



**INVESTIGATING  
SEXUAL  
VIOLENCE**



flickr.com/publiclaboratory

**We're here  
to fund your  
innovation.**

**Knight Foundation helps  
accelerate new ideas to  
inform communities,  
from prototype to adoption.**

Learn more at [knightfoundation.org](http://knightfoundation.org) @knightfdn

**KF Knight Foundation**

- 4 LITTLE VICTORIES  
By Mark Horvit
- 5 IRE NEWS
- 6 UNDERSTANDING 'STAND YOUR GROUND'  
Database sheds light on controversial Fla. law  
By Kris Hundley and the Tampa Bay Times investigative team
- 9 TRACKING THE BACKTRACKS  
Website shows politicians' deleted tweets  
By Tom Lee  
Sunlight Foundation
- 10 SMALL PAPER, BIG IMPACT  
How we started a rural newspaper and uncovered questionable election practices  
By Jonathan Austin  
Yancey County (N.C.) News
- 13 REALITY TV  
Are we ready for investigative journalism reality?  
By Djordje Padejski  
John S. Knight Journalism Fellow
- 14 FROM FOOTNOTE TO STORY  
How tracking a detail led us to an unreported scandal  
By Jeanne Lenzer and Keith Epstein
- 28 COLLECTED WISDOM  
Manage the work, find strong stories  
By Alison Young  
USA Today
- 30 FOI FILES  
Broadcast ownership fights transparency  
By Charles N. Davis  
Missouri School of Journalism
- 32 UPLINK  
GIS tracks housing health  
By Ken Stephens  
The Hutchinson (Kan.) News
- 34 SNAPSHOTS FROM OUR BLOGS

Wendy Gray | IRE Journal



# INVESTIGATING SEXUAL VIOLENCE

PAGES 16-24

- 17 FORGET THE MODEL  
Techniques, challenges when talking to victims  
By Kristen Lombardi  
The Center for Public Integrity
- 19 BUILDING ON TRUST  
Florida man's allegations lead to downfall of youth sports official  
By Tom Farrey  
ESPN
- 21 DIGGING DEEPER  
After serial killer's arrest, newspaper uncovers systemic problems  
By Leila Atassi and Rachel Dissell  
The Plain Dealer
- 24 TAKING CARE  
Psychological considerations when reporting on sexual violence  
By Dr. Elana Newman  
University of Tulsa
- 26 SPECIAL APPROACH  
Investigating with sensitivity  
By Bruce Shapiro  
Dart Center for Journalism and Trauma
- 27 IRE RESOURCES

MANAGING EDITOR  
Megan Luther

ART DIRECTOR  
Wendy Gray

CONTRIBUTING LEGAL EDITOR  
Sam Terilli

EDITORIAL ASSOCIATE  
AND STORY EDITOR  
Aaron Cooper

## IRE

IRE EXECUTIVE DIRECTOR  
Mark Horvit

### BOARD OF DIRECTORS

PRESIDENT  
David Cay Johnston  
Reuters

VICE PRESIDENT  
Andrew Donohue  
Voice of San Diego

TREASURER  
Lea Thompson  
broadcast journalist/producer

SECRETARY  
Sarah Cohen  
The New York Times

EXECUTIVE MEMBER  
Mc Nelly Torres  
Florida Center  
for Investigative Reporting

CHAIRMAN  
Manny Garcia  
El Nuevo Herald

Robert Cribb  
The Toronto Star

Leonard Downie Jr.  
The Washington Post

Ellen Gabler  
Milwaukee Journal Sentinel

Josh Meyer  
Northwestern University

Matt Waite  
University of Nebraska-Lincoln

Stuart Watson  
WCNC-TV, Charlotte

Alison Young  
USA Today

The IRE Journal (ISSN0164-7016) is published four times a year by Investigative Reporters & Editors, Inc., 141 Neff Annex, Missouri School of Journalism, Columbia, MO 65211, 573-882-2042. Email: 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

© 2012 Investigative Reporters & Editors, Inc.

# Little victories

BY MARK HORVIT

Negotiating for documents and data is kind of like buying a new car. If you pay sticker price, odds are that you're getting ripped off.

That's because one of the favorite strategies of government officials is to respond to a public information request with an estimated price so high that anyone requesting the information clutches their chest (or their wallet) in shock and meekly walks away.

Why do they do it?

Because it works.

We all have such stories. I was once quoted a price of more than \$35,000 by a sheriff's department for information that I eventually got for free.

The problem is, too many journalists give up after that initial pushback. And public officials and their minions know this, so they push. And each time they win, they get a little bolder.

This is hardly restricted to open records or meetings. In too many cases, it's the way that the relationship between those in government, and those they ostensibly serve, works.

Another reminder of this came when it surfaced that some federal government sources require journalists to agree to run their quotes by them – and to give those sources the power to alter the quotes – before granting interviews.

Sure, in some cases special dispensation must be given to sources to persuade them to talk with a reporter. Someone may face dire consequences for speaking out, and his or her need for reassurance is understandable.

But in most cases, a source's safety and job security aren't on the line. So why routinely require that level of capitulation from a reporter?

Because it works.

It's the same reason officials cite FERPA, HIPAA, or one of a number of other acronyms, as reasons not to give the public access to information when those rules and regulations have nothing to do with the case at hand.

It's the same reason one of our members received a letter from a city attorney rejecting his open records request and citing a specific portion of his state's open records law as reason for the refusal. Except that when the reporter read the law, it said the exact opposite. The journalist pointed this out to the attorney, and he got the records. But how many other times has that legal department pulled the same trick successfully?

As newsroom budget cuts have thinned our ranks and shrunk our legal budgets, some government workers have seen this as an opportunity to put up bigger barriers and push back ever harder.

Even college journalists aren't immune. At the University of Memphis, the campus paper has been focusing on such tough stories as rape on campus, sometimes at the expense of advancing campus events. It's a decision we'd hope young journalists would make, but those very decisions were cited during a meeting that resulted in a funding cut to the paper. Budget shortfalls were blamed. The funding was reinstated after several weeks, when an internal investigation determined that it was "inappropriate" because of the students' First Amendment rights.

As IRE staff travel the country meeting with journalists and spending time in their newsrooms, we hear countless stories of the excuses and refusals reporters get in response to requests for even the most basic information. There are any number of unreasonable – or illegal – requirements being thrown at journalists.

Some of those we talk to give in. But many more fight the good fight, and much of the time, they win.

We'd like to hear about your victories, large and small. If you've recently fought for a record or some data and won, or battled your way into an open meeting someone was trying to close, or gotten around some insidious requirement that an agency or source tried to force you to follow, send a quick note about that victory to mhorvit@ire.org.

We'll use the examples in training, we'll post them on the IRE website, and we'll encourage others to follow your lead.

Or, you can give in. And if that's the case I've got a 2004 Nissan van I'd love to sell you...

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

## IRE, Google create new grant program for data journalism projects

A new fund that will provide crucial support for journalists working on data projects will be launched this fall.

IRE will award grants thanks to a \$50,000 donation from Google Ideas.

IRE Executive Director Mark Horvit said the fund will allow more news organizations to do in-depth reporting.

“Digging into data allows journalists to provide more depth to their stories and better inform their audience. This fund will help kick-start data projects at news organizations that otherwise wouldn’t have the resources to do this important work,” Horvit said.

The fund is expected to launch this month, and more details on how to apply will be available soon.

IRE has been a leader in training journalists to work with data for more than two decades. It operates the National Institute for Computer-Assisted Reporting (NICAR) with the University of Missouri School of Journalism.

IRE holds data analysis workshops, boot camps and courses throughout the world. IRE also maintains a large collection of federal government data and provides data analysis services for news organizations.

## Apply for the Philip Meyer Journalism Award

It’s once again time to apply for the Philip Meyer Journalism contest. Established in 2005, the award was created to honor Philip Meyer’s pioneering efforts to utilize social science research methods to foster better journalism. The contest recognizes stories that incorporate survey research, probabilities and other social science tools in creative ways that lead to journalism vital to the community.

The first-place winner will receive \$500, second-place \$300, and third-place \$200.

The award is sponsored by the National Institute for Computer-Assisted Reporting, a joint program of IRE and the Missouri School of Journalism, and the Knight Chair in Journalism at Arizona State University.

Be sure to postmark your entry by the deadline, Nov. 2, 2012. Visit [IRE.org](http://IRE.org) for more details.

## Seven members elected to IRE board of directors

IRE members elected seven directors to the IRE board on June 16 at the organization’s annual conference in Boston.

The newly elected members are:

- Manny Garcia of El Nuevo Herald
- Sarah Cohen of The New York Times
- Mc Nelly Torres of the Florida Center for Investigative Reporting
- Rob Cribb of the The Toronto Star
- Stuart Watson of WCNC-TV, Charlotte
- Ellen Gabler of the Milwaukee Journal Sentinel
- Andrew Donohue of Voice of San Diego

Executive committee members were chosen by the board after the membership meeting. They are:

- David Cay Johnston, president
- Andrew Donohue, vice president
- Sarah Cohen, secretary
- Lea Thompson, treasurer
- Mc Nelly Torres, at-large

Manny Garcia, the outgoing board president, will serve as chairman.

IRE members also selected three members to the contest committee, which judges the IRE Awards. They are Ziva Branstetter of Tulsa World, Stephanie Czekalinski of National Journal and John Russell of the The Indianapolis Star.

**Stephanie Czekalinski** has taken a reporting job with National Journal. She previously worked at 100Reporters.

**Jeff Leen**, assistant managing editor in charge of The Washington Post’s investigations unit, is one of 10 recipients of the 2012 Missouri Honor Medal for Distinguished Service in Journalism. The award, considered one of journalism’s most prestigious, honors career-long outstanding service to journalism. As a reporter and editor Leen has been honored previously with several Pulitzer Prizes for his work on Hurricane Andrew’s impact on South Florida, abuse in Washington D.C. group homes and the Jack Abramoff lobbying scandal. Leen is a lifelong IRE member.

**John Ferrugia**, investigative journalist and news anchor at KMGH-TV, Denver, is also one of 10 journalists to receive the 2012 Missouri Honor Medal for Distinguished Service in Journalism. From covering the White House to investigating deaths at the Colorado Mental Health Institute at Pueblo, Ferrugia has served several communities and metropolitan areas during more than three decades of reporting. Ferrugia joins Walter Cronkite, Tom Brokaw, Christiane Amanpour, Charlayne Hunter-Gault and John Chancellor as Medal recipients.

A 2012 Overseas Press Club Award Citation for Best Reporting on Latin America was awarded to **Erin Siegal** for her debut book, “Finding Fernanda” (Beacon Press). “Finding Fernanda” examines international adoption corruption between Guatemala and the United States. Siegal, a Fellow at the Schuster Institute for Investigative Journalism, also received a 2012 James Madison Freedom of Information Award from the Northern California Society of Professional Journalists and a 2012 Independent Publisher Book Award (IPPY Award) gold medal in the category of Current Events II for her work.

Read updates online or submit Member News items at [ire.org/publications/ire-journal/member-news](http://ire.org/publications/ire-journal/member-news).



# UNDERSTANDING 'STAND YOUR GROUND'

Database sheds light on  
controversial Florida law

By Kris Hundley and  
the Tampa Bay Times investigative team

In the weeks after the Trayvon Martin case hit the news, people on all sides were making noise about Florida's "stand your ground" law. It was biased, some said, and was being used to set murderers free. Others claimed it offered vital protection for law-abiding citizens who needed to defend their lives.

But no one really knew the truth about the law or how it had been implemented by police, prosecutors and the courts since its introduction in 2005.

Was "stand your ground" racist? Were there more cases like Martin's, in which an unarmed person had allegedly been pursued and killed by someone who was never charged? Who was successfully claiming self-defense and who wasn't?

To find out, the Tampa Bay Times decided to do a systematic review of the law.

'Stand your ground' had  
been invoked to justify  
everything from animal  
abuse to misdemeanor  
drug possession.

## The reporting challenge

The first obstacle was identifying "stand your ground" cases. The law (Florida Statutes Title XLVI Chapter 776) sets out conditions for the justifiable use of force. No one tracks when a judge grants someone immunity under the law or when a jury acquits someone using that defense.

Even more problematic, if police or prosecutors decide an assault or homicide is justifiable under "stand your ground" and don't file charges, there may be no paper trail at all.

So we had to admit from the start that our data would not be comprehensive. We decided to stitch together every case we could from a variety of sources and make clear to readers that we knew there were more cases out there.

We gleaned cases from news stories statewide that referred to the law. We interviewed law enforcement officers, prosecutors, public defenders and private attorneys and asked them to dig through their files for cases.

We assumed we would capture most of the homicides because those cases often got media attention. What surprised us was what we heard from prosecutors and public defenders about the growing number of minor cases in which the law was being invoked. "Stand your ground" had been invoked to justify everything from animal abuse to misdemeanor drug possession.

Once we got a lead on a case, we dug deeper, getting investigative reports, state attorney's files, court documents and mug shots. Then we identified key elements we wanted to know about each case.

Most of the questions came from issues raised in the Martin case: What were the ages and races of the people involved? Who initiated the fight? Who was armed? Could the shooter have retreated? Were there any witnesses? What evidence was available to investigators?

We also flagged cases that struck us as interesting as we input them so that we could pull details for use in the final stories. With nearly 200 cases in our database, this flagging system proved invaluable when it came time for story writing.

## The tech challenge

Two years ago, for a related story, colleagues had collected very basic information about 130 "stand your ground" cases. We initially used Google Docs to share that information among six team members.

As we layered in more details about each case and uncovered more cases, the Google Docs approach got messy. So we created a Web app and pulled the cases into its database. This enforced consistency in how cases were created and edited, and it allowed us to run queries to look for trends and to start building a case-exploration tool.

Having the database allowed all team members to work on the data at the same time, and it created the foundation for the online presentation we shared with the public upon publication ([tampabay.com/stand](http://tampabay.com/stand)).

We designed our data entry to answer the questions we had about the cases, but also to give us the information we needed to create an interactive online tool for readers. We knew that we'd want readers to be able to see the victims next to their killers, sort by race and location, read about the cases and weigh the fairness of case outcomes.



### SCAN AND READ

Scan this QR code with your smartphone or tablet to see the entire Tampa Bay Times report online, including the database of cases.

## The findings

Based on our data, we found that:

- Nearly 70 percent of those who invoke “stand your ground” have gone free.
- In nearly a third of the cases, defendants initiated the fight, shot an unarmed person or pursued their victim – and still went free.
- Defendants claiming “stand your ground” are more likely to prevail if the victim is black. Seventy-three percent of those who killed a black person faced no penalty compared to 59 percent of those who killed a white person.
- White defendants who invoked the law were charged at the same rate as black defendants.
- Whites defendants who went to trial were convicted at the same rate as black defendants.
- In mixed-race cases involving fatalities, the outcomes were similar. Four of the five black people who killed a white person went free; five of the six white people who killed a black person went free.
- Overall, black defendants went free 66 percent of the time in fatal cases compared to 61 percent for white defendants – a difference explained in part by the fact black people were more likely to kill another black person.
- Similar cases can have opposite outcomes. Depending on who decided their cases, some drug dealers claiming self-defense have gone to prison while others have been set free. The same holds true for killers who left a fight only to arm themselves and return. Shoot someone from your doorway? Fire on a fleeing burglar? The outcome can swing on different interpretations of the law by prosecutors, judge or jury.

## The impact

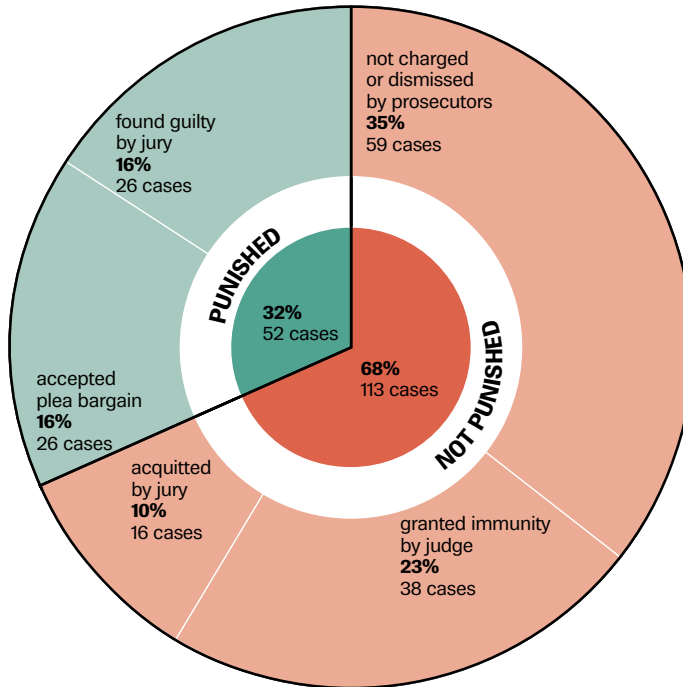
Even before we published our findings, we got a call from the state official heading a task force charged with reviewing the “stand your ground” law: She wanted access to our database. We did not provide it, so the panel had the same access to our online findings as the rest of our readers.

Our findings – which defied much of the conventional thinking on the application as well as racial implications of the law – provoked controversy. It would be nice to think it created some thoughtful discussion as well.

We acknowledged the limits of our database and invited readers to submit additional cases. In the month following publication, we received information on nearly 20 additional cases, leading to follow-up stories, which are ongoing.

## Analyzing the cases

Florida’s “stand your ground” law has been extremely successful for people who kill and claim self-defense. Nearly 70 percent of those accused went free (35 cases are pending).



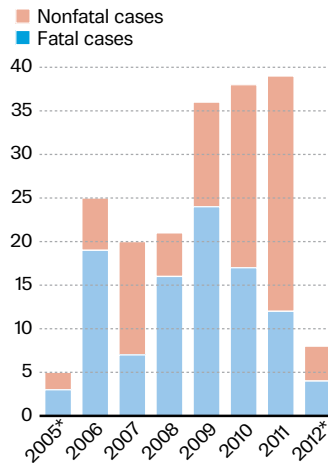
## Weapon comparison

The law has freed killers even though most of their victims were unarmed.



## Cases over time

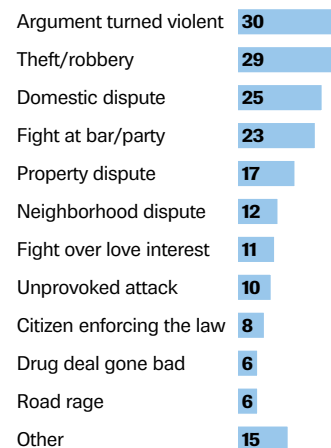
People accused of the most minor of crimes have begun to invoke the law.



\*2005 and 2012 are incomplete years.

## Circumstances

The fights that led to these cases began in many different ways.



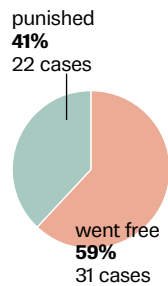
Source: Florida media, police and court reports

DARLA CAMERON | Tampa Bay Times

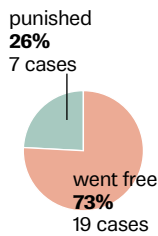
## Analyzing the cases

In fatal cases, people who killed a black person walked free more often than those who killed a white person.

### White victim 53 cases



### Black victim 26 cases



### Outcomes for the accused in fatal cases

Here's how people of different races fared when they argued they should not be charged, when they asked for immunity and when they went to trial. Pending cases not included.

	White	Black
Not charged	37%	38%
Granted immunity*	10%	21%
Acquitted at trial	33%	33%

\* Only 5 white accused persons and 6 black accused persons were granted immunity.

Source: Florida media, police and court reports

DARLA CAMERON | Tampa Bay Times

### Stand your ground case:

The accused:



Damon "Red Rock"  
Darling, 21  
Black male  
guilty



Leroy "Yellowman" Larose,  
28  
Black male  
plea

**What happened:** July 1, 2006, Miami, Miami-Dade County – Nine-year-old Sherdavia Jenkins was caught in the crossfire of a gunfight between two men that was possibly over drugs. The shooters were about 50 yards away from Jenkins, who was playing with a doll near the porch of her house. Darling claimed he was standing his ground. He said he feared Larose would pull a gun on him, so he pulled his gun first. The judge rejected Darling's claim, and a jury found him guilty of manslaughter. Larose pled guilty to second-degree murder.

Source: [www.tampabay.com](http://www.tampabay.com)

## Lessons learned

### Be consistent

We had four people entering information about cases and often making judgments about how to categorize them. Who initiated contact? Could the killer have retreated? We created worksheets on how to enter cases and had several group discussions. Even so, our entry process wasn't always consistent. It helped to have the editor recheck each case to make sure the answers fit our definitions because our findings were tied to these commonalities among cases.

### Be flexible

We knew we wanted to record certain information as we uncovered cases. But as we entered data, we discovered things we hadn't thought about originally and added them to the data entry. The final database had nearly 35 fields per case. We also learned that some

things we thought would be useful weren't. It takes more time, but be ready to adjust as needed. Or be better at anticipating what you'll need down the road.

### Be ready to redesign your database

This project had lots of moving parts and analysis was done using as well as Excel and Access. We also had cases that had multiple defendants, multiple victims, or both, and could have multiple outcomes. Ultimately, the database had to be redesigned to deal with such complicated cases because we hadn't anticipated that challenge from the start.

Chris Davis, Susan Taylor Martin, Connie Humburg, Darla Cameron and Bill Higgins also contributed to this report.

Kris Hundley is a staff writer at the Tampa Bay Times. Prior to joining the projects team four years ago, she was a business writer, focusing on the business of health care.

## How to do this on deadline

By Chris Davis  
Tampa Bay Times

- 1. Get everyone involved.** Organizing data entry with lots of people has its challenges and gathering the information takes time. The more the merrier. We tapped at least eight people to identify cases, request documents, enter data, track down photos and search for dates of birth and race. We involved library researchers, reporters, data experts and others and entered everything as we got it.
- 2. Plan your Web presentation.** The day we decided to examine every case is the day we first talked to a Web developer. Within days of starting our reporting, we had sketched out the basic online app. A developer was building it as we gathered the information to fill it.
- 3. Dig deep, but not too deep.** We tried to be smart about what records we sought in each case. In clear-cut cases, we often relied on newspaper clips alone. In more intricate ones, we asked for some police reports and court records. We did interviews and deep document dives only in cases of particular interest or where facts were unclear.
- 4. Use online records when possible.** We found answers to some of our questions just by looking at court dockets online (how a case was concluded), or exploring prison records posted on the Web (race). Our in-house voter registration database also helped us get races and dates of birth.
- 5. Set out a game plan for building the database early.** There are always adjustments. But we had a solid idea of what we wanted to know about each case before we started requesting documents and typing in data. Even so, we wound up backtracking to capture data we hadn't anticipated needing.

We also created worksheets to define key terms and give instructions on how to enter each data element. This keeps data entry consistent when many people are involved. Save yourself time by creating these BEFORE entering any data, and hold sessions to go over all the data-entry rules. Sit people entering data next to each other and encourage them to shout out when they are not sure how to handle an entry.

Chris Davis is investigations editor at the Tampa Bay Times.



# TRACKING THE BACKTRACKS

Website shows politicians' deleted tweets

By Tom Lee  
Sunlight Foundation

It's hard to believe that Twitter is only six years old. In that short time, what started as a gimmicky way for early adopters to broadcast their bar hangouts and meals has transformed into a system of disintermediation for everyone from pro athletes to academics. Lying somewhere in between are most of our elected representatives. The vast majority of congressional offices maintain official Twitter feeds. In fact, the service has become such a heated political battleground that a recent column at Slate coined the term "Twitter Track" to describe the daily news-cycle sparring of the current presidential race. And although 140-character messages may not lend themselves to nuanced political conversation, there is something inspiring about seeing politicians exposed so directly to the thoughts and questions of their constituents.

The Sunlight Foundation played a role in making this possible with recommendations made through our Open House Project, subsequent lobbying on Capitol Hill and our "Let Our Congress Tweet" campaign, which successfully reformed franking rules to permit social media use by members of Congress. It only made sense: our mission is to make government more transparent and accountable through the use of technology, and getting more officials online is certainly a part of that. So when some clever hackers from the Netherlands-based Open State Foundation went looking for a U.S. home for their project, they thought of us.

Their project is called Politwoops and the idea

is simple: Twitter clients come with a "delete" button, but the control this implies is a fiction. Any tweet you delete has already been copied to your followers' devices. Those devices normally respect an incoming instruction to delete that information, but there's no way of enforcing such a requirement. Politwoops takes a deletion signal as an indication that there might be something worth investigating.

At first glance, tracking deleted tweets might seem superficial. But social media has become an important way for elected officials to communicate with the people they represent.

We expanded the original Politwoops code, adding a fresh coat of paint and features like archived screenshots of any links contained in deleted tweets. The result can be found at [politwoops.sunlightfoundation.com](http://politwoops.sunlightfoundation.com).

At first glance, tracking deleted tweets might seem superficial. But social media has become an important way for elected officials to communicate with the people they represent. At Sunlight, we think this medium of communication ought to be held to the same standards as others employed by our leaders. In particular, it should be accessible to everyone and subject to scrutiny.

These goals are in tension with the guidelines Twitter sets for use of its API and service. Specifically, they don't want users to feel "surprised" by things like having tweets they thought would be deleted automatically republished. We feel that the journalistic and public-interest case for Politwoops is strong enough to merit some rule bending. After discussing the matter with Twitter, we added a layer of moderation: a Politwoops staff member now reviews each tweet before it's displayed on the site, allowing us to

screen out uninteresting typos and pocket dialing. In practice, this makes the site not that much different from a campaign reporter who obsessively checks his Twitter feed for deleted faux pas that could be stories. It's just that in our case, the reporter is a robot who never has to sleep, stop for fast

food or have drinks with colleagues.

Reaction to the site has been overwhelmingly positive. But it hasn't turned out to be the gaffe machine that some envisioned. Much of the site's value is in providing a fuller picture of how politicians use social media. There's much to be said for humanizing our officials and making their public pronouncements a little less polished and bloodless.

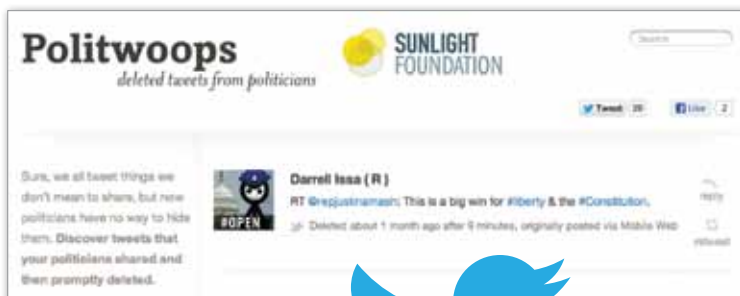
Still, there are occasionally deleted tweets that go beyond the trivial. A number of conservative politicians withdrew their tweeted celebrations after CNN misreported the Supreme Court's ruling on the Affordable Care Act. Perhaps more notably, shortly after we launched, Rep. Jeff Miller shut down his Twitter account, after we collected a tweet that went to a Facebook poll questioning whether the President had been born in the U.S. The fact that a congressman (or, more realistically, his staffer) would implicitly endorse a discredited theory is something that we feel his constituents deserve to know.

And that's the real point of the site: making sure that everyone has equal access to these communications. Before, a deleted tweet could have been seen by *some* followers, but not all. Why should that be the case? We think the record should be complete and accessible to everyone.

We're still talking through what else we might do with the site. Expanding the types of social media services that are covered is one suggestion we've frequently heard. The same goes for broadening the types of accounts we follow. And we'd like to make the code open source, particularly now that we've added an approval step – the world shouldn't have to rely on our editorial judgment alone about which tweets are newsworthy and which ones aren't.

But whatever the future of the site, the ephemerality of politicians' tweets is a thing of the past. Twitter is no longer a toy – for elected officials and their constituents, it's an important tool. We hope that Politwoops can be one for journalists.

*Tom Lee is the director of Sunlight Labs, the division of Sunlight that builds technology to make government data more useful to the public. Tom has worked on government transparency in a variety of ways, from coding projects like Elena's Inbox to testifying on automated document declassification at the National Archives to consulting with the legislature on federal data quality issues.*



# SMALL PAPER, BIG IMPACT

How we started a rural newspaper and uncovered questionable election practices

By Jonathan Austin  
Yancey County (N.C.) News

**O**n Jan. 13, 2011, my wife and I published the first edition of a new weekly newspaper in rural western North Carolina.

Why even think about opening a newspaper in the age of social media? Mainly because I believe the residents of our mountainous area will continue to support good journalism – and look to us for the micro-local advertising – that can't be found online, on television or in the regional daily. In fact, a Rasmussen Reports survey from April found that 66 percent of American adults prefer reading a hard copy of their local newspaper. I believe rural com-

munities can and will support a good newspaper, and that is what I wanted to create.

In our first year, the Yancey County News covered most everything you'd expect of a rural weekly, while also relying on age-old, gumshoe digging to expose secrets. In cracking open those doors, the Yancey County News showed how the local 2010 general election may very well have turned on a Faulknerian twist on the concept of "one man, one vote," and earned us two major national journalism awards along the way: the E. W. Scripps Award for Distinguished Service to the

First Amendment and the Ancil Payne Award for Ethics in Journalism.

My wife, Susan, and I proved that having a new newspaper in town can make a world of difference to an entire community, no matter its size. I do the reporting and writing while Susan handles the business side, pays the bills and has to put up with the complainers either walking in or calling.

During that first year in business, we tried to do everything you would expect a good paper to do. We covered the high school boys basketball team's run to the state championship semifinals; we drove hundreds of miles taking photographs of one of the snowiest winters in recent memory; we introduced a weekly columnist who focused on hunting. One of the most commented-upon stories was a feature on a local man who was out setting traps for the coyotes that were infiltrating the area. (I tromped through the woods with him and watched as he killed a beaver and a coyote caught in his traps.)

We tried to be nice to our neighbors, printing appeals for help from families whose homes had burned down. We gave lots of space for American Cancer Society public service announcements and many pages of coverage for big, local charity events. We gave our county a smile and kind words, and we topped that off with a heavy serving of well-crafted storytelling. Oh, and we documented how the second-in-command at the sheriff's office was allegedly pawning department firearms for personal gain. We explained what the state Board of Elections might be looking for when it seized – for a criminal investigation – every absentee ballot cast in the local general election; we identified patterns of absentee voting and the questionable efforts taken to collect those ballots. We showed how criminals seemingly became seized by the fervor to vote, oddly enough, immediately after they had been arrested in the days leading up to election day.

The election stories blew the top off the laissez-faire attitudes in the county. Arguments broke out at local diners, with one side



The newspaper's formal signage. Green was chosen because it's hard to miss.

I determined that a man with the same name as our chief deputy had allegedly been pawning guns, and I was able to get the serial number and model of specific weapons currently on pawn at a couple of regional shops.

By the end of 2011, I had reported evidence strongly suggesting that felons had voted illegally, that several deputies seemed to make it a point to get the votes of those they'd arrested, and that absentee ballots were apparently funneled to a shanty-like trailer on the edge of town for aggregation.

Courtesy of Yancey County News



# Yancey County News

Brush Creek - Burnsville - Cane River   Crabtree - Egypt - Green Mountain - Jacks Creek   Pensacola - Price's Creek - Ramseys town - South Toe

June 23, 2011 • Vol. 1, No. 24

## VOTERS: DEPUTY DELIVERED BALLOTS

By Jonathan Austin  
Yancey County News  
An informal survey of some residents whose 2010 absentee ballots were witnessed by Judy Ledford suggests that the former Yancey County Sheriff's Department captain may have delivered ballots to residents and then taken them to be mailed for the general election. If that is the case, Ledford violated state law, officials said.

**More inside: Six absentee voters had ballots mailed to same single-wide trailer.**

The Yancey County News has copies of all absentee ballot applications for the 2010 Yancey County general election, as well as the witness signature form for the ballots and

the envelopes in which the ballot applications were mailed. Ledford's signature appears in the witness block on 32 of the absentee ballots. While it is legal for most any adult to witness an absentee ballot, it is illegal for anyone other than the voter, a close relative of the voter, or a "verifiable legal guardian" to obtain a ballot, mail the ballot or deliver it to the polling place.

Continued on page 7

## Criminals' votes signed by deputies

By Jonathan Austin  
Yancey County News  
An analysis of voting data from the 2010 general election suggests that some employees of the Yancey County Sheriff's Office were willing to officially witness absentee ballots for people with extensive criminal histories. The employees, all sworn law officers, signed as the witness on ballots for people with prior convictions for felonies and misdemeanors including larceny, drug charges, multiple drunk driving charges, escape, resisting arrest and at least one drug trafficking conviction. While all of the applicants apparently had the right to vote, the fact that the deputies were involved in the process opens the question as to whether the deputies wanted to vote or were not allowed to do so.

The deputies' actions are likely part of a criminal investigation that began before election day into the use of write-in absentee

### Law officers witnessed votes for least town criminals.

saying it was about time someone bothered to shed light on what was going on while others tried to denigrate the reports.

Readers warned us our house might be burned in response to our reports. One – a retired field-grade military officer – suggested we wear body armor. Some suggested we vary the route we took to work each day. Others just sarcastically predicted we were gonna die.

## Comparing serial numbers

What brought this all about? Basically, just good old application of lessons learned in Journalism 101.

I started the gun-pawning story by speaking with people in law enforcement across the region and with pawn shop owners and operators from across the state. Every pawn transaction in North Carolina is documented when the transaction occurs, and that data is available to law agencies online. Officials have varying opinions on whether the data is open to the public; one county nearby declined to let me research the pawn files there, while the county attorney in another neighboring county basically gave me carte blanche to peruse the form.

Using these sources, I determined that a man with the same name as our chief deputy had been pawning guns, and I was able to get the serial number and model of specific weapons currently on pawn at a couple of regional shops. With a public records request, I con-

vinced the county manager to show me the inventory list of the firearms in the sheriff's department. What I found was that lethal weapons supposedly in the control of the sheriff were actually sitting in pawn shops.

My stories led to the resignation of the chief deputy, a man many had lauded as a firm officer who kept criminals in line. Many in town had felt that his public support of the sheriff for election was good enough to earn their vote, and one day he himself might win that job at the polls. Now the sheriff was saying he'd been blindsided by the "sensational" and reckless reporting about his top deputy. The sheriff, whose father and grandfather had also been sheriff, asked the county to hire an attorney. He also wrote the newspaper asking that we turn over all of our investigative material to help with his pending investigation. In an email he warned us not to impede his probe.

## Exposing shady elections

Had we hit a nerve?

The more we dug – and the more we wrote about our work on our editorial page – the more local businesses – people who had voiced strong support for the newspaper – suddenly said they couldn't sell the paper any more.

The gun story led to allegations that several deputies had improperly pressured residents to vote. I was able to uncover problems in absentee voting by comparing voting records

with other online records, including an online database of convictions maintained by the Department of Correction.

A public records request got me copies of every application for an absentee ballot filed in Yancey for the 2010 general election. After spreading these out on my living room floor, I was able to identify patterns. A political machine had apparently turned absentee voting into a way to not only guarantee participation in the process, but to also guarantee that the privacy and sanctity of the ballot was eliminated.

By the end of 2011, I had reported about evidence strongly suggesting that felons had voted illegally, that several deputies had seemed to make it a point to get the votes of those they'd arrested, and that absentee ballots had apparently been funneled to a shanty-like trailer on the edge of town for aggregation. I reported how a sheriff's dispatcher had signed as the witness on an absentee ballot for a man with 27 felony convictions, and I interviewed voters who said that a captain in the department had brought them their ballots, waited as they were filled out, signed as the witness and then carried the ballots away.

I went further, comparing online copies of press releases issued by the sheriff's department with the court records that came from the arrests they had been publicizing.

Starting with names that appeared on both ballot rolls and Department of Correction

records, I searched the sheriff's online press releases for similarities. An apparent pattern emerged: In the weeks leading up to the 2010 general election, a resident would be arrested and then days later would register to vote and cast an absentee ballot. The former chief deputy would toss around comments about the seriousness of the crime and how the sheriff's department has eased the pain for the victims by making a timely arrest.

But when I tracked the suspects through court records, I found that the charges were

In the weeks leading up to the 2010 general election, a resident would be arrested and then days later would register to vote and cast an absentee ballot.

almost always dropped or reduced. The state voter database and a state-provided spreadsheet of absentee voters showed one distinct similarity in the cases – the accused made sure they voted. Asked in a letter to the editor how much of a difference the mail-in absentee ballots could have made, we dug further and reported that 12.76 percent of the ballots cast in the county were mailed in, totaling 1,199 votes. This was in a race the sheriff won by about 300 votes. In comparison, five other nearby counties together reported 1,200 absentee mail-in votes in their sheriff's races. So as many mail-in absentees were used in Yancey – a county of about 18,000 people – as were used in five counties with combined populations of 173,000 residents.

So what is the actual and potential impact of our reporting?

The former chief deputy was arrested on a charge of felony embezzlement and misdemeanor willful failure to discharge duties. He pleaded guilty to the misdemeanor and is on probation with a suspended sentence.

The state's investigation into the elections is still going on. A couple of the deputies I

identified by name as allegedly having hand-carried ballots to voters have retired; no action has been taken against them.

As to the newspaper, well, some large businesses swear they will never advertise with us because of our investigation. Several businesses that did support us suddenly started putting us off. But we've signed on the largest regional grocery for full page, full color, so generally we are doing OK. Circulation crept up, and first-year subscribers have been renewing. At one point, friends realized we were out of money and some wanted to help us financially. What we did with checks that arrived in the mail was to buy subscriptions for the waiting room at the closest hospital, the regional library and the county's senior citizens' center.

*Jonathan D. Austin has worked at southern newspapers as a reporter, copy editor and editor, as well as at CNN.com, where he was a copy editor, senior writer and senior producer. He is also an Army Reserve veteran. After a quarter-century in journalism he and his wife, Susan, opened the Yancey County News in Burnsville, N.C. They publish the weekly newspaper every Thursday.*



## College is Power

TO INCREASE THE PROPORTION OF AMERICANS WITH HIGH-QUALITY DEGREES AND CREDENTIALS TO **60% BY 2025.**

*For more information visit [goal2025.org](http://goal2025.org).*





# REALITY TV

Are we ready for investigative journalism reality?

By Djordje Padejski  
John S. Knight Journalism Fellow

Investigative journalism has been the backbone of democracy for more than 150 years. Yet these jobs are disappearing as the Internet disrupts traditional news delivery, and investigative pieces are competing for readers with an ever growing number of Twitter feeds, Facebook posts, YouTube uploads and other online content. As Charles Lewis pointed out, from 1985 to 2012, the number of entries for the Pulitzer Prize in the Gold Medal public service category dropped 42 percent, from 122 to 71.

At the same time, this does not mean the public does not want investigative journalism. In fact, user surveys by our Stanford project team found that the public – especially those in the 20-29 age group – reveres investigative journalism as a way to keep government accountable, educate themselves and feel connected to their greater community. So the questions are: What do we do to make investigative journalism more visible? And how do we connect it with younger populations?

Beth Daley and I, as Knight Journalism fellows at Stanford University, and a group of Stanford graduate students, experimented

with the idea of creating a new kind of Web platform to engage audiences in Professor Ann Grimes' eight-week Digital Media Entrepreneurship class.

Our goal? Find a creative way to present investigative journalism with social reality elements, interaction and crowdsourcing without losing its credibility. The group envisioned a Web series called Muckrakershow.com as a platform – not a traditional TV show – where professional journalists and citizen journalists pursue investigative stories with the help of seasoned editors while their work is streamed over a YouTube channel.

Everything starts with a 30-second YouTube video pitch sent in by potential candidates; once the topics and contestants are selected, individuals start to investigate while a video crew tracks their work. To spice everything up, journalists compete in weekly skills challenges of basic journalistic competence, such as interviewing sources, while famous investigative reporters are weekly guest speakers. Audiences can watch short clips, follow the progress of each contestant, vote on investigations and individuals, suggest tips and help direct the investigations. In the final round, the audience votes

The platform could also serve as a gathering place for the public – not journalists – to organize action after a story runs.



The competitive reality show currently uses an online platform.

for the best investigative story and winners receive an award.

The platform could also serve as a gathering place for the public – not journalists – to organize action after a story runs – a rally to protest the high pay of a government official, for example. A set of compelling characters, humorous and cynical editors, and the tension among journalists will ensure audience curiosity while presenting insightful stories. The group would try to present most steps of journalism in front of the camera: The dead-ends. The doors slammed in faces. The mistakes. But most of all, the payoffs that change lives in a community.

Unexpectedly, the Muckraker project received a surprising number of questions and comments while it was preparing a Web presentation of the idea. Even though it was not marketed at all, a Twitter discussion was started in June after Jim Romenesko's blog tweeted the Muckraker Web page. Opinions varied: Many journalists had a negative opinion about a new reality show that would idolize investigative journalism. However, user-testing proved that youngsters would follow such compelling, entertaining content on journalism, but they do not want it to be fake.

Users said they would like to watch stories about how an individual beat out special interests, or how journalists dealt with their sources and overcame all the difficulties, or not.

The discussion has begun – and the experiment continues. Right now, we are fundraising to create an online video pilot and to start the first series in the San Francisco Bay Area. The Muckraker project is not idolization, nor another entertaining reality show with Bob Woodward in the role of Donald Trump, but it would like to promote good journalism using radical transparency, entertainment and social TV ideas. It also will provide a media literacy lesson.

Aaron Sorkin's "The Newsroom's" high ratings tell us there is interest in journalism; so why don't we, the journalists, help recreate our craft?

*Djordje Padejski is a Knight Journalism Fellow at Stanford University, an award-winning investigative reporter, and founder of FOIAMachine.org and the Center for Investigative Reporting in Serbia.*



Padejski presents the project idea at Re-Engineering Journalism event at Stanford University.



# FROM FOOTNOTE TO STORY

How tracking a detail led us  
to an unreported scandal

By Jeanne Lenzer and Keith Epstein

What started as a routine story assignment turned into an ongoing investigation when we looked into new claims of transparency at the U.S. Food and Drug Administration. Our original story for the British medical journal, *BMJ*, was straightforward: an FDA advisory committee voted against withdrawing certain birth control pills from the market despite recent studies showing that they were associated with more potentially fatal blood clots than other oral contraceptives.

But one detail caught our attention: an expert adviser was disqualified from voting. Drawing our interest further was the fact that the adviser was recused for a curious reason. Tracking that footnote led us to a far bigger investigation about financial conflicts of interest, the FDA and its expert advisers. The results of our investigation were published in the *Washington Monthly* and the *BMJ*, and our story was picked up by *The Wall Street Journal* and *The New York Times*, among other outlets.

The detail we tracked interested us on two counts: First, the adviser who was barred from voting, Dr. Sidney Wolfe, was the sole con-

The advisory committee chairperson – who received research funding from the manufacturer – not only voted to keep the drug on the market, but she voted against a labeling change that would strengthen the warning about blood clots.

sumer representative on the 20-member committee. Second, he was barred from voting for an intriguing reason – the agency claimed Wolfe had an “intellectual conflict of interest” because as the director of health research at the Ralph Nader consumer advocacy group Public Citizen (and author of the organization’s book, “Worst Pills, Best Pills”), he had warned against using birth control pills containing drospirenone – the hormone in the pills under FDA review – due to the increased risks of blood clots.

We contacted Wolfe to find out more about why he was not allowed to vote. He acknowledged that he had warned that pills containing drospirenone could cause blood clots more than other pills. As he put it, “that’s what the evidence showed.” Would he have considered new evidence to the contrary during the committee meeting? Of course, he replied. Then, he said, “If having an opinion prior to a meeting disqualifies someone, then no one can be allowed to think; did the FDA find out whether the other panelists, most of whom are [gynecologists] prescribe or don’t prescribe birth control pills containing drospirenone?” After all, said Wolfe, making a decision about prescribing the pills implies an opinion, an intellectual stance about their safety.

We decided to put Wolfe’s question to the FDA: Had they queried the other panelists about their beliefs regarding drospirenone prior to the committee meeting? The FDA, in 572 words of agency-speak, managed not to answer the question. Further attempts to get a straight answer out of the agency were similarly fruitless.

We sought to determine whether other panelists might have financial conflicts of interest or had been issued waivers to participate in committee deliberations. Waivers, it turns out, are routinely issued by the FDA to panelists with financial ties to the manufacturer of the drug or device being reviewed in order to “waive” conflict of interest rules to allow the panelist to vote.

Since no waivers were issued, it seemed to suggest that the advisory panel was truly

“independent” – a claim the agency makes on its website about its 50 or so advisory panels. The panels are more influential than many people realize; their recommendations to the FDA hierarchy, usually followed, can move markets. Decisions about which drugs and devices make it to market, and which do not, hang in the balance as a result of such deliberations.

## No waivers?

Despite the FDA’s claims about the independence of its panels, it has repeatedly been embroiled in headline scandals over expert advisers and financial conflicts of interest. In 2004, for instance, an FDA scientist reported that the painkiller Vioxx caused up to 60,000 excess deaths from heart attacks. Controversy followed a disclosure that 10 of the 32 advisers who voted to keep Vioxx on the market had ties to the manufacturer. (The drug was ultimately withdrawn from the market.) In the wake of that and other scandals, the FDA promised it would provide greater transparency and take steps to reduce bias.

We wondered whether the FDA had truly become more vigorous in keeping this promise. Had it genuinely abandoned the use of industry advisers? Was it scrubbing its panels of anyone who had expressed an opinion about a drug or device prior to advisory meetings – or was it barring only certain advisers with certain opinions? Had the FDA truly reformed itself as promised?

For the FDA’s decisions about bias to be consistent, it seemed that the agency would have to prohibit anyone with financial ties to industry from voting. So we decided to ask the FDA: Was it now going to prohibit those with ties to industry from voting? This time the answer was explicit: No. Advisers with financial ties to manufacturers – within parameters set by the agency’s new guidelines – could continue to vote.

So, what were those guidelines, and was the panel reviewing the birth control pills as pristine as the agency seemed to imply?

To find out, we pressed the agency again: Did any of the panelists voting on the dro-

spirenone-containing contraceptive pills have ties to the manufacturer? The FDA's answer remained the same: No waivers were issued.

## Contradictions

We're generally not inclined to take such statements as the final word. So we decided to look into the financial ties on our own. We started with a search of PubMed for articles published by each of the 26 panelists. Then we searched online curriculum vitae and did general Web searches on each of the panelists' names. Since some medical journals require authors to disclose financial ties to industry and because researchers often boast of their industry-funded research on their resumes, we were able to quickly identify four members who were, or had served as, paid researchers, consultants, "key opinion leaders," or speakers for Bayer or other manufacturers or licensees of drospirenone. We identified a fifth adviser who agreed to serve as a consultant but never executed the agreement. A sixth received consulting fees from a law firm representing Bayer. Each of these advisers had voted to keep drospirenone on the market. The advisory committee chairperson – who received research funding from the manufacturer – not only voted to keep the drug on the market, but she voted against a labeling change that would strengthen the warning about blood clots.

Armed with this information, we had to wonder: Did the advisers conceal their ties to industry from the FDA – or was the FDA aware of the ties? We queried each of the panelists. Each told us the same thing: They had fully disclosed their ties to FDA.

We're continuing to follow leads, and we expect to report more about this story – a story that paid off, thanks to a stray footnote.

Many times, a line in a report, a footnote or an offhand remark has provided the seed for a larger story. Between us, we've experienced it on a variety of subjects. Lesson: Don't just follow the money. Follow the footnote.

*Jeanne Lenzer (jeanne.lenzer@gmail.com) is a New York-based freelance journalist who specializes in stories on health and medicine. She has written for The New York Times Magazine, The Atlantic, and Washington Monthly. She is also a senior clinical policy analyst for the Institute of Family Health, New York.*

*Keith Epstein (keith@kepstein.com) has more than two decades of Washington-based investigative reporting and editing experience. He was an investigative reporter for BusinessWeek and The (Cleveland) Plain Dealer, and at The Center for Public Integrity he directed investigations involving the mortgage crisis, subprime lenders, air pollution and environmental health, hazards at refineries and more.*

# Doctors and Drug Money: Following the Trail

## Direct conflicts

Want to know about payments to doctors who serve as researchers, speakers, "opinion leaders" or on FDA advisory panels? Here are some ways of tackling questions of conflicts of interest:

- Do a PubMed search ([ncbi.nlm.nih.gov/pubmed](http://ncbi.nlm.nih.gov/pubmed)) of an expert's journal articles. Look in the disclosures section (search on their name and their initials in the article). Remember, even if they don't declare financial conflicts, that doesn't mean they don't have any. Despite requirements by some journals for authors to disclose their conflicts or competing interests, many fail to do so. Nonetheless, some disclosures can be useful.
- Go to the subject or source's website – many universities and hospitals include the curriculum vitae and/or research history of physicians online. Look for research grants, employment history and other clues to industry ties. If their curriculum vitae is not available online, request it from the doctor's secretary.
- Use standard search engines such as Google and Google Scholar, and if you suspect a tie to a certain drug company, add the company name as a search term. This will often turn up irrelevant Web pages but occasionally can reveal that your expert gave a company-sponsored talk or received a grant. Remember, many drug companies have licensing, research and marketing agreements that can create conflicts of interest with doctors. A complex web of corporate licensing and sales agreements, mergers and acquisitions sometimes camouflage financial conflicts between a seemingly independent physician or expert and the pronouncements they make.
- Check the Center for Media and Democracy's SourceWatch project ([sourcewatch.org](http://sourcewatch.org)) and the Integrity in Science database ([cspinet.org/integrity](http://cspinet.org/integrity)) of the Center for Science in the Public Interest for known funding issues and conflicts of interest. SourceWatch is a superb website and one of my most trusted sources of information; however, it lists only people of significant stature or exposure. CSPI, on the other hand, maintains a database without regard to stature but is far from exhaustive and relies on past reports from journalists and others.
- Talk with critics of the scientist or doctor you are backgrounding. They will occasionally know about someone's financial ties. Tips like these are often on point and can be used to track down hard copy proof.

## Indirect conflicts

Tracking indirect conflicts of interest is far harder but can be done. Indirect funding of doctors is commonly done in an effort to put the marketing messages of Big Pharma in the mouths of seemingly independent or academic doctors. In these cases money is funneled through a third party, such as a professional organization, non-profit organization or astroturf group (a front group that appears to be a lay advocacy organization but is funded by industry).

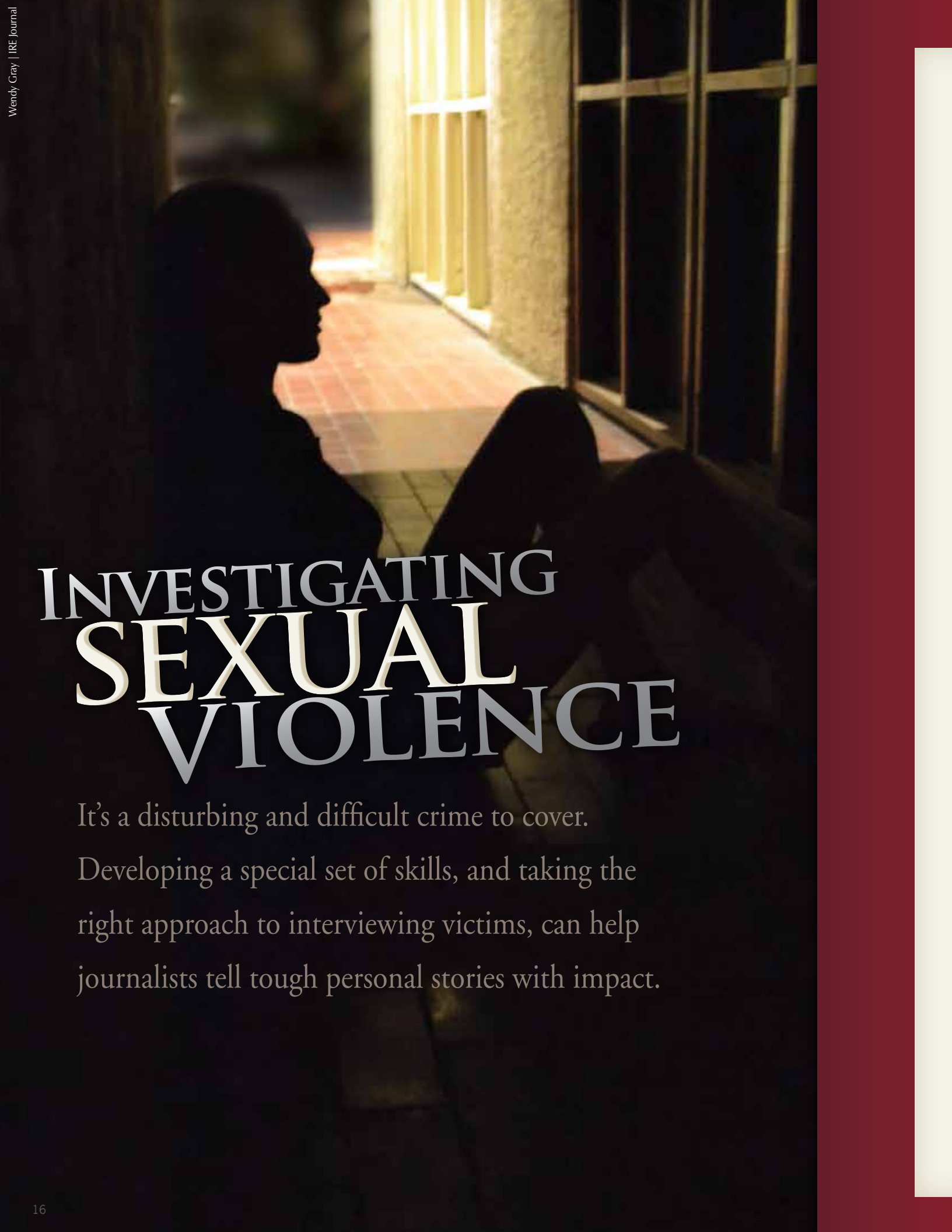
To track such conflicts, background the doctor's ties to all organizations and their funding sources. Don't be put off by denials of financial conflicts; doctors not infrequently deny ties that they have and that are publicly discoverable.

While the word "disclosure" is often thought to mean that financial ties are transparent and public, in truth the organizations that request the disclosures, such as the FDA and many professional organizations, do ask for disclosures from individuals, but do not reveal the results publicly. This was the case in the recent FDA advisory committee meeting on the hormone drospirenone (see article).

## How to do it:

- Drug company websites often provide extensive information, particularly in their "information for investors" Web pages, where links to SEC filings and other financial information can be obtained.
- Use Guidestar ([guidestar.org](http://guidestar.org)) for non-profit organizations such as the American Heart Association. Guidestar provides links to tax forms (990s), annual reports and financial statements and gives organizational overviews.
- For tax returns of organizations not listed with Guidestar go to Foundation Center: [bit.ly/AaWMI](http://bit.ly/AaWMI).
- Source Watch ([sourcewatch.org](http://sourcewatch.org)) offers reliable information about funding sources of organizations, and its parent organization, the Center for Media and Democracy, provides a great overview on backgrounding front organizations: [bit.ly/11R4jg](http://bit.ly/11R4jg).
- Of course, having a financial conflict of interest doesn't mean a medical claim is wrong, but it should alert journalists to the increased risk of bias and spur interviews with those who do not have a vested interest in a study outcome or medical claim. To find independent experts, journalists might want to turn to industry-independent experts available to journalists at: [bit.ly/5jGhYj](http://bit.ly/5jGhYj).
- HealthNewsReview.org is also an excellent website for journalists looking for tips on great healthcare journalism.

– Jeanne Lenzer and Keith Epstein



# INVESTIGATING SEXUAL VIOLENCE

It's a disturbing and difficult crime to cover.

Developing a special set of skills, and taking the right approach to interviewing victims, can help journalists tell tough personal stories with impact.

# FORGET THE MODEL

Techniques, challenges  
when talking to victims

By Kristen Lombardi  
The Center for Public Integrity

It may seem like sexual abuse scandals have dominated the headlines these days. In recent months, reporters have covered how senior administrators at Penn State University failed to stop more than a decade of molestation of boys by a former football coach. In Philadelphia, a Catholic Monsignor became the first Roman Catholic Church official in this country to be convicted of covering up sex abuses by priests under his supervision. And then there were the exposés on the penchant among some ultra-Orthodox Jewish rabbis and community leaders to protect child molesters over victims.

Such sex abuse scandals are long in the making, hiding in plain sight, waiting for some dogged reporter to uncover them. Yet reporters often shy away from tackling these stories. That was true back in 2001, when I wrote my first investigative piece on the cover-up of a Boston priest's pedophilic abuses, and despite all the headlines, I believe it remains true today.

No doubt, these stories are tough. Often, they lack any kind of a paper trail; if documentation exists, investigative reporters have to figure out how to uncover it. Beyond such logistics is the reality that sex abuse, as a topic, is deeply disturbing. Not many people want to discuss allegations, let alone go public with them. Indeed, finding victims and convincing them to talk to you can be the biggest barrier to getting started.

As a journalist for the past 17 years, I have written a fair number of articles exposing systemic failures or wrongdoing involving victims of sexual assault, rape and child molestation. These stories have typically involved what I call aftermath interviews – in other words, the traumatic event happened months, years or even decades before. I first struggled with this kind of interview in 2001, while investigating the Boston Archdiocese's cover up of six decades of child molestation by the now-deceased priest John Geoghan. Back then, I had to learn the art of this interview on the job, and ever since I have tried to refine my approach with each story involving victims – most recently, student rape victims on college campuses. What I have found out by doing these stories is that traditional reporting models – especially regarding the interview – must be thrown out the window.

## A model turned upside down

Conventional reporting models are turned upside down the moment you approach a sex-abuse victim. For these are not the kind of interviews you get simply because of your persistence. Overwhelmingly, victims have been beaten down by the very institutions to which they had turned for help. They were disbelieved or silenced and as such, are deeply cynical and distrustful. Sometimes they have moved on with their lives and have no desire to relive the painful traumas in their pasts.

Rather than approach them directly, I have found the best way to get sources like this to talk is to do so through a trusted intermediary. I stumbled upon this practice when seeking clergy-abuse victims to interview. At the time, I had gleaned what I could about Geoghan's pedophilic behavior from documents in a civil lawsuit against him and officials in the Boston Archdiocese. But I couldn't get far in identifying victims because of a skeletal court record: Almost all of the victims had filed suit under the pseudonym of John or Jane Doe, and all depositions and discovery materials were sealed. I reached out to the lawyer handling the case, a lone crusader who had quietly worked on it for six years. When I asked him to introduce me to victims, he insisted that I agree to any condition that would make them feel comfortable, including having him or others be present, and having them dictate where they would like to meet.

The approach immediately put the victims at ease and over the years, I have kept it. Take the series on campus rape, which featured 33 students who had reported rape to their school administrators. As described in a Summer 2010 IRE Journal article, my fellow reporters at The Center for Public Integrity and I tried to find student rape victims in every way imaginable – searching court records and student blogs, attending Take Back the Night events. But the technique that worked best for us was using an intermediary – the lawyers, school advocates and parents whom we cultivated as sour-

What I have found out by doing these stories is that traditional reporting models – especially regarding the interview – must be thrown out the window.





With in-depth pieces, transparency and informed consent are critical for establishing such relationships.

es and who, in turn, led us to victims. Among the dozens of rape and child abuse victims I have interviewed as a journalist, I can say that the cold call has worked only a handful of times.

### A long-term relationship

Conventional reporting models are also upended by the need for reporters to develop long-term relationships with victim sources. With in-depth pieces, transparency and informed consent are critical for establishing such relationships. At the outset of every project, I lay out the parameters and explain that victims can decide how they will be identified, in writing and photographically, at a later date. (Almost invariably, victims who insist they don't want to go on the record, will, in the end, once they trust you.)

I not only explain my reporting goals up front, but also prepare victims for what lies ahead. During the campus-rape investigation, my colleagues and I made a point to relay how we'd dig into victims' cases. We told them we had to interview their alleged perpetrators, school officials, hearing panel members and others. We asked them if they wanted to know when we'd be contacting people. And we addressed any concerns they had about the process. Doing this helped us get the cooperation we needed; indeed, these students had to sign privacy waivers so we could file records requests for their judicial case files, among other things.

Sometimes I'm amazed at what victims are willing to say or do once they see that a reporter is in it for the long haul. One student victim produced the entire judicial case file stemming from her rape report, complete with a 1,000-page transcript of her closed-door school hearing, all of which she had kept in a three-ring binder stashed in her car trunk for five years. It was the kind of paper trail reporters dream about in these cases – one that only came about after months of informal contact and an initial three-hour interview with the victim.

### More control over the process

Most hard-hitting reporters find it taboo to relinquish any control of the editorial process, but for victim sources who have had so much taken away, it's essential to give them some power. This is not to say that reporters should be at their sources' mercy. But I have learned to allow victims to dictate simple things like the timing and setting of interviews, as well as to break up the interview into several meetings – and multiple follow-up calls – in order to give them space to confront different painful aspects of their cases.

More importantly, I have learned to mute my inner, hard-boiled reporter. I don't go to interviews with a list of 20 questions. Instead, I tackle the process in three steps: First, I invite victim sources to tell me their stories without asking them any questions. Then, I slowly pull out information by asking straightforward questions like, "And then what happened?" It is not until the third session

that I typically ask the most difficult and challenging questions. But by then, sources feel as if they have been heard and are more likely to answer tough questions honestly.

Perhaps the most important skill for any reporter is to listen – and especially in these interviews. I have found victims get quite graphic in their descriptions of sexual abuse, but not because I have prodded for details. When a source gets upset, angry or choked up, I just sit there. I never try to fill empty silences. I give victims as much time as they need to talk. I will spend eight hours talking with a source if that's what it takes. With abuse victims, I think it allows them to tell me what they want to tell me when they are ready.

### The unappreciated challenges

I have often thought that once I found victim sources, the hardest work would be done – after all, most sex-abuse investigations don't happen without victims coming forward. Sometimes, however, finding victims is only the first of many challenges. Even if you expect challenges, you might not fully appreciate them until months into a project.

That's what happened with the Center's series on campus rape. By then, I had interviewed dozens of sex-abuse victims in my career, but I still wasn't prepared for just how fragile most of these student victims were. Some didn't want to speak with us and required months of negotiation before agreeing to meet. Others jumped at the chance to be interviewed, yet once the reporting dragged on, they had second thoughts. Each time we called the student victims, they were brought back to their cases – a time they just wanted to forget.

Some victims literally disappeared on us – they stopped returning phone calls, text messages and emails. Never mind that they had signed privacy waivers to help us get their documents. Or that they had taped their stories on audio or video. One victim worked with us for five months before sending a cryptic message about not wanting to participate anymore – just three weeks shy of a deadline. I spent weeks trying to contact her, and even spoke with psychologists who treat abuse victims to better understand what they call the cycle of acceptance and avoidance – i.e., how victims can vacillate between accepting the past and avoiding it altogether.

Such scenarios can present huge ethical dilemmas for reporters: What do you do when you don't need a source anymore? Should you write the story anyway? Should you let it go? The victim who had disappeared responded after my final attempt to reach her. After listening to her concerns, I understood that her parents didn't support her desire to go public. We suggested using a pseudonym and disguising her voice on the audio portion. She was convinced that such steps were enough to shield her identity, and she agreed to publication.

Being able to navigate this kind of emotional landscape, as a journalist, under deadline pressure, can be tough – and reporters who do take on this subject should be prepared to answer these questions.

But the story is absolutely worth it. Indeed, my reporting work around institutional indifference to sexual abuse has resulted in such reforms as new laws, stricter regulations and multi-million-dollar settlements. In short, reporters who take on these investigations, rather than shy away from them, may find them to be among the most gratifying journalism yet.

*Kristen Lombardi is a staff writer and investigative reporter at The Center for Public Integrity. She was a 2003 fellow of the Dart Center for Journalism and Trauma, which teaches reporters how to cover violence and traumatic events more responsibly, and is a current member of the Dart Society.*

# INVESTIGATING SEXUAL VIOLENCE



# BUILDING ON TRUST

## Florida man's allegations lead to downfall of youth sports official

By Tom Farrey  
ESPN

Find the alleged victims.

Those were the marching orders, as ESPN, like every other sports and news outlet, was determined to report the colossal story that would flow from the release of criminal sexual abuse charges a day earlier against former Penn State assistant football coach Gerald "Jerry" Sandusky.

A producer and another reporter were already on their way to State College, Pa., and now I was to join them, after first driving to Harrisburg for the arraignment of two university administrators accused of making false statements under oath.

The grand jury presentment against Sandusky accused him of making inappropriate sexual advances or assaults on eight unnamed boys from 1994 to 2009. We spent the morning of Nov. 8 organizing ourselves, strategizing efforts based on the limited information available about alleged victims. Over the next 36 hours, I broke news that the U.S. Department of Education was launching an investigation; fed the 24-hour cable news cycle with show and radio updates and a color story or two for "SportsCenter." When Joe Paterno was fired, my producer and I grabbed a cameraman and pushed toward the center of the student riot where a local television truck had been overturned. Got hit by a rock and got good sound. Good day all around.

But no victims.

Then, I checked my personal email. An alleged victim – from an unexpected place. His email handle was "Shrimp Breath," and Shrimp Breath was making claims against the longtime president of the Amateur Athletic Union, Robert "Bobby" Dodd. He wrote that Dodd was a pedophile who had tried to assault him on several occasions.

"I never spoke up because he was paying my school tuition and gave me a job and of course the stigma I would have to bare (sic)," the email read.

Shrimp Breath referred to excerpts from an investigative book I had written, "Game On: The All-American Race to Make Champions of Our Children," which included a vigorous scrub-

bing of the AAU and its leader. I knew from that work that Dodd had been involved in dubious financial and ethical episodes, had resisted mandatory background checks of coaches, and avoided media attention. But sexual molestation of boys? That never occurred to me.

I waited a day to respond, in part because I was swamped with Penn State duties and in part because I didn't want to seem too urgent or opportunistic. I wanted to set the right tone and ease into what would be an important conversation. We set up a time to talk a few days later, and he requested in a note that I keep all of this confidential for the time being.

His real name was Ralph West. He was a 43-year-old chef in Miami and was married with two young sons. His family, like everyone else in his life, never knew about the secret he had been carrying for a quarter century. He had never told his family until the Sandusky news broke and a cascade of emotions tumbled forth. My first thought was – now we're going to ask him to share his allegations against one of the most powerful people in youth sports on national TV?

I had other questions: How do we know West wasn't making up these claims? The events happened so long ago, and he had never gone to the police. There would be no eyewitnesses, as according to West, Dodd assaulted him when he was alone in hotel rooms while the team was playing in tournaments in other cities and states. He said that unlike his teammates, who had to share a room, Dodd gave him his own room and several times entered in the middle of the night, putting his hands in West's pants or masturbating next to his bed. He said he finally quit the team after finding a file cabinet in Dodd's home stuffed with the underwear of teammates that had disappeared from hotel rooms, photos of their clothed crotches and backsides taken during games, and a collection of blond hairs.

Serious allegations, but without hard evidence how could we get comfortable that his account was true? How would Dodd's allies on the AAU board respond – would they protect him as they had in the past when confronted

I wanted to set the right tone and ease into what would be an important conversation.

A crisis counselor told me that one technique used by criminal investigators is to wait until after they have cultivated a relationship with the male victim before asking if he was abused.

with embarrassing disclosures? West said he had sent a note to Dodd and the AAU headquarters earlier in the month, alleging Dodd was a pedophile. But the AAU never responded, and its website still listed him as president. Adding urgency to our reporting, we knew Dodd potentially still had access to kids as leader of the largest organization in youth sports, with 500,000 children annually enrolled in its programs. He also continued to run his Memphis AAU club.

Smartly, my editor shifted my full attention to the AAU allegations, and producers Nicole Noren and Willie Weinbaum began to help address the above questions and needs. By Dec. 9, we had a television and companion online story ready to go that would prompt the AAU to announce the firing of Dodd after 17 years at the helm of the organization.

I'm not going to pretend to be a seasoned expert on sexual abuse stories – this was my first – but we may have learned something of value that could be of use to other journalists pursuing leads. I would argue that the key is developing trust, on three critically important levels.

### Trust with the alleged victim

Publicly discussing any form of sexual abuse can be difficult. It can be especially complicated for male victims of male perpetrators because of fears that others will make inferences about their sexual orientation. And then, for athletes, there's the machismo of the locker room culture and its disregard for perceived weakness. West was a jock, still walks and talks like one, albeit more like a pro wrestler, with his shoulder-length blond hair, organic scowl, and use of blunt language.

A crisis counselor told me that one technique used by criminal investigators is to wait until after they have cultivated a relationship with the male victim before asking if he was abused. The question could wait weeks or longer, until credibility and confidence are established. My book reporting on Dodd may have served that purpose with West, a shortcut of sorts. But he still needed to know we were going to address his situation appropriately and had to feel safe enough to sit down with us on camera.

So we involved him in the development of the piece. I was open with him on how we were going to report this, that people were going to question his story, and that the best thing he could do was to help us bulletproof it by being as specific as possible about dates, places and other details. He responded favorably, not at all defensively, a good sign. He even connected us with a second alleged victim, who ended up speaking on camera in silhouette.

Watch and read the story online at [es.pn/ruc44S](http://es.pn/ruc44S).

### Trust with the alleged facts

We took our notes and created a timeline, a basic reporting technique. But rarely in my experience has a timeline proved more helpful than in this story, allowing us to identify opportunities for secondary sources, b-roll and other materials, while cross-referencing and scrutinizing the accounts of the alleged victims.

West showed us emails he sent to the AAU alleging that Dodd was a pedophile, after the Sandusky news broke and just days before contacting me. The second victim showed Noren, the producer, his cell phone logs detailing contact with Dodd's office, in which, he says, he called Dodd "sick" for allegedly drugging him and touching him inappropriately. Both recalled the file cabinet in his Dodd's home that was stuffed with boys' underwear and hair; the level of detail in their accounts compelled a teammate who was not abused to confirm that he saw it, too. We also found a fourth former player who said he came across the same cabinet.

Trust in the process begets trust in the source. We were now ready to assemble our story.

### Trust with the viewer

Believing in the legitimacy of your story means nothing unless you can help the viewer or reader get to the same affirmative place. Our thought was that the best way we could give them a chance to do that was by presenting our reporting in the form of a story, not just a report, even though the accusations about Dodd were clearly news.

Our "Outside the Lines" television story unfurled as a narrative. The first shot was of West fishing off the jetties in Miami. He was introduced as a character, then re-introduced as a boy, then as a boy who was allegedly abused. This is how the mind absorbs stories most easily, chronologically. This is how the heart comes to empathize, through anecdotes.

Only midway through the 16-minute piece did the viewer get to meet the second victim, who then told his story, which only served to buttress West's credibility. All the while, there was ample b-roll of the places the alleged victims are describing, again helping the viewer imagine and evaluate their journey. They also get a glimpse of my journey as a reporter, cameras rolling as I try to seek comment from Dodd at his home, and they watch as a top AAU official (the guy who has since replaced Dodd) denies over the phone knowledge of sexual abuse claims.

In the final minutes of the piece, West throws up on camera, recalling his alleged abuse. It's a powerful moment that we resisted the urge to use at the top of the piece because it's only later that the viewer knows what to do with it – it's less shocking than damning, more confirmation than curiosity. You know Ralph West by now, so all you do is feel, not think.

The end product achieved a high degree of credibility. Dodd's lawyer denied the charges (Dodd himself has never commented), and police ultimately decided not to investigate. But the report led to an AAU task force recommending a host of new protections for child athletes, including mandatory background checks of coaches and administrators. The story also helped set the table for the release of a U.S. Olympic Committee handbook that encourages sport governing bodies to adopt policies that prevent sexual, physical and emotional abuse of youth athletes.

Penn State is the story of the decade. Indirectly, it cost Dodd his job. But for a journalist, lessons on unearthing sexual abuse can be found anywhere. Just know all roads lead back to trust.

*Tom Farrey is an enterprise reporter with ESPN who has won two Emmys for Outstanding Sports Journalism, among other top awards. His 2008 book, "Game On: The All-American Race to Make Champions of Our Children," is recognized as a leading journalistic work on contemporary youth sports. He is also director of the Sports & Society Program at the Aspen Institute.*

# DIGGING DEEPER

## After serial killer's arrest, newspaper uncovers systemic problems

By Leila Atassi and Rachel Dissell  
The Plain Dealer

By Halloween night in 2009, a state of panic had settled on the city of Cleveland. Police had gone to a duplex on the city's East Side to serve an arrest warrant on its occupant, Anthony Sowell, a convicted sex offender who was suspected of rape.

Sowell was nowhere to be found, but as Cleveland police searched the house they made a horrifying discovery – the decomposing bodies of two women. In the following days, while Sowell was missing, police steadily unearthed more human remains.

The bodies had been stuffed in crawl spaces and buried in shallow graves in the backyard. Police found the head of one victim wrapped in a paper bag and discarded in a bucket in the basement.

Shock and anger consumed the community as the death toll reached 11 and Sowell was apprehended. Families had congregated outside the house on Imperial Avenue, wondering if their loved ones, who had been missing, were inside.

Police news releases announced the identification of each woman and indicated whether the victim's family had reported her missing. Many of the families had not, police emphasized in news conferences, barely veiling their references to the victims' transient lifestyles and known drug addictions.

Family members said police had told them not to bother reporting the disappearance of their loved ones. Others said police cared so little about the missing that the families had to post their own fliers and rewards.

The Plain Dealer discovered that at least one surviving victim, who told police she had been attacked by Sowell, was deemed "not credible" by city prosecutors. And the case was dropped – despite clear evidence of her injuries. The newspaper later learned that at least six of the 11 women went missing after police failed to investigate that case.

In the midst of turbulence, Mayor Frank Jackson appointed a special commission – comprised of a city official, the head of the local rape crisis center and a former city lawyer – to

examine the city's response to missing persons and sexual assault cases.

About three months later, the commission presented a 900-page report detailing more than two dozen deficiencies and issuing recommendations for improvement. Many were shocked to hear that detectives had done without basic technology and law enforcement necessities. They did not have cell phones or email addresses, and they cataloged cases in paper files and handwritten logs.

The mayor vowed to adopt all of the panel's recommendations and appointed an oversight committee to keep track of the city's progress through quarterly report cards.

But The Plain Dealer decided to keep its own report card. The newspaper launched a year-long project, drilling into police culture and the city's treatment of sexual assault cases, aiming to elevate the public discourse on the subject.

Eleven women went missing, some for years. Yes, they were troubled and addicted to drugs and had mental health issues. But they were mothers and sisters and daughters, and the community had failed them. Our job was to figure out how and why. We did what all good beat reporters do: We started gathering records and

We did what all good beat reporters do: We started gathering records and asking questions ...



Tracy Boulian | The Plain Dealer

Shortly after police began unearthing bodies in and around Anthony Sowell's home on Imperial Avenue in Cleveland, community and family members began posting photos and information on missing women. Many said the police had refused to file reports on the women or didn't care about the cases.



asking questions about any case related to Sowell. We started on that mission by first locating and interviewing a woman who had made a report that Sowell had raped her. Police and prosecutors had decided she was “not credible” and let him out of jail. That was the first string we tugged on. Soon after we wrote that story, we had ideas ready for about a dozen more. We just tackled them one at a time as records became available.

### Poring over data

To grasp the full picture of sexual assaults reported in Cleveland, we needed data. We needed to understand, on a micro-level, how officers, detectives and prosecutors handled those reports. And we needed to understand victims’ behavior and their perceptions of how the legal system responded to their cases.

We set out to educate ourselves with research on the prevalence of sexual assault, police training and best practices in relation to investigating and prosecuting sexual assault cases, as well as local and national policy on how to track and evaluate these cases.

We knew from talking to experts and reading research that only a small fraction of all sexual assaults are reported to police in the first place. But we wondered why so many of the sexual assaults that were reported to police never resulted in arrests or prosecution.

To answer that question specifically for Cleveland we requested a large database of police reports filed in the city during a period of several years. We also requested data from the Cuyahoga County court system so we could link the cases that did go forward with their dispositions.

John Kuntz | The Plain Dealer



Cuyahoga County Coroner’s office employees remove the body of a woman who was raped and strangled, and buried in Anthony Sowell’s back yard. She was one of 11 women killed and buried on Imperial Avenue. Several other women survived attacks by Sowell and either did not report the crimes or reported them and were not taken seriously.

Complicating matters was the fact that documentation of one of the key decision-making steps – a city prosecutor’s review of each case – was available only in hard copy, specifically, large boxes of carbon paper copies cataloged by date. We spent months combing through those records and building a database noting what limited information they provided.

In the end, we discovered that more than 70 percent of sex crimes reported in the city never made it to the county prosecutor’s desk, much less to court, from 2004 through 2008.

### No suspect, no crime

Meanwhile, as we read through reams of police reports, noting trends that could spark further story ideas, we saw signs that police might have been closing sexual assault cases without identifying a suspect. This practice violates both national law enforcement standards and the Cleveland police’s own departmental policy.

We created a list of cases we suspected had been prematurely closed and requested the full investigative files. Our analysis found that police improperly cleared at least 52 rape cases in 2006 and 2007, giving the impression that they had solved more crimes than they had.

In reality, unknown assailants who abducted victims and held them hostage while they raped them were not being pursued – leaving them free to attack other victims.

In many of the case files, investigations were summed up in a few sentences and did not involve much more than leaving voice mail messages and sending certified letters to victims.

Another baffling discovery came to light after we learned during a Sowell pretrial hearing that one of his surviving victims had reported her rape in the inner-ring suburb of Cleveland Heights.

We immediately tried to track down that report, and at first a Cleveland Heights police spokesman told us not only that it did not exist, but that no sexual assaults had been reported in the city during that month in 2009.

The victim’s report clearly was labeled “rape/kidnapping.” Yet police had not counted the attack as a reported rape in their data. And despite the department’s policy to send every sexual assault evidence kit for DNA testing, the woman’s kit had not been sent until after Sowell had been arrested in connection to the serial killings. Both of these discoveries led to a number of stories.

### Mislabeled reports, disregarded evidence

Over several months, we requested and examined every single sexual assault reported in Cleveland Heights. We found that at least a third of the cases, including many involving children, were classified by the department as non-crimes with labels such as “miscellaneous” or “departmental information,” during a three-year period from 2008 through 2010.

The Sowell victim’s case had not been counted in the city’s sexual assault case statistics because it, too, had originally been classified as “miscellaneous.”

City officials also had failed to report some of the required cases to the FBI’s Uniform Crime Reporting program. The reporting failures led to a skewed public perception that Cleveland Heights’ crime rate was far lower than it was. Multiple websites listed the city among the top 100 safest in the country based on the inaccurate data.

We also churned out a series of stories on why detectives in this suburb had not tested the victim’s rape kit. As it turned out, even if they had, Sowell would not have been identified as her attacker.

Despite the fact he had been in prison and was supposed to have his DNA collected before he was released, that DNA never

made it into national databases. Our discovery unearthed a bureaucratic mess, involving disorganized record keeping and a revolving door of state contractors.

That story led to improvements in how the state catalogs and tests inmate DNA. Ohio Attorney General Mike DeWine offered to have the state lab test DNA from older cases and beefed up the lab's staff of scientists for swifter results.

In addition, we asked questions about which rape kits had been tested in Cleveland and discovered that police didn't know. Our questions spurred the department to catalog and count all of the rape kit evidence it had. The department discovered that thousands of pieces of evidence had not been tested.

After our stories ran, the state called for all police departments to test older untested evidence and to send all new rape kits for testing, too. Cleveland officials also decided to test kits they had never tested and immediately began getting DNA hits on cases that they had given up investigating years ago.

### No policy needed

With the help of The Plain Dealer intern Regina Garcia Cano, we called every police department (close to 60) in the county surrounding Cleveland to request copies of their policies for investigating sexual assaults.

What we found was that the majority of them did not have one. Even more newsworthy was that many police chiefs didn't think they were needed.

After our story ran, the county executive called upon the departments to come together and create a uniform set of guidelines that any city could use. The guidelines have been created and we will be following up on which cities adopt them.

Anthony Sowell was found guilty in July 2011 of multiple counts of aggravated murder and a slate of other offenses for the women's deaths. He also was found guilty of attempting to kill three other women who survived his attacks. He was sentenced to die by lethal injection and is awaiting execution on Ohio's death row.

The city has since demolished the house on Imperial Avenue, a symbolic offering for a community trying to move on, to heal.

But the crimes committed there, among the most heinous in Cleveland's history, illuminated so many defects in the criminal justice system – and evoked so many promises from city officials.

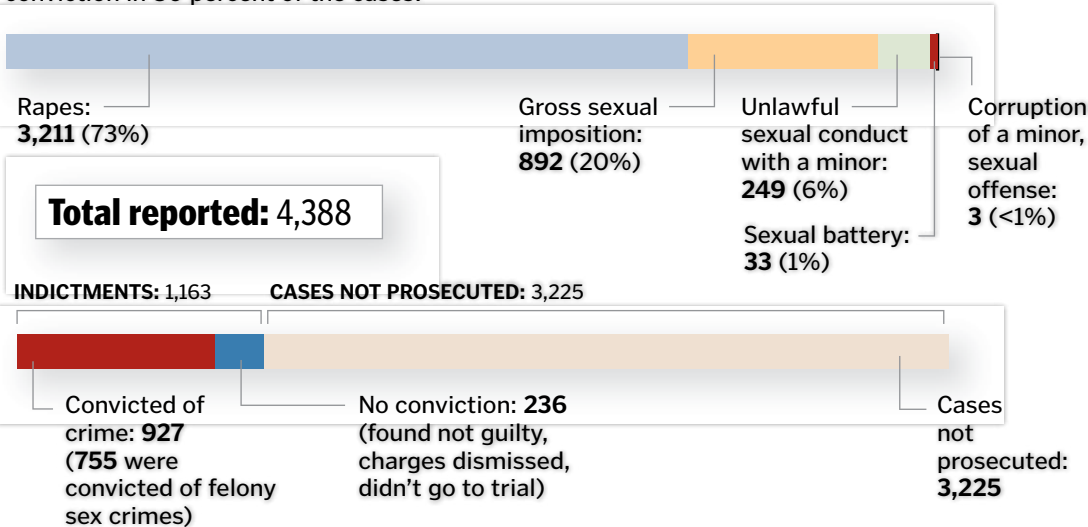
We still believe it is our responsibility to make sure they are kept.

*Leila Atassi spent four years covering the Cuyahoga County Common Pleas Court and criminal justice system issues before tackling the Cleveland City Hall beat this spring. She earned her master's degree in journalism from the University of Missouri, Columbia, in 2004.*

*Rachel Dissell has worked for The Plain Dealer since 2002. Her reporting focuses on social justice issues and public corruption. She graduated from Kent State University in 2001.*

## Felony sex offenses reported to Cleveland Police, 2004-08

During a five-year period from 2004-08, 73 percent of felony sexual assaults reported in Cleveland — most of them rapes — never made it to court. Cleveland city prosecutors decided there was not enough evidence to warrant charges or send the case to a grand jury. Of the 27 percent of cases that did go forward, the county prosecutor's office won some type of conviction in 80 percent of the cases.



**WHY CASES NOT PROSECUTED:** Of the two-thirds of cases reported that were not prosecuted, an analysis of 430 prosecutor felony review sheets from 2009 shows the most common reasons cases were stalled.

- More than 35 percent of the reviews documented that a victim could not be located or was unwilling to cooperate.
- More than 30 percent of the reviews deemed evidence insufficient to move forward.
- In about one-fourth of the cases reviewed the suspect was not known or named.

SOURCE: Plain Dealer analysis of Cleveland police records, Cuyahoga County Common Pleas Court records and City of Cleveland prosecutor felony review forms

GABRIEL BAIRD AND KEN MARSHALL | THE PLAIN DEALER

More than 70 percent of sex crimes reported in the city never made it to the county prosecutor's desk, much less to court, from 2004 through 2008.



# TAKING CARE

## Psychological considerations when reporting on sexual violence

By Dr. Elana Newman  
University of Tulsa

In order to establish trust with people who have been violated, it is critical that you be honest and clear and provide your sources with choices.

I spend most of my time researching, teaching and training various professionals about the psychological effects of trauma and about evidence-based interventions. This article provides information and suggestions from the perspective of a psychologist that might aid investigative journalists when reporting about sexual violence.

In addressing these issues in limited space, I am simplifying. Reporters should be prepared for a wide range of responses from victims of sexual exploitation and violence. Some survive heinous crimes temporarily injured but not psy-

chologically scarred. Others suffer from psychological vulnerabilities long after the event. My comments, cautions and suggestions will address potential issues when covering such stories, but of course, these are not relevant to every survivor, every story or every audience.

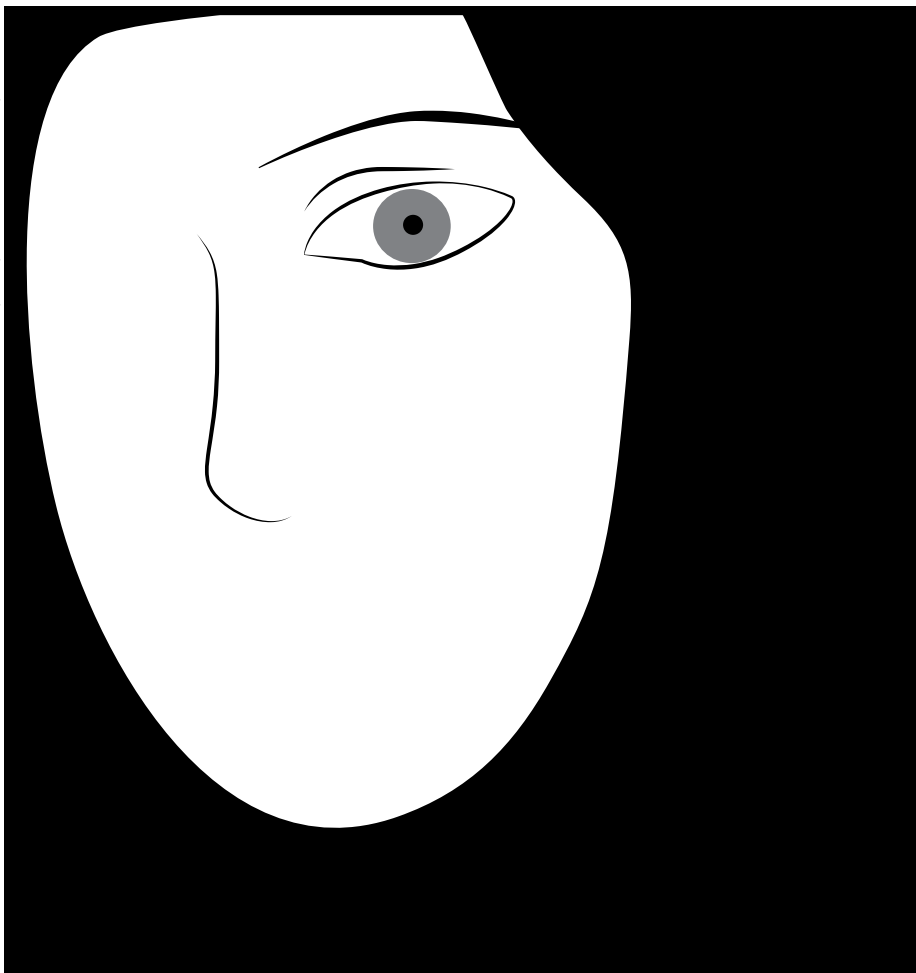
### Interviewing sources

*Trust:* In order to establish trust with people who have been violated, it is critical that you be honest and clear and provide your sources with choices. That might mean explaining the purpose of the story, how you plan to use the person's testimony (or not) and the steps involved in investigative reporting. It may be helpful to show the person your previous work, so he or she can make informed choices about whether to participate.

*Verification:* Given that many survivors of sexual violence were silenced, not believed or otherwise invalidated, you need to frame an investigative reporter's need to verify painful testimony honestly and carefully. A source needs to know that you will request corroborating documentation, if available. If your investigation involves contacting alleged perpetrators, the survivor should know that too. Make it clear that you seek corroboration not because you don't believe the story, but because doing so is in the nature of investigative reporting and in this way a credible case can be presented to the public.

*Distress:* Survivors should be warned that talking about an event might be distressing for them. If they become upset, journalists should ask if they are OK to continue. The good news is that while reliving painful memories in an interview may be distressing, there is no evidence of long-term harm. In research examining participants' experiences of engaging in trauma-focused studies, my colleagues and I have found that most, but not all, survivors *can* adequately give consent, anticipate the costs and benefits of participating and find participating useful. While many report experiencing distress during interviews, few regret participating if the process was well

Illustration by Haoyun Su | IRE/University of Missouri



explained ahead of time. This suggests that if journalists approach sources with sensitivity and clarity, most will collaborate and be fine. However, a minority of the people that you approach will find participating too painful; if he or she decides to withdraw consent, this should be honored.

*Choices:* Sexual violence is about power, control and domination. It is about ignoring the victim's needs and personhood. Thus survivors are sensitive to issues of power and control and this can affect accuracy in recall. I believe that the more choices you give sources who have been victimized, the less likely they are to succumb to fear and other emotions which can create inaccurate recall. Offer people choices about where to meet, who can be with them, when to take breaks and the like. Offering sources a greater range of small choices, choices that you may not typically offer others, may enhance accuracy.

*Ambivalence and inconsistency:* Be aware that avoidance of trauma reminders and triggers is a common response among survivors – one that waxes and wanes. So over the course of a long investigation, sources may agree to an interview and then pull back, or exhibit unwillingness to discuss certain matters at certain times. Try again another time without being too insistent. Also, be aware that inconsistencies in testimony are not uncommon, as the vividness of memories can change over time for some. Having memory gaps for important parts of the event is a symptom of post-traumatic stress disorder and does not indicate that a person is unreliable.

*Story review:* While I understand this is controversial among some journalists, given the great psychological risks that survivors are taking by going on the record, permitting your sources to read or view the news coverage prior to public dissemination would be well advised. This allows them to prepare themselves for the social responses they may endure as a result of the story.

## Presenting the story to your audience

*Taking action:* Accurate investigative stories often provoke feelings of outrage, helplessness and a desire for action among audiences. This is especially true with emotionally powerful investigations of sexual violence. It is always helpful to make suggestions about what citizens can do.

*Context:* It may also help to explain context. For example, if the investigation involves many people who delay reporting to authorities, you may make the public aware that relatively few sexual assault survivors report to the police, especially when the assailant is someone they know. Among the few who seek medical attention, a little over half do so within 24 hours, with a large minority reporting or seeking medical attention after 24 hours, delaying as long as one week or more.

*Ways to get help:* Your story may elicit memories or encourage individuals to consider seeking help. Indicating resources to address these problems on an individual level is also a useful addition to a news story – and if those resources are not readily available, that is a story itself.

*Word choices:* Next, I would ask you to review your story and consider your word choices. First, of course, is fact-checking the specific terms describing the crime. The number one complaint we hear from survivors who were covered in the news is about accuracy – sources want accuracy about the crime and accuracy about them. Was it a sexual assault? Molestation? Does the person

While many report experiencing distress during interviews, few regret participating if the process was well explained ahead of time. This suggests that if journalists approach sources with sensitivity and clarity, most will collaborate and be fine.

consider himself or herself a victim or survivor? Remember that the label you assign to this event and person will be known to the individual's entire community, even if he or she is not identified in the story.

*How much detail?* I would then ask you to consider what level of detail about the assault itself is necessary for the story. Consider if any details are gratuitous.

*Tone check:* Would you use this adverb or adjective if the person was a dear friend or loved one? Does the story contain any language which inadvertently blames the victim? Let me be clear that I am not asking you to misrepresent your sources at all, but I am asking that you check if the tone and descriptors are necessary and appropriate to the story and if any nonessential details may harm the sources.

## Your reactions

The work of investigative journalists is crucial in challenging sexual exploitation and responding to the needs of victims and survivors. For that very reason, I would urge you to monitor your reactions to telling the story. As a professional witness to sexual atrocities, I know personally that even the most experienced interviewers have reactions that can affect their capacity for information-gathering and analysis.

During interviews, be aware of signs that you may be distracted or communicating distress to your subject: It can be helpful to remember to breathe and stay focused on your interview. Afterward, or while engaged in other research, writing or production, it's very important to attend to your reactions. If you can't stop thinking about the story, day or night, or find disturbing images from the story entering your mind unbidden, it is time to take a break and engage in restorative nonwork activities. Investigative journalism on these challenging subjects is not a sprint but a marathon, and you need to stay healthy to do the work you do.

*Elana Newman, the McFarlin Professor of Psychology at the University of Tulsa, serves as Research Director of the Dart Center for Journalism and Trauma. She is past president of the International Society for Traumatic Stress Studies. Her current research focuses on program evaluation and dissemination of evidence-based psychological treatments, occupational health of journalists and impact of news coverage on audiences.*

# INVESTIGATING SEXUAL VIOLENCE

# SPECIAL APPROACH

Investigating  
with sensitivity

By Bruce Shapiro  
Dart Center for Journalism and Trauma

Over the last decade, reporting on sexual violence has emerged as a significant priority – and challenge – for investigative reporters worldwide. Whether the issue is local law enforcement’s handling of sexual assault cases, or global networks of human traffickers; dating violence among teenagers or decades-old cover-ups of clerical sex abuse; sexual assault in prisons or rape as a weapon of war – reporting on sexual violence demands special care and increased ethical sensitivity.

In some ways, investigative reporting on sexual violence has changed profoundly over the last decade. What began in the 1990s as a trickle of stories about sexual abuse in the Roman Catholic Church has become a major stream of American reporting, uncovering abuse and cover-up in institutions from the military to prep schools. During that same decade, reporters’ investigations into rapes in Bosnian Serb concentration camps have evolved into widespread reporting on sexual assault as a weapon of war and dictatorial regimes worldwide.

Those pioneering investigations made news organizations comfortable – even eager – to pursue such once-taboo subjects. High-profile lawsuits and victim-support organizations have emboldened adult survivors and families to tell their stories to journalists.

Most important, a generation of reporters has cultivated innovative and respectful approaches to interviewing accusers and verifying their claims, often involving events many decades before.

Undertaking sexual-abuse investigation requires specialized interviewing skills; understanding of the law; basic knowledge about the psychological impact of trauma on victims; and awareness of the psychological impact of immersion in deeply distressing material on ourselves.

Think through your language – not just for writing the story but for your basic approach to victims, witnesses or family members. Rape or assault is not “sex.” A pattern of abuse is not an “affair.” Rape or sexual assault is in no way associated with normal sexual activity; trafficking in women is not to be confused with prostitution. People who have suffered sexual violence may not wish to be described as a “victim” unless they choose the word themselves. Many prefer the word “survivor.”

Respect a potential interviewee’s right to say no. Nobody should ever be forced to talk in detail about an event as traumatic as rape. Not everybody is in the right place to speak.

Gender matters. No matter how sensitive a male interviewer is, in the majority of cases a female victim is likely to feel safer when interviewed by another woman. If that is not possible, a female colleague should be on hand.

Whether you are reporting locally or internationally, ask yourself whether approaching a victim/survivor risks compromising his or her safety and privacy. In some communities, just being suspected of having been raped can lead to humiliation, being ostracized, and even to further violence. Tread carefully and think about how and where you meet a potential source.

Prior to publication, re-check whether you risk compromising a source’s anonymity. In the final report, have you left clues that might inadvertently identify the individual? Job, age and location may allow for jigsaw identification. Faces or clothes may need to be obscured in photographs or film.

*This tipsheet distills resources produced since 1999 by the Dart Center for Journalism and Trauma, a project of the Columbia University Graduate School of Journalism. A wide range of features, tipsheets, expert advice and reporter-to-reporter interviews on this subject can be found at [dartcenter.org](http://dartcenter.org).*

*Bruce Shapiro is executive director of the Dart Center for Journalism and Trauma. An award-winning reporter on human rights, criminal justice and politics, Shapiro is a contributing editor at *The Nation* and U.S. correspondent for *Late Night Live* on the Australian Broadcasting Corporation’s *Radio National*.*

## ONLINE RESOURCES

Dart Center for Journalism and Trauma  
[dartcenter.org](http://dartcenter.org) – Wide-ranging articles, tipsheets and features on covering violence and its aftermath.

Dart Society Reports  
[dartsociety.org](http://dartsociety.org) – Online magazine of nonprofit organization of journalists.

Undertaking sexual-abuse investigation requires specialized interviewing skills; understanding of the law; basic knowledge about the psychological impact of trauma on victims; and awareness of the psychological impact of immersion in deeply distressing material on ourselves.

# IRE RESOURCES

## Stories

**No. 24943:** The Center for Public Integrity. "Sexual Assault on Campus: A Frustrating Search for Justice" learned that students responsible for sexual assault on college campuses often received no punishment while their victims' lives were turned upside down. The project was a collaborative effort with the Investigative News Network. (2010)

**No. 24903:** WREG-Memphis. In "Untested Justice," Keli Rabon and Jim O'Donnell found that as few as 6% of Memphis rape kits were being processed. After the story ran, the city changed its policy so that all rape kits would be tested, including more than 2,000 backlogged kits. (2010)

**No. 24822:** The Associated Press. In "Sexing DA," Ryan Foley revealed that prominent Wisconsin District Attorney Ken Kratz was sending harassing text messages to women he was supposed to be protecting. When the sexual harassment was reported to the authorities, "legal regulators and colleagues" kept the allegations private in an attempt to protect Kratz. (2010)

## The IRE Journal

"Partial Confessions: Sex abuse in Catholic Church remains tough to track despite new promises of transparency," Lawrence Journal-World and 6News-Lawrence, Kan. Shaun Hittle talks about the challenges of investigating cases of alleged sexual abuse by clergy in Kansas. Numerous victims came forward to share their stories, but in a two-year investigation the church was mostly unwilling to "come clean about its abusive past." (Summer 2010)

"Discounted Victims: Underreporting of city's sex crimes leads to investigation of police 'crime memos,'" St. Louis Post-Dispatch. Jeremy Kohler found that St. Louis, Mo., police were discounting reports of rape in order to report low numbers of sex crimes. He describes how the police eventually revised their sex crimes reports to include all reported crimes. (March/ April 2006)

## Tipsheets

**No. 2627:** "Tracking sex offenders: How to find the ones who have dropped off the radar screen," Paul D'Ambrosio, Asbury Park (N.J.) Press. To find missing sex offenders in your state, D'Ambrosio suggests using your state's Internet registry and joining it to the Department of Corrections inmate database. Look for inmates who were recently released but not accounted for. (2006)

**No. 2356:** "Mapping Registered Sex Offenders," Chris Halsne, KIRO-Seattle; Jeff Porter, NICAR. Learn the basics of how to do a mapping story about registered sex offenders. The tipsheet includes sections on getting started, potential stories, warnings and how to utilize your news organization's website. (2005)

**No. 2357:** "Sex offenders in long-term care facilities," Ziva Branstetter, Tulsa World. Branstetter matched nursing home and sex offender databases and found 18 registered sex offenders living in nursing homes. She offers advice for both the data analysis and shoe-leather reporting and suggests online resources. (2005)

## Extra! Extra!

"MCSO failure to investigate dozens of sex crimes means offenders still free, victims still in danger," KNXV-Phoenix. Christina Boomer and Mark LaMet discovered more than 400 sex crimes cases, many involving young children, had been ignored by the Maricopa County Sheriff's Office. (Justice (courts/crime/law), Social issues, May 18, 2011)

"Illegal massage parlors a blot Houston can't erase," Houston Chronicle. Yang Wang found a number of massage parlors remain open despite repeated police raids for vice crime and licensing violations. (Justice (courts/crime/law), Nov. 2, 2010)

"Public Schools Mainstream Registered Sex Offenders," KIRO-Seattle. An investigation by Chris Halsne uncovered that at least 412 teenagers convicted of felony sex crimes were attending middle and high schools in the state of Washington. (Broadcast, Government (federal/state/local), May 28, 2010)

The IRE Resource Center is a major research library containing more than 25,000 investigative stories – both print and broadcast – and more than 3,500 tipsheets available at [ire.org/resource-center](http://ire.org/resource-center) or by contacting the Resource Center directly, 573-882-3364 or [rescntr@ire.org](mailto:rescntr@ire.org).



# Manage the work, find strong stories



BY ALISON YOUNG  
USA TODAY

It's often inefficient to work on just one enterprise story at a time, given the routine delays in getting people to call you back or the time it can take to gain access to government documents and data. So I always have several projects in the works at the same time.

It was perhaps the toughest assignment of my career: Publish a meaty watchdog story on a topic of high reader interest every Sunday – even when I was on vacation. The story needed to have documents, data and real people. And it had to reveal government failures, consumer rip-offs or threats to readers' health or safety.

My time writing a weekly "Spotlight" column for The Atlanta Journal-Constitution a few years ago was an opportunity to showcase all the skills I had learned attending IRE conferences. It also required me to further hone techniques I'd developed as a beat reporter, juggling daily demands while producing a steady stream of high-impact enterprise stories.

There's a huge demand among news consumers – and news employers – for watchdog and investigative reporting. But few of us are fortunate enough to work full-time on projects teams.

Here are some of the techniques that have served me well over the years, whether my focus has been on regularly producing quick-turn watchdog stories or efficiently reporting longer-term investigative projects.

## Tap into proven watchdog wells

Certain types of documents and reporting questions are likely to yield strong watchdog stories and can be applied to most beats. Tapping into these proven watchdog wells helped me produce an enterprise story every week for the "Spotlight" column.

- **Inspection reports:** Brainstorm about everything that's regulated or inspected in your coverage area, and then look for subsets of inspections that can make stories more manageable.
- **Regulatory actions:** Warnings, fines and other sanctions. Don't have time to analyze hundreds or thousands of inspection reports? Look at the businesses or individuals that were hit with warning letters, closure notices, fines or professional license suspensions/revocations.

- **Audits and inspector general reports:** Great for tips that can be further developed into enterprise stories. Even if your audience is local, read audit reports for federal agencies since they often identify problems in local programs.
- **Performance evaluations:** Is an organization evaluating its own performance on key initiatives or its response to major events? Get those reports.
- **Perks:** Monitor government or charity money going toward purchase cards and credit cards, cars, private jets, bonuses, tuition and paid education leaves, luxury travel and other potential perks.
- **Ask: Is that true?** When officials make declarations of fact on controversial topics, check them out.
- **Ask: What are the rules of the game?** When disaster strikes and agencies start pointing fingers, look for regulations, response plans and other directives that show what should have happened.

## Practice air traffic control

It's often inefficient to work on just one enterprise story at a time, given the routine delays in getting people to call you back or the time it can take to gain access to government documents and data. So I always have several projects in the works at the same time – all at different stages of development.

I visualize the stories as if they were airplanes on a landing approach to the airport. The one that's about to land requires the most attention. Those that are a month or a year away only require periodic checks – and can potentially be delayed if news events create other priorities. I try to know what my next three enterprise stories will be and have a general vision of the enterprise reporting I'll be doing over the next six months.

## Make lists, stock the pantry

Find a window of time – one day a month or perhaps a half-day a week – to focus on the tasks necessary to gather the documents, data and other critical building blocks for these future enterprise stories. Use this time to identify the most important documents and data sets, file open records requests or go out to government agencies to compile the records by hand.

By constantly stocking the reporting pantry with the critical ingredients for multiple stories, watchdog reports can be done faster and more efficiently.

To avoid getting lost (or my head exploding) with all the multitasking on multiple topics, it's critical to stay organized. I create a folder for each story with a list of reporting priorities: What elements are absolutely critical to produce the minimum story? What would be great to get to make the story better? What would be nice to have but is not necessary? Be ruthless about what really are the top reporting priorities – especially if you don't have the luxury of extra time – and focus only on those in the early gathering.

When scheduling interviews, I will often send an email that includes a list of the topics I plan to cover. I then make a printout of the email and put it in the story folder. Not only does this allow the interview subject to better prepare, it provides me a handy outline for asking questions. It can be a lifesaver on a day when my brain's been focused on a completely different topic and I need to quickly switch gears to do an interview for a story that's farther out in the landing pattern.

### Track ideas, FOIAs, interview requests

With multiple stories in the works, it's important to have a system for keeping track of what's in the works and what still needs to be done.

Spreadsheets are a great way to track story ideas. When I was doing the weekly Spotlight column, my story idea spreadsheet had fields for such things as story name, working budget line, key FOIAs to file, main interview subjects, etc. But it also had other fields that helped sort the ideas. An "idea type" field allowed me to label ideas

as "tips" that had merit but hadn't yet been vetted; "high priority" for those that seemed most worthy of future pursuit; "reporting" for those that I'd started to pursue; and "seasonal" for those that had a specific time peg. I also created a "follow-up due" field that allowed me to sort the spreadsheet by dates when an idea was particularly timely or an action was needed in the ongoing reporting.

Spreadsheets are also useful for keeping track of open records requests that are being filed for multiple stories – especially when some federal FOIAs can take years. The fields record FOIA request numbers, agency contacts and records of conversations and due dates, plus provide reminders for making follow-up calls.

It's also good to have a system for tracking interview and informal information requests so they don't fall through the cracks when you're juggling multiple stories. Outlook's reminder functions are particularly helpful with this, allowing the flagging of sent emails and the scheduling of task deadlines.

Spreadsheets are also useful for keeping track of open records requests that are being filed for multiple stories – especially when some federal FOIAs can take years.

*Alison Young is a member of USA TODAY's investigative team, where she's been investigating hundreds of long-forgotten lead smelter sites and the potential hazards they left behind in yards where children play. The "Ghost Factories" series (ghostfactories.usatoday.com), which began running in April, recently won an APME award. Young has served on IRE's board of directors since 2007 and is a past president. She has worked as a reporter and editor for The Atlanta Journal-Constitution, Detroit Free Press, The Arizona Republic and the Dallas Times Herald.*

## TRAINING OPPORTUNITIES

### Watchdog workshops

IRE is offering its Watchdog training designed for reporters, editors and producers from small, midsize and large publications, TV stations, Web-only news sites and news blogs. Get the tools and the tricks of the trade that you need to be a better, faster watchdog journalist.

#### Upcoming Watchdog workshops:

- Ft. Worth, Texas (November 16-17)
- New Orleans, La. (December 7-8)

### Statistics mini-boot camp

Strengthen your skills with statistical analysis training to add deeper insight and credibility to your stories. Reporters should know spreadsheet and database manager applications and have experience in computer-assisted reporting.

- Stats Boot Camp – Phoenix, Ariz. (December 7-8)

### CAR boot camp

Learn to acquire electronic information, use spreadsheets and databases to analyze information and translate that information into stories. NICAR provides followup help when participants return to their organizations.

- CAR Boot Camp – Columbia, Mo. (January 14-18, 2013)

# Broadcast ownership fights transparency

BY CHARLES N. DAVIS  
MISSOURI SCHOOL OF JOURNALISM

Journalists working to inform Americans about the money flooding campaign coffers in the post-Citizens United v. FEC landscape had better be paying close attention to a dangerous meme floating through the corridors of Washington, D.C.: so-called donor privacy. That's the notion not only that cash should flow untrammelled into campaigns, but that the system in which campaign dollars enrich broadcast outlets is none of your business, either.

The same people who worked tirelessly to scuttle campaign finance restrictions, arguing consistently that so long as transparency ruled the day, voters could make informed decisions about the effect of money in politics, suddenly, and profoundly, changed their tune. And the owners of America's broadcasting industry – one of the institutions ostensibly dedicated to providing some of that much-needed accountability – behaved like a bunch of secretive politicos, themselves, and embarrassed themselves and their industry in the process.

Flush with cash and emboldened by the rise of super PACs and the television ads they purchase, it's no great surprise that the broadcast leadership these days resembles a bunch of county commissioners clinging to secrecy in Dogpatch, USA. They're fiercely protective of the political speech industry they worked so hard to create, and their defenders on Capitol Hill are doing their bidding. Keep a close eye on this soap opera, which is a proxy war over whether We The People will be entitled to a modicum of transparency when it comes to the post-Citizens United cash machine.

In April, over the loud objections of the broadcasters, the FCC approved reforms to modernize the disclosure requirements for broadcasters of so-called public inspection files, making information about who is financing political advertising available online.

That information has always been available in paper files, but it's 2012, not 1982. And information about the purchasing of political advertising has never been so important, as

this is the only practical way for the public to see who is purchasing political ads and how much they are paying for them.

A no-brainer, right? What public-interest-minded member of the Fourth Estate would stand in the way of such disclosure? Harrumph. ... See ProPublica's excellent "Free the Files" series and see the depths to which the broadcast ownership has sunk on this issue.

This is the private-sector equivalent of what the scholars call "regulatory capture" – an institution so paralyzed by its own conflicts of interest and financial entanglements that it becomes unable to perform its role in the system. The networks and their owners, who represent the vast majority of TV stations in the United States, steadfastly opposed online public inspection files. The National Association of Broadcasters was filing last-second motions as late as July, decrying the whole transparency thing all the while and concocting arguments about its effects on the competition for political ads, as if any real competition exists in a seller's market drunk with super PAC cash.

It's breathtaking to witness an industry involved in journalism make the argument that information already publicly available should not be placed online for everyone to share. Are these people the least bit ashamed? Do they not realize that the arguments against transparency will be picked up by government agencies in the future and used against journalists seeking government information?

Kudos to the FCC, which has held its ground thus far, but this fight is far from over, and could move on to a far broader stage. More ominous is the change of tune among proponents of unlimited campaign cash like Sen. Mitch McConnell, who in his role as slayer of campaign finance rules relishes the cash, but not the scrutiny associated with those multi-million-dollar donations.

In a speech, and later in a June 22 editorial in *The Washington Post*, he argued that these big-money donors should be allowed to keep their donations a secret.

Transparency? Not so much. And with journalism organizations making arguments against online transparency, how much harder will it be for those seeking to follow the trail of money permeating American electoral politics?

Are these people the least bit ashamed? Do they not realize that the arguments against transparency they are making will be picked up by government agencies in the future and used against journalists seeking government information?

*Charles N. Davis is an associate professor at the Missouri School of Journalism. He is co-author, with David Cuillier, of "The Art of Access."*

**Call for Entries**



**Philip Meyer Award**

Announcing the

## **Philip Meyer Award**

Sponsored by



Investigative Reporters & Editors

NICAR

National Institute for Computer-Assisted Reporting  
a joint program of IRE and the Missouri School of Journalism

and

**KF Knight Foundation**

the Knight Chair in Journalism

at the Walter Cronkite School of Journalism and Mass Communication,  
Arizona State University

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

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

Information can be found online at:  
[ire.org/awards/philip-meyer-awards](http://ire.org/awards/philip-meyer-awards)

**POSTMARK DEADLINE: Nov. 2, 2012**



# GIS tracks housing health

BY KEN STEPHENS  
THE HUTCHINSON (KAN.) NEWS

This project started with a call from a single mother of two teenagers who asked me to take a look at the rat-hole apartment where they lived in an old house that had been carved up into several apartments.

It was horrible. There was a foot of snow on the ground; the furnace had never worked; the water pipes had broken; the living room ceiling had collapsed as a result. The apartment was uninhabitable.

The management company had washed its hands and told her to talk to the owner. But that person turned out not to be the real owner. He was merely trying to purchase it using a private contract. When major repairs were needed, he turned it back to the original owner. That owner said he couldn't afford to repair the apartment and told the woman she'd have to move elsewhere.

I talked to city inspectors, tenant advocates and non-profit housing directors and learned that her situation, while extreme, was not unusual in Hutchinson, Kan.

About the same time, the Mayor's Housing Task Force released a report on housing conditions in Hutchinson and mentioned a Topeka program that had notable success in reviving some neighborhoods of older, dilapidated housing.

I went to Topeka, met with its housing director and one of the first things he showed me was a neighborhood health map created by scoring five types of data – median household income, crime, boarded-up houses, single-family home ownership rate and residential property values.

I immediately recognized the map was something I could replicate in Hutchinson using geographic information system (GIS) software. When I got back, I started to gather every type of data I could find.

The police department provided for free a Microsoft Excel spreadsheet showing the address for every Type 1 crime (homicide, aggravated assault/battery, robbery, rape, burglary, larceny/theft, motor vehicle theft and arson) during two years.

I paid \$25 to have the county appraiser give me a spreadsheet with the parcel number, address, owner, number of living units, year built and appraised value for every residential property in town.

I got the city to give me a copy of a consultant's database giving a condition score for every residential parcel in 2001 and 2009.

I got estimates of median household income for each census tract from the American Community Survey on the Census Bureau's American FactFinder.

I also wanted to take a look at investment in housing, so I created a spreadsheet listing the address of every building permit in 2010 and the value of the work being done.

From 2010 census data, I got vacancy rates for each census tract. I got a similar database from HUD and the U.S. Postal Service, which provided not only vacancy rates but length of vacancy.

For purposes of building my neighborhood health map, I decided to break the city up according to its 12 census tracts, in part because the city had only a couple of "neighborhoods" with distinct identities and in part because some of the data (median income, length of vacancy) didn't exist for areas smaller than a tract.

Some of the data required cleanup before I could analyze it. For instance, the county appraiser's spreadsheet had multiple entries for a property if it was sold one or more times during the year. I had to identify and eliminate those duplicates.

I also wanted to determine a single-family home ownership rate. Between the data already in the parcel map and the spreadsheet from the appraiser, I had property addresses and owner addresses. When they matched, it was an owner-occupied house. If it didn't match, as was the case with several hundred properties where the owner's address was listed as a PO Box, it took some additional digging in phone books and city directories. In the end, I was able to determine whether homes were owner occupied for about 97 percent of the single-family homes.

The city's GIS specialist provided a parcel map. Then I added a map layer in Esri's ArcView GIS showing the census tracts. From there it was a pretty simple matter of joining the table with the property value, age, condition and ownership databases to the map, the parcel ID number. Addresses for crimes and building permits had to be geocoded in ArcView. The data on income and vacancy rates were already broken up by census tracts. ArcView matched around 80 percent of the addresses automatically, so I matched the remainder manually.

Then I started clipping out the data for each census tract. I ran queries to determine median or average values, depending on the type of data, for each tract. I had already determined city wide medians or averages, which became the "par" value.

Then I determined a score in relation to par for each type of data for each tract. Par was a score of 1. Below 1 was worse; above 1 was better.

I totaled the scores up for each tract – the scores ranged from 22.42 for the wealthiest tract to 4.6 for the poorest. Based on those scores, my tracts were then designated Seriously Ill, Ailing or Exposed, Generally Good or Generally Excellent.

Among our findings:

- Of the nearly 15,000 residential parcels in Hutchinson, 5,383 were in worse shape in 2009 than eight years earlier.
- More than 700 homes were in such bad condition that they were deemed distressed in 2009. That's three times the number of distressed properties eight years earlier.
- Double-digit vacancy rates were uniform across the city's southern tier. Citywide, well over 500 residences had been vacant for at least two years, essentially abandoned.
- The median age of housing was 63 years, but in three of the least healthy tracts the median age was 90 to 101 years.
- New construction had slowed to its lowest rate since 1900. One tract hadn't had a new house built in 30 years. One other had one new house in 32 years.
- Not surprisingly, those ailing southern tracts also had the least investment in repairs and new construction, the lowest median incomes and highest crime rates.

We then used the data for a seven-day series of 11 stories written by me, our education reporter, crime reporter, business reporter and our county reporter. We had overviews on housing conditions and how we got into such bad conditions, and specific stories on rental housing, crime and how the lack of suitable housing limits population growth and economic development. Another story dealt with how the deteriorating inner core is a particular threat to our largest school district because suburban districts boundaries dip into the city for the

## The series spurred a broader community discussion of housing conditions and how they affect the community's image and goals for future growth and economic development.

vast majority of the new commercial, residential and industrial development.

There were, of course, numerous maps, charts and tables in print. Online, we had a map where you could click on a census tract and open a PDF with detailed maps of housing values and conditions and a page of statistical data on that tract. In all, we posted more than 100 pages of maps and data online.

The series spurred a broader community discussion of housing conditions and how they affect the community's image and goals for future growth and economic development. The city hired its first housing program director in April and established a housing division within the planning department. In addition, the city has begun condemning and demolishing some of the dilapidated houses.

A program for paying for paint for low-income homeowners to use on the exteriors of their homes got a modest start before the weather turned too cold to paint. A Community Housing Trust has been created at the Hutchinson Community Foundation to serve as a conduit for private donations toward housing programs.

*Ken Stephens covers city and county government for The Hutchinson (Kan.) News. He previously worked for the Wichita Eagle and The Dallas Morning News as both a reporter and editor.*

## Why use DocumentCloud?



- In-depth analytical tools
- Secure collaboration
  - Share with your audience in a meaningful way

Give your documents the power they deserve.



A service of Investigative Reporters & Editors.

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

# Snapshots from our blogs

How sound are bridges in your area?

Find out with updated National Bridge Inventory data

By Liz Lucas, NICAR Database Library Director

Now is a good time to investigate the bridges in your state and community: NICAR has just updated the National Bridge Inventory.

Current through 2011, the data can help you assess the soundness of bridges in your area. Key fields can be used for an overall indication of a bridge's quality. There are also fields detailing the year the bridge was built and the feature it intersects, for example, a body of water or another highway or roadway. The records represent the most recent inspection for each bridge (which could be several years ago or the current year).

For more information, please contact NICAR at [datalib@ire.org](mailto:datalib@ire.org) or 573-884-7711.

*The blog links to six investigative stories about bridges and supporting materials from the IRE Resource Center. These include stories about highly traveled but structurally defective bridges and a bridge inspector who never went near the bridges he was supposed to examine.*

From 'Behind the Story: Disproportionate lending by race discovered with data'

By Johanna Somers

It's one thing to say African-American entrepreneurs are recovering from the economic downturn more slowly than white entrepreneurs. It's another to explain why.

That's what Washington Business Journal reporter Bryant Ruiz Switzky did using a database from the Small Business Administration and other data sets related to the Community Reinvestment Act.

"The thing that struck me was that no one in the community or SBA had a good explanation as to why this happened," Switzky said. "So I did a FOIA for a full database of all publicly available SBA data going back 20 years."

Here's how Switzky tackled the SBA database, deciphered census tract data and found excellent sources for the news package "Impossible Dreams" ([bit.ly/IGZtaZ](http://bit.ly/IGZtaZ)).

## SBA database

It took a couple of months of prodding the SBA, but eventually Switzky obtained about 80 columns' worth of data about each approved loan in the Washington, D.C., Northern Virginia and Maryland area. The data included fields such as business name, number of employees, employee growth, gender, race and whether the company was still making payments or was in default.

## ALL-EXPENSES-PAID SEMINARS

Jan. 2-5, 2013, in Phoenix

- **Strictly Financials** — Financial statements for journalists.
- **Business Journalism Professors** — How to teach a college course.

Apply at [BusinessJournalism.org](http://BusinessJournalism.org) for fellowships worth \$2,000. **Deadline: Nov. 1**

**"Reynolds Center training really made me a better business journalist. You come away with knowledge and skills you can use right away."**



— Pamela Yip,  
The Dallas Morning News

## Free Training

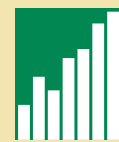
- **Digging Deeper: Ratios and Red Flags in Financial Statements:** New York, Sept. 27.
- **Be a Better Business Watchdog – CAR for Business Journalists:** Missoula, Mont., Oct. 6, with IRE's Jaimi Dowdell.
- **Business Journalism Boot Camp:** Portland, Ore., Oct. 13, with Orange County Register's Ron Campbell.
- **SEC Filings Master Class:** Online, Nov. 13-15.
- **Investigating Public Pensions:** Online, Dec. 4.
- **10 Local Economic Stories to Jump on Now:** Online, Jan. 15-16, with NPR's Marilyn Geewax.
- **Finding Your Best Local Investigative Business Story:** Online, Feb. 5, with Pulitzer winner Michael J. Berens.

### LOW-COST TRAINING

- **Tracking Companies' Influence on Politics:** Fort Lauderdale, Sept. 20. Just \$25, with NYT's Ron Nixon.

SIGN UP AT

**BUSINESSJOURNALISM.ORG**



Donald W. Reynolds  
National Center for  
Business Journalism

TWITTER: @BIZJOURNALISM • FACEBOOK: BIZJOURNALISM

With the text file he ran hundreds of queries in Excel and Access. To understand the columns, he worked with an SBA staff member who was willing to help.

"I think if I had said, hey I am writing a story about this scandalous decline in minority lending they would have responded differently," he said.

Using this data, which was fairly clean, Switzky found some trends.

- Nearly 44 percent of the 2,408 SBA loans disbursed to local black-owned businesses between 2003 and 2008 had defaulted, which meant they'd been written off or were in liquidation. The rate of default for nonblack borrowers during that period was 25 percent.
- The number of SBA loans to black-owned businesses had decreased 87 percent from 2007 to fiscal 2011. The dollar amount lent to blacks plunged by 71 percent, while lending to other major ethnic groups had begun to rebound. Blacks received a smaller portion of local loans than Hispanics, although blacks outnumbered them locally almost 2-to-1.

He also drew from reports and experts to explain why this might have been happening.

An SBA inspector general's report about Community Express, an SBA lending program, said that the prominent lenders of the program disregarded borrowers' business plans and instead doled out loans based on the strength of the borrowers' personal credit.

This resulted in many borrowers receiving 20 to 80 percent less money than they had requested, Switzky wrote. Lack of capital often hurt the business and caused the borrower to default on the loan, which further hurt the borrower's credit. The report also explained that lenders had financial incentives to lend small amounts.

To bring the data to life, Switzky also had to find someone to tell the story.

*Learn how Switzky drew on an expert source, used a variety of CAR techniques and found a defaulted borrower willing to talk. Read more at [bit.ly/KvJij4](http://bit.ly/KvJij4).*

*Johanna Somers graduated from the University of Missouri School of Journalism in June. She worked at IRE.*

## School test scores data now available at the Database Library

By Liz Lucas, NICAR Database Library Director

The Atlanta Journal-Constitution, after releasing its "Cheating Our Children" series ([ajc.com/s/news/school-test-scores](http://ajc.com/s/news/school-test-scores)) that identified suspicious test scores around the country, provided the NICAR Database Library with test scores data gathered from state education departments.

From the AJC: "The data include state testing data paired in approximate cohorts by school, test subject and grade. An approximate cohort would pair, for example, average third-grade math scores at a school in year 1 with fourth-grade math scores at that school in year 2."

The data are currently available for free to all IRE members and can be downloaded from the Database Library at [bit.ly/RZ3otK](http://bit.ly/RZ3otK).

For more information, contact NICAR at [datalib@ire.org](mailto:datalib@ire.org) or 573-884-7711.

**INVESTIGATIVE REPORTERS & EDITORS, INC.** is a 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 25,000 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:** Elizabeth Lucas, [liz@ire.org](mailto:liz@ire.org). 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 conference 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 Megan Luther, [megan@ire.org](mailto:megan@ire.org), 605-996-3967

## 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:** Megan Luther, [megan@ire.org](mailto:megan@ire.org), 605-996-3967

**UPLINK** – An online publication 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, [ddherzog@ire.org](mailto:ddherzog@ire.org), 573-882-2127

## FOR INFORMATION ON:

**ADVERTISING** – IRE staff, 573-882-2042

**CONFERENCES** – Stephanie Sinn, [stephanie@ire.org](mailto:stephanie@ire.org), 901-316-5192

**DONATIONS** – Alan Lynes, [alan@ire.org](mailto:alan@ire.org), 573-884-1444

**LISTSERVS, BOOT CAMPS AND EVENT REGISTRATIONS** – Amy Johnston, [amy@ire.org](mailto:amy@ire.org), 573-884-1444

**MEMBERSHIP AND SUBSCRIPTIONS** – John Green, [jgreen@ire.org](mailto:jgreen@ire.org), 573-882-2772

## MAILING ADDRESS:

IRE, 141 Neff Annex, Missouri School of Journalism, Columbia, MO 65211



**IRE**

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



**CAR Conference**  
**Louisville, Kentucky**  
**February 28-March 3, 2013**

**IRE Conference**  
**San Antonio, Texas**  
**June 20-23, 2013**

