable to care for their own health or finances.

We learned there are different procedures for being appointed guardian (put in control of someone's care) or conservator (put in control of someone's finances). The court often appoints for-profit fiduciaries to serve in these roles, especially in cases where family members cannot agree on the best way to care for a relative.

We learned that rules and laws often seem byzantine. Laws can change during any legislative session, and protections for vulnerable adults have recently been eroded, giving more power to fiduciaries, making them less accountable.

And we learned that probate judges and court commissioners, who wield the same powers as judges, often have little or no background in probate law. They are often rotated into their positions from other areas of the court, including criminal and civil divisions. We found that some judges don't follow court rules when it comes to reviewing cases or deciding them. Repeatedly, we found judicial rulings that defied court rules or procedures.

That's when we got back to the old axiom.

## Search for context

Our biggest problem was not being able to quantify the problem. We could reach into a file cabinet at any moment and pick out a dozen examples of system failures. What we could not do was provide context for how often it happened.

There are more than 5,000 active cases in probate court at any time. As we approached judges, fiduciaries and lawyers with our findings, they would rebuff us with the claim that we were only dealing with a handful of cases. They consistently maintained that 90 percent of cases go through probate court without controversy. Their challenge was explicit: Prove otherwise.

We tried tackling this in various methods. We tried to take a segment of cases and map outcomes. We attempted to look at the net worth of individuals going into and coming out of probate court. We tried limiting data by years.

We decided that it would take too long to quantify even a year's worth of cases, given that any single case could comprise thousands of pages of documents. Besides, fiduciaries and judges already had given us a number: 90 percent. That meant as many as 10 percent of cases could be going sideways, and we had ample evidence to show what happened when cases went sideways.

The first installment of the investigation appeared in a six-page segment on Sept. 26. Among the findings:

- Cozy relationships and conflicts of interest exist among judges, lawyers and fiduciaries. Judges had undisclosed relationships with lawyers in the cases they adjudicated. In many cases, these lawyers served as substitutes for the same judges. In one case, a judge communicated privately with one side in a controversial case, allowing the lawyer to edit advance copies of a ruling that awarded the lawyer hundreds of thousands in fees. Lawyers often fill in for judges on a temporary basis. Judges later rule

on cases involving these same lawyers.

- The agencies most people turn to in a time of crisis have become feeder systems for fiduciaries. Fiduciaries tap hospitals, senior centers and state social service agencies for cases. After checking into a hospital or contacting the state's adult protective service agency for help, unsuspecting adults can find that their lives have been turned over to a private fiduciary.
- There is little oversight of the probate system. Judicial decisions about fees are rarely overturned or even reviewed by higher courts. Complaints against judges are regularly dismissed. State regulators charged with overseeing fiduciaries defer complaints about fees to the judge who approved them. The result is a closed loop that starts and ends with the court.
- Judges approve fees that violate court orders, guidelines and rules of procedure. Records showed that judges would sometimes contradict their own orders, disregard rules of procedure, and act without regard to specific rules protecting incapacitated individuals when approving legal and fiduciary fees. Judges in some cases allowed fiduciaries to tap a ward's assets to pay for lawyers to fight the ward's attempt to remove them from a case.
- Lawyers violate court rules by secretly raising the hourly rates. A firm appointed by the court to represent individuals deemed incapable of caring for themselves raised their hourly rates as much as 70 percent during the life of these cases. Judges routinely approved the hikes, despite the violations of court rules.
- Wills, living trusts and powers of attorney all can be bypassed by fiduciaries. The most careful estate and financial planning was sometimes disregarded by fiduciaries

# Elder Abuse

# Elder Abuse

appointed by the court. Although court rules mandate that fiduciaries act in the best interests of their clients, fiduciaries drain trusts, change powers of attorneys and ignore wills with the court's permission.

- Court-appointed probate lawyers routinely violate contract rules. The court and county contract rules mandates court-appointed lawyers are supposed

to be selected on a random, rotating basis to prohibit lawyers from cherry-picking high-paying cases. But contract rules are routinely ignored by the county administrator in charge of monitoring them.

- There are few alternatives to private fiduciaries in Arizona. Most people can't afford the enormous fees charged by fiduciaries. But there are few, if any, alternatives for people whose relatives cannot care for them.

Stories and columns resulted in immediate judicial and legislative reform efforts and have changed the way judges handle probate cases. Arizona's largest private fiduciary shut its doors amid questions of excessive fees and conflicts of interest. The owner denied any wrongdoing and blamed media hype for a loss of business.

The investigation also prompted Arizona State Bar complaints against lawyers and caused Arizona's largest hospital system to review policies for using fiduciaries.

The Arizona Supreme Court launched a reform committee to examine the probate court. The Maricopa County Superior Court presiding judge called for an independent review of the probate court system. A judge was brought out of retirement to curtail fees and monitor complex cases. Judges have also severely limited the practice of using probate lawyers as temporary judges.

The Arizona Court of Appeals delivered a sweeping ruling in a case that mirrored the newspaper's findings about abuses by fiduciaries and court-appointed lawyers, creating new criteria for lower courts to follow.

Two bills promising reforms and increased oversight of probate court were passed by state legislators in April.

*Robert Anglen is an investigative reporter for The Arizona Republic. Since joining the paper in 2004, he has investigated a network of questionable charities tied to a worldwide ministry, deaths linked to Taser stun guns and financial abuse at the nation's largest community college system. Pat Kossan joined The Republic in 1984 and covers K-12 education. In 2009, she investigated loopholes in the state's private-school tax-credit program, exposing how a system with almost no oversight was allowing private-school operators, nonprofits and individuals to milk the program for personal gain.*

Dave Seibert | The Arizona Republic



Janet Jones holds a picture of her stepfather, David Coppes, and her mother, Alicia Coppes, while he was under the care of a fiduciary in 2006. Jones says the fiduciary helped orchestrate a bogus divorce between her mother and stepfather, isolated him in a locked Alzheimer's unit and sold the family home against her mother's wishes.

# Home or nursing home?

## NPR finds wide variations in care for the disabled

By Robert Benincasa and Joe Shapiro

NPR News Investigations Unit

The story started with a simple question about a decade-old U.S. Supreme Court decision. The decision, *Olmstead v. L.C.*, said people with disabilities have a civil right to remain in their communities while getting long-term care.

The court ruled in 1999 that institutionalizing people when they could reasonably be served in a less-restrictive setting was discrimination under the Americans with Disabilities Act. So, we wondered, did that “right” really exist in practical terms, or did the law amount to an unfulfilled promise?

We set out to find, through interviews and anecdotes, as well as data and documents, whether disabled persons were getting the care they needed, and could receive, in their homes and communities. Or, were they landing in nursing homes?

Reporter Joe Shapiro began looking for stories of the struggles faced by disabled persons straddling the worlds of home-based and institutional care. Computer-assisted reporting producer Robert Benincasa began looking for data.

In Illinois, Shapiro found 20-year-old Olivia Welter, who has lived in her family’s home, but needs expensive machines and constant nursing care to stay alive and healthy. We learned that the state program that pays for that care was set to cut off the moment she turned 21 – taking her out of the environment that had sustained her for her whole life. The state would, however, pay for her to move to a nursing home.

In Atlanta, 87-year-old Rosa Hendrix went to get short-term physical therapy in a nursing home. While there, she lost her apartment, and was consigned to the institutional setting permanently. For her, a housing problem turned into involuntary institutionalization.

Through interviews with advocates and a review of the data, we found that countless younger people – from their teens into their early 60s – were living in nursing homes, wanting to get out. The data on the nursing home population indicated that those ages 31 to 64 were the fastest-growing segment for the past 10 years.

One strategy Shapiro used to find people living in nursing homes against their will was to seek out lawyers who represent them. A congressionally mandated “protection and advocacy system” funds legal representation in every state, aimed at protecting the civil rights of people with disabilities. The participating lawyers belong to the National Disability Rights Network, the umbrella group for these “protection and advocacy” systems at the state level.

John Poole | NPR



Friends and supporters of Mary Curtis get together once a month during a “micro-board” meeting to help plan her care in a host home near Atlanta.

The lawyers turned out to be good sources, referring us to disabled people with compelling stories to tell.

We also wondered about the functional abilities of people living in nursing homes, and whether their ability to do things for themselves might indicate an unfulfilled potential to live in the community. Every nursing home that receives federal Medicare dollars fills out a resident census form and sends it to the Centers for Medicare and Medicaid Services in Washington. The form, known as CMS-672, asks, among other things, how many people in the home can do various daily living tasks by themselves. The information about individual facilities had never been released publicly. Advocates for the disabled told us they couldn’t get it and we’d likely fail to obtain it.

Benincasa requested a data file showing answers on the form given by each nursing home in its most recently completed survey. A few weeks later, CMS released the file under the U.S. Freedom of Information Act, at a cost of \$1,045. He used the raw data to calculate the percentage of people in each of the nation’s 15,000 nursing homes who could walk, eat, use the bathroom and do other things without help.

What was most striking about the data was the extent to which independence levels varied from state to state, and even from facility to facility.

### LINKS

**Series:** <http://ow.ly/4NIKt>

**Searchable database:** <http://ow.ly/4NILA>

**Interactive: Community-based Medicaid spending by state:** <http://ow.ly/4NIMh>

**Interactive: Independence Among U.S. Nursing Home Residents:** <http://ow.ly/4NIN5>

For our Web package, we calculated state rates and displayed them on an interactive map showing significant differences around the country. The map used XML-format data and a Flash-based user interface created by npr.org designer Nelson Hsu.

We made a second state map that showed differences in how states spend Medicaid dollars on the elderly and disabled. Some devote more than half the money to community-based care; others spend less than 20 percent in communities, with the rest going to nursing homes.

As a public service, we decided to put the entire database of all facilities, in searchable format, on npr.org. The goal was to allow our audience to find out how well their local nursing home residents could care for themselves without help. Along those lines, we imagined the data could help others who were assessing the pros and cons of particular nursing facilities, as one set of factors to consider.

Publishing the information at the facility level aimed to hold individual providers and states accountable for their nursing home resident populations, and the decisions they had made about who is institutionalized.

For those using our data to do research locally, the indicators provided a starting point to find out more about the quality of care in local facilities. To help put the information in context, we added a federal quality rating for each home and the date of the census survey. The quality rating data is available on the CMS website in Microsoft Access format. We matched it to the facility census data using the federal provider numbers in both data files.

Our searchable database was to use a state and county search sequence, so Benincasa matched the ZIP codes of the nursing home addresses with counties using a commercial ZIP code-to-county cross-walk file. That file came from zipcodedownload.com. Since ZIP codes can cross county boundaries, we ensured that searches by county generated any facility with a ZIP code that touched the selected county.

The searchable database used a PHP and Ajax interface and a MySQL back end. We got some welcome coding assistance from Brandon Petrowsky of NPR's Information Services Department.

Another public records effort that was less successful was our attempt to get information from complaints people have made to the Department of Health and Human Services' Office for Civil Rights. The office is charged with investigating claims from those say they are being kept in nursing homes in violation of the ADA. Shapiro filed a FOIA request for every *Olmstead*-related complaint since the 1999 Supreme Court decision. Officials at the department refused to provide the highly personal information contained in each of the nearly 1,000 complaints. So Shapiro and NPR attorney Ashley Messenger negotiated to get summarized data on those complaints. From that, we saw broad trends.

In the few years immediately after the *Olmstead* decision, the department received many complaints, acted upon them and often ruled in favor of the person making the complaint. But with the start of the new Bush Administration, the department was slow to respond. By the end of the Bush Administration, individuals and their advocates appeared to have given up on the complaint process. The number of complaints went from a high of 165 the year that Bush took office to 7 in the year he left.

*Robert Benincasa specializes in data-oriented journalism. He joined NPR in 2008 as the network's first producer for computer-assisted reporting. Prior to that, he was database editor for Gannett's Washington bureau. Joseph Shapiro is a correspondent on NPR's new Investigations Unit. He joined NPR in 2001 and covered health, aging, disability, children and family issues. He is the author of "No Pity: People with Disabilities Forging a New Civil Rights Movement."*

## IRE Resources

### Stories

- **Story No. 24425:** Sally Kestin, Peter Franceschina and John Maines, *The Sun-Sentinel* (Fort Lauderdale, Fla.). "Trust Betrayed," found numerous employees of Florida day care centers and nursing homes have startling criminal backgrounds. (2009)
- **Story No. 22677:** Janelle Cole, the *Forum* (Fargo, N.D.). "Aging Sex Offenders Pose Problems," chronicled incidents of abusive behavior in North Dakota nursing homes to illustrate that the state has no appropriate housing option for aging or disabled sex offenders after they have been released from incarceration. (2005)
- **Story No. 22665:** Robin Fields, Evelyn Larrubia, Jack Leonard, Maloy Moore, Francine Orr, Vernon Loeb, Marc Duvoisin and David Bowman, the *Los Angeles Times*. "Guardians for Profit" investigated California's broken system for protecting incapacitated adults. (2005)

### Tipsheets

- **No. 2754:** "Tips for Investigating Dangerous Caregivers," Ruth Teichroeb, *Seattle Post-Intelligencer*. Teichroeb gives tips to reporters who are covering mistreatment of patients by their hired caregivers.
- **No. 3162:** "Assisted Living Tipsheet," Ken Dilanian, *USA Today*. The author discusses how to investigate long-term care for the elderly. He explains the difference between nursing homes and assisted living facilities and suggests documents and sources that will be useful for investigating either type of facility.

### The IRE Journal

- "Elderly Abuse: Parolees discovered living in nursing homes, residents not told of sex offenders, ex-cons." Chris Fusco and Lori Rackl describe how they investigated the high number of sex offenders and parolees living in Illinois' nursing homes. (September/October 2005)
- "Poor Regulation," *The Oregonian*. Brent Walth writes about an investigation that he and fellow reporter Erin Hoover Barnett did on the sudden collapse of the Oregon-based Assisted Living Concepts. The company, which at some pointed acquired a new assisted-living center every week, "slashed budgets, paid measly wages and hired inexperienced staff." The article points to some of the differences in regulations for assisted living and nursing homes. (November/December 2002)

### Extra! Extra!

- "Agencies in New Mexico impeded fraud and elder care investigations," *The New Mexico Independent*. The series explored allegations that state agencies interfered with fraud and elder abuse investigations. The Medicaid Fraud Division stated that Human Services Department and the Health Department had withheld, filtered and sanitized information and documents requested by investigators. (Government, Health, February 23, 2010)
- "Elder abuse investigations mishandled at state veterans homes," *The Dallas Morning News*. James Drew of *The Dallas Morning News* found that a criminal investigation into alleged abuse by two workers at a state veteran's home in West Texas languished for more than two years because of confusion over who should investigate and conflicts among police, state officials and veteran's home administrators. (Justice, April 7, 2010)
- "The Price of Living" series, *The Post and Courier* (Charleston, S.C.). The newspaper spent months going through individual case files at the Charleston County Probate Court to learn what was happening to the savings of elderly incapacitated persons. Reporter Doug Pardue discovered a court that was set up to protect vulnerable elderly persons but often helped drain their estates through court-approved fees to lawyers, guardians and conservators. (Health, Justice, Dec. 1, 2010)



Ryan Phillips of the University of California, Berkeley interviews a truck driver at a checkpoint outside of Flagstaff, Ariz.

# CROSS-CAMPUS PARTNERS

Students from 11 colleges investigate transportation in groundbreaking project

BY KRISTIN GILGER  
ARIZONA STATE UNIVERSITY

Put 11 college journalists in a newsroom full time for 10 weeks. Give them a great topic, some travel money and access to some of the best minds in journalism.

What do you get?

A sweeping investigation into travel dangers in America that attracted publishing partners such as *The Washington Post* and msnbc.com. The project garnered more than 5 million page views and 1.28 million unique visitors.

This was the experience of News21, a national student reporting project sponsored by the Carnegie Corporation of New York and the John S. and James L. Knight Foundation. News21 has been around for almost six years, with students

at participating schools studying their chosen topics in intensive spring seminars, followed by summer reporting projects on issues ranging from homeless veterans to the way young people use technology.

But it wasn't until the summer of 2010 that the Carnegie-Knight schools came together in one place to do one major national project. They spent the summer at the Walter Cronkite School of Journalism and Mass Communication at Arizona State University, working under the direction of editors such as Leonard Downie Jr., former editor of *The Washington Post*, and Steve Doig, an expert in computer-assisted reporting, both of whom now work at the Cronkite School.

The result was a 23-story multimedia investigation, "Breakdown: Traveling Dangerously in America," published in September on a News21 website (<http://national.news21.com>) as well as in the *Post*, on msnbc.com and in other publications around the country.

The Center for Public Integrity, which signed on as an early partner, helped students cull thousands of documents, including transcripts from congressional testimony and NTSB hearings, reports of accident investigations, and correspondence between the National Transportation Safety Board and the agencies it oversees. They also used police reports and court documents to bolster their reporting.

The project garnered more than 5 million page views and 1.28 million unique visitors.



Andrew (AJ) Maclean of Syracuse University takes photos at Sky Harbor International Airport in Phoenix.

... NTSB has essentially given up on 1,952 of its safety recommendations – one of every six it has made since 1967.

The scope of the project – both in ambition and size – makes it the single largest collaboration ever undertaken between journalism schools and professional media organizations.

### Digging into data

In some cases, documents were available electronically, but in other cases, students obtained paper copies. For example, two students assigned to investigate accidents related to fatigue spent many hours going through archived documents at NTSB, turning up a 1935 memo that contains the first known mention of fatigue as a concern in aviation safety. That memo is referenced in a story (<http://ow.ly/4xwen>) that examines this long-standing problem and how little has been done to address it. In another case, students were able to obtain a copy of a 2005 memo (<http://ow.ly/4xwo7>) that showed the Federal Motor Carrier Safety Administration was warned about the problem of “reincarnated” carriers long before the agency took steps to stop the practice.

Students reviewed 13,000 recommendations logged in an NTSB database and thousands of accident records on the websites of federal regulatory agencies, including the Federal Aviation Administration, the Coast Guard, the National Highway Traffic Safety Administration, the Federal Motor Carrier Safety Administration and the Federal Railroad Administration. While a great deal of traffic accident data is available online, students soon found that it couldn’t answer all of their questions. How many NTSB recommendations have actually been implemented over the past 43 years since the board was created? How many recommendations has the NTSB given up on? And without the raw data, students were stymied as they tried to answer another key question that their reporting led them to: How big of a role does fatigue play in accidents?

The NTSB refused requests for the additional data, saying it was too difficult and time-consuming to provide. So with Doig’s help, News21 scraped the data, which students analyzed using frequency tables and univariate statistics, such as averages. News21, meanwhile, filed a formal Freedom of Information request, and the NTSB responded with the requested data within about a month.

### Finding a pattern

Their data analysis revealed that during the past 43 years, the NTSB has issued more than 13,000 recommendations to make travel safer, but those recommendations are often delayed or ignored as accidents continue to happen and people continue to die. They also found that the NTSB has essentially given up on 1,952 of its safety recommendations – one of every six it has made since 1967.

Other findings include:

- Federal agencies, states and transportation industries are taking longer than ever to act on NTSB recommendations. During the past decade, the average number of years to implement recommendations went from 3.4 to 5.4 years.
- More than 2,300 people have been killed from ice buildup on aircraft, problems on runways, faulty aircraft maintenance and repairs, and overtired pilots, despite dozens of NTSB recommendations to address those problems.
- During the past four decades, more than 320 fatigue-related accidents and incidents have taken nearly 750 lives in airplane crashes alone. The NTSB has issued 138 fatigue-related safety recommendations since 1967. Only 68 have been implemented.
- For four decades, the NTSB has investigated accident after accident that investigators said could have been prevented with automated train control technology. Had railroads installed such a system, more than 780 accidents might have been averted.
- Since the NTSB recommended safety management systems for passenger boats in 2002, there have been about 1,700 accidents involving such vessels. Many of them could have been avoided if safety systems had been in place.

In addition to the data analysis, students traveled to nine states, the District of Columbia, Canada and Mexico, interviewing hundreds of government officials, industry leaders, safety experts and accident victims. They attended a railroad conference in Vancouver, Canada, and a trucking convention in Las Vegas, and went to highway checkpoints to find sources. They visited a doctor’s clinic where truckers are certified in Ohio, and they traveled to the sites of major accidents, such as a train derailment in Graniteville, S.C., and a catastrophic highway accident in Munfordville, Ky., to find people affected by transportation accidents.

*The Washington Post* ran an overview story containing the main findings on its Sunday front page Sept. 26 and followed with three more stories inside the paper that week. Msnbc.com featured five stories during the same week, with most of them topping its homepage. NBC News did a “Nightly News” package on the project that was posted on its website, and Yahoo! News linked to the project on its homepage. Other news organizations, including the Louisville (Ky.) *Courier Journal*, *The State* in Columbia, S.C., and *The Arizona Republic* of Phoenix picked up individual stories.

The stories also got the attention of readers – more than 2,400 of them commented on the msnbc.com site alone. One story on airlines outsourcing repairs drew 1,028 comments, and another on medical certification of truck drivers generated more than 500 comments.



## Fostering collaboration

Eric Newton, vice president of Knight Foundation's journalism program, said the News21 projects "show that journalism schools have a role in the future of news – that they need not be the caboose of America's news train but instead can be an engine of change. By using their work, leading news organizations are agreeing that these schools indeed have something special to offer."

For Downie, who joined the Cronkite School in 2008, News21 has been an opportunity to assess what students really can do. "I was very impressed by the talent, determination and multimedia skills of these outstanding student reporters," he said of the national transportation safety project. "They produced professional-quality accountability journalism on a tight deadline about a challenging subject of great importance to all Americans."

One of the students in that project, Aarti Shahani, a graduate student from Harvard University's John F. Kennedy School of Government, said the experience is one she'll never forget.

"In today's millisecond news cycle, News21 was a truly unique opportunity," she said. "We each had the resources to spend an entire summer digging into transportation safety and uncover facts that were new to the agencies themselves

and reporters on this beat. I learned the most from traveling the country to interview regular people who lost loved ones in avoidable accidents."

In addition to Harvard, ASU, Maryland and Nebraska, the other News21 students on the transportation project came from Columbia University, Syracuse University, University of California Berkeley, University of Missouri, University of North Carolina, University of Southern California and University of Texas.

The transportation project offers a model for similar collaborations in the future. Downie is now working with another group of students preparing for another News21 project, this one on food safety.

That project, which involves students from ASU, the University of Maryland and Nebraska, will be reported this summer, after students complete a seminar that bridges the three campuses and teaches the intricacies of the food safety system in America.

*Kristin Gilger, former deputy managing editor of The Arizona Republic, is associate dean at the Walter Cronkite School of Journalism and Mass Communication. She is executive editor of News21 and led the national News21 investigative team last summer.*

The transportation project offers a model for similar collaborations in the future. Downie is now working with another group of students preparing for another News21 project, this one on food safety.

Photo courtesy of News21



Tessa Muggerridge of Arizona State University reports on airplane safety at Sky Harbor International Airport in Phoenix.

New and expanded blogs on IRE's website provide tips, success stories and reporting resources. Here are excerpts from a few recent blog posts, in case you missed them or haven't explored the new online offerings.



## Snapshots from our blogs

### CAR Blogs

By Doug Haddix, IRE training director

Students from the School of Journalism and Mass Communication at the University of North Carolina blogged during this year's Computer-Assisted Reporting conference in Raleigh, N.C. The full blog, with loads of useful links and tips, is online at [www.ire.org/training/conference/CAR11/blog](http://www.ire.org/training/conference/CAR11/blog). Here are excerpts to whet your appetite:

### From "50 story ideas in 50 minutes"

By Sarah Frier

It's no secret that data is key to proactive journalism. And there are so many places we haven't even thought to check for it. Here are examples of places I hadn't thought of before, along with tips from Jo Craven McGinty of the *New York Times* and Jennifer LaFleur of ProPublica:

- Immigration and Customs Enforcement referrals
- City and school district-issued credit card purchases
- Outstanding parking fine data
- Public payroll data
- City and county check registers
- Contracts and vendors (what the government pays for a project is not always what the contract stipulated)
- State and local lobbying records



### From "Ready when the story breaks"

By Jessica Seaman

MaryJo Webster was driving home one night after work in 2007 when she got a phone call from her editor at the *St. Paul Pioneer Press*, telling her that the I-35W Bridge in Minneapolis had collapsed. She turned around and went back to the newsroom, where she was faced with the daunting task of understanding data on a short deadline.

"If I had not had previous experience, there would have been no way I could do it on deadline," Webster said.

Webster and Fran Gilpin, from the *Fayetteville Observer*, led a session on how to be prepared to use data when a story breaks. Journalists must be familiar with the data before they are on deadline, Gilpin said. To start becoming familiar with data on their beats, journalists should first request a list of databases and record layouts from the government to get an idea of what is available, he said.

When a story first breaks, you look up data the first night but do the crunching to get a bigger story a few days later, Webster said.

Here are tips on preparing for a breaking story that needs data:

- Spend time researching what is available at the federal, state and local level and bookmark websites.
- Get to know the people who actually keep the data, not just the public information officer. Have them explain the data.
- Practice organizing and analyzing the data. If it is in a database, get familiar with the buttons and how to set up to get the results that you want, or import it into software you can use.
- Go ahead and write a story using the data now. It will get you familiar with the data in case news does break, while also doing a public service.

### From "Teaming up to tell human stories, without the clutter"

By Eddie Sykes

We tell human stories. That's the message investigative reporter Stuart Watson from WCNC in Charlotte and UNC-Chapel Hill journalism professor Ryan Thornburg want you to remember. "In TV and multimedia, we want to present a human story," Watson said. "There is a tendency in journalism to forget this."

It's the narrative that gives a story character, but it's the challenge of communicating that narrative on television that journalists can struggle with – especially in data-intensive CAR stories. That's why, Watson said, it's important of getting rid of the "clutter" that can distract the audience.

Easily understandable illustrations can help the audience comprehend the information faster and more effectively, but it's easy to go overboard. Keep your graphics and explanations simple and relevant, and get to the heart of the information, Watson suggested.

Investigative reporting has traditionally been a solitary occupation, but starting the CAR with a team approach can improve both the depth of the content and the overall efficiency. "Traditionally, investigative reporters have been the lone wolf," Thornburg said. "If we don't operate as a team and work together, there is going to be a lot of pain at the end."

In his editing roles at [washingtonpost.com](http://washingtonpost.com), [CQ.com](http://CQ.com) and [USNews.com](http://USNews.com), Thornburg developed three guidelines for team development of

comprehensive online content. First, he said that producers and reporters should discuss together how the content could foster more human interaction, using social media to facilitate conversation. Second, the story should have multimedia, using as many relevant forms of media available to tell the story. Finally, all content related to the story should be available on demand.

Above all, regardless of the medium, CAR stories should seek to create an experience for the audience. Sounds, images and human stories will engage the audience, but multimedia can go an extra step. Using links to create what Thornburg called a “multi-tiered inverted pyramid” will help audience members navigate the story themselves at their own pace.

Regardless of the medium, Watson warned not to lose sight of the most important factor. “Don’t get caught in the process [of data collection],” he says. “Find the people that make people care.”

## From “Tracking the Economy & Business”

By Zachary Tracer

For Rick Brooks and Chris Roush, the best stories come from melding business data with strong reporting.

“It took me a long time to realize that everything in the world is ultimately about business or economics,” said Brooks, deputy editor for Money & Investing at *The Wall Street Journal*.

Brooks and Roush pointed to pieces about Wall Street compensation and CEOs who used corporate jets for golf outings as examples of the kinds of stories enabled by good data. “If you have a good idea of the type of story you want to do, if it’s business related, you can do it if you know the databases that are available to you online,” said Roush, a UNC-Chapel Hill journalism professor and former business reporter.

For reporters looking for an untold story in the midst of overwhelming financial crisis coverage, Roush recommended looking into local credit unions. He suggested using [ncua.gov](http://ncua.gov) to figure out the health of local credit unions and whether they’ve made some of the same mistakes as big banks, such as giving questionable loans to consumers.

Here are a few of the resources that Brooks and Roush highlighted for tracking companies:

- Sec.gov: Reporters can find the filings of individual corporations or search all filings for a specific word or phrase. To receive alerts whenever a company submits a filing, you can use [secfilings.com/myalerts.aspx](http://secfilings.com/myalerts.aspx) or [investorscopes.com](http://investorscopes.com).
- OSHA.gov: Track workplace inspection reports and fines for many companies.
- Epa.gov/myenvironment: Companies need permits from the EPA to emit or store some kinds of pollutants, and you can track those on this site.
- WARN act filings: Companies submit these to a state agency 60 days before laying off workers.
- Uniform Commercial Code filings are typically kept by in each state’s Secretary of State’s office and can be used to determine how much money companies are borrowing.

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 website.

Contact: Lauren Grandestaff, [lauren@ire.org](mailto:lauren@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: Jaimi Dowdell, [jaimi@ire.org](mailto:jaimi@ire.org), 314-402-3281. To order data, call 573-884-7711

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](mailto:jaimi@ire.org), 314-402-3281; or Doug Haddix, [doug@ire.org](mailto:doug@ire.org), 614-205-5420

## Publications:

THE IRE JOURNAL – Published four 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](mailto: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](mailto: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](mailto:mhorvit@ire.org), 573-882-1984

## For information on:

ADVERTISING – IRE staff, 573-882-2042

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