

SPRING 2013

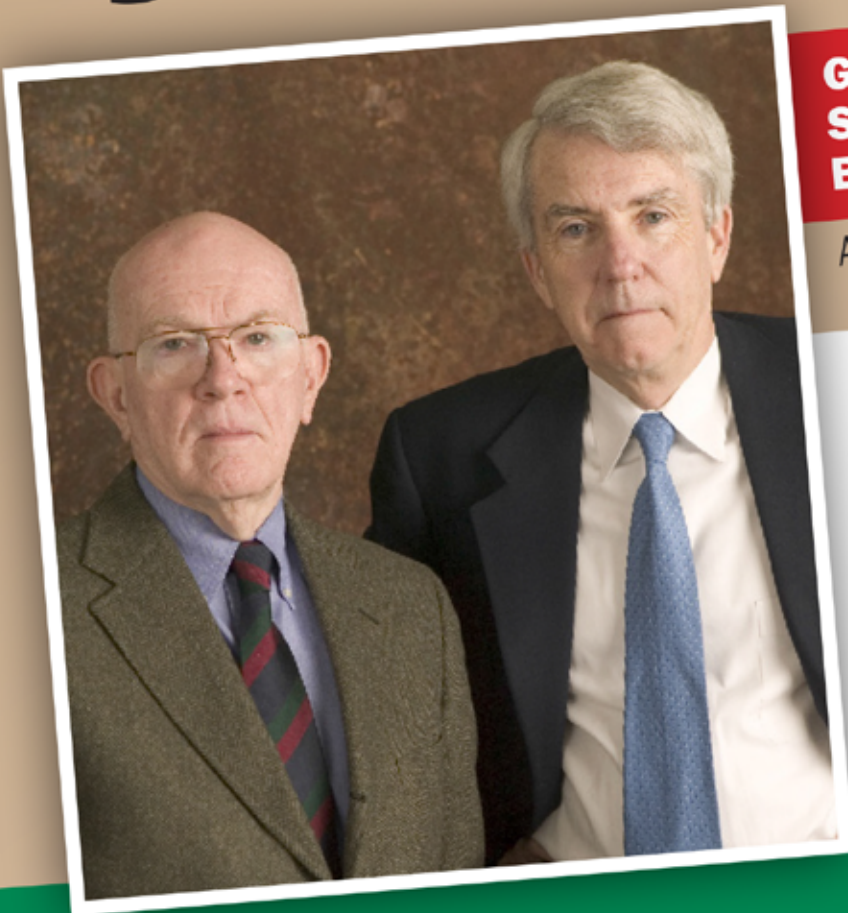


TRACKING ANIMAL MISTREATMENT

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BARLETT & STEELE AWARDS for **INVESTIGATIVE BUSINESS JOURNALISM**

Deadline: Aug. 1, 2013




GOLD AWARD: \$5,000
SILVER AWARD: \$2,000
BRONZE AWARD: \$1,000

APPLY AT **BUSINESSJOURNALISM.ORG**

REYNOLDS CENTER TRAINING AT IRE CONFERENCE

- 6.19, 2-5 p.m.: **Breaking Local Stories with Economic Data**, with USA Today's Paul Overberg.
- 6.21, 9:40-10:40 a.m.: **Cracking Corporate Corruption at Wal-Mart**, with Barlett & Steele winner David Barstow of The New York Times.
- 6.21, 2:25-3:25 p.m.: **Shell Companies and Fraud: An Investigative Primer**, with Loeb winner and Reynolds staffer Kelly Carr.

Register at BusinessJournalism.org.

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

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“Tell the readers
something they don't know.”
— Don Barlett and Jim Steele, two-time Pulitzer winners

Entries must have been published
online or in print in the year ending
June 30, 2013.



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Hopeful for change, but fearful of the ‘effect’

BY MARK HORVIT

I want to be optimistic.

The Obama Administration recently enacted a new policy that instructs federal agencies to store data in a way that makes it easier to get it out to the public in a usable format.

This is, potentially, fantastic. A big stumbling block to obtaining meaningful government data is the way in which it's stored and made available. There are approximately 2.3 zillion ways to render documents and data useless to the public if you really want to.

The new initiative addresses this problem. A lot of open government leaders are enthusiastically on board. I want to be excited about this. But...

This is something government agencies could have, and should have, been doing all along. Sometimes they don't do it because they don't know how. Often, though, it's because they don't want to.

And as we've seen throughout the Obama Administration, talk of openness and transparency often haven't led to meaningful long-term action.

In fact, too often, those of us who've been hopeful have ended up like the kid who rips the wrapping paper off of a gift and finds a box that makes him believe he's getting exactly what he wants – say a new iPad or the latest video game. But when he opens it – socks.

I'm not talking about the administration's on-the-surface troubling war on whistleblowers, or the case that broke in May involving the Justice Department's obtaining Associated Press phone records.

There are no shiny bows on those.

It's the much more insidious trend of releasing new government access policies that appear to be bold new steps but often end up offering only more of the same.

And while this new policy could be an iPad, parts of it look suspiciously like socks.

For example, nestled in the middle of the “definitions” section is something called the “mosaic effect.” Here's the administration's definition:

“The mosaic effect occurs when the information in an individual dataset, in isolation, may not pose a risk of identifying an individual (or threatening some other important interest such as security), but when combined with other available information, could pose such risk.”

And the entry goes on to require that government officials consider this when deciding whether data is public or not.

“Before disclosing potential personally identifiable information (PII) or other potentially sensitive information, agencies must consider other publicly available data – in any medium and from any source – to determine whether some combination of existing data and the data intended to be publicly released could allow for the identification of an individual or pose another security concern.”

Wait a minute. Does this say government officials must weigh whether any other publicly available data anywhere might possibly create some sort of identity or security concern? And if that wisp of a possibility might exist, they can potentially put the data off limits? Yep.

This is a battle IRE has fought with this administration before, most recently on a dataset of individual cases of doctor discipline. It's been scrubbed clean of names that had been available for years, but the administration took it out of circulation because in some cases journalists and others had been able to combine the list with lots of legwork to ID a doctor.

Sarah Cohen, IRE Board member and New York Times data guru, stresses that the policy doesn't explicitly bar the release of personally identifiable information.

“But its emphasis on the mosaic effect could, in effect, close off records crucial to any accountability reporting,” Cohen says. “If the federal policy is to avoid any bit of information that could, in some extraordinary circumstance, identify a person, we risk losing all access to records with names, zip codes or deaths. There would be no way to hold subsidy programs up to scrutiny, to examine workplace accidents or detentions.”

The bottom line, according to Cohen? “By raising the mosaic effect, federal officials will be under pressure to keep more secret, out of fear that their perfectly releasable records might help lead to truly private information.”

All of us who care about access and transparency are hopeful that this new open data initiative is the beginning of real, meaningful change.

But as long as the decisions on what to make available rest with the officials who hold the data, there's plenty of reason to remain skeptical. And vigilant.

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.

Columnist Charles Davis named dean of University of Georgia's journalism school

Longtime IRE Journal FOI columnist and University of Missouri professor Charles Davis has been named dean of the University of Georgia's Grady College of Journalism and Mass Communication.

Davis has enlightened IRE members with his FOI column in every issue since 2000.

"Charles has the ability to effortlessly cut through obfuscation and bureaucratic smokescreens to get to the essence of an issue," IRE Executive Director Mark Horvit said. "His columns have helped IRE members make sense of the often senseless world of government accountability, and his voice will be missed."

The FOI column will be turned over to David Cuillier, who co-authored with Davis "The Art of Access: Strategies for Acquiring Public Records."

Davis will start at UGA in July.

"I'd like to thank the IRE community for everything they do, and for making me much better at my job through the years. I have learned so much from IRE members, and have worked with countless journalists over the years on tackling government secrecy issues. My respect and admiration for the hard, often thankless work that journalists do daily to keep us informed has only grown ever larger through the years. I'll miss the daily contact with IRE staff, but I'll never be too far from the issues that animate us all," Davis said.

Greene, Hamby win WHCA award

Ronnie Greene, Chris Hamby and Jim Morris received the White House Correspondents Association's 2013 Edgar A. Poe Award at the association's annual dinner in Washington on April 27.

They earned the award for The Center for Public Integrity's ongoing "Hard Labor" series, which "revealed how corporate irresponsibility and lax regulation contribute to thousands of worker deaths, injuries and illnesses in America each year," according to the Center.

The Edgar A. Poe Award honors "excellence in news coverage of subjects and events of significant national or regional importance to the American people," according to the WHCA.

Correction

Susan Phillips won a 2013 Alfred I. duPont-Columbia Award for her work on "StateImpact Pennsylvania." She and Scott Detrow reported the project and were honored along with Chris Amico and their colleagues at CAP WITF-Harrisburg, Pa., WHYY-Philadelphia and NPR. The IRE Journal neglected to include Phillips as an award winner in the last issue.

Alfred I. duPont-Columbia University Awards

CALL FOR ENTRIES DEADLINE - JULY 1, 2013

ELIGIBILITY PERIOD: July 1, 2012-June 30, 2013



IRE members Alison Young & Peter Eisler, of *USA Today*, at work on "Ghost Factories," winner of a 2013 duPont Award.

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IRE AWARD WINNERS

IRE MEDALS:

The highest honor IRE can bestow for investigative reporting is the IRE Medal.

This year's medal winners are:

"Benghazi: US Consulate Attack," CNN.

Arwa Damon and Sarmad Qaseera

With contributors: Jill Dougherty, Elise Labott, Tim Lister, Richard T. Griffiths, Tony Maddox, Charlie Moore, Richard Davis and David Vigilante.

(Category: Investigations Triggered by Breaking News)

"Project Simoom," Sveriges Radio (Stockholm).

Bo-Göran Bodin, Daniel Öhman and Rolf Stengård.

(Category: Radio)

SPECIAL AWARDS:

Medals are also awarded to winners in two special categories:

TOM RENNER AWARD

"Locked Up," USA Today.

Brad Heath

FOI AWARD

"Empty-Desk Epidemic," Chicago Tribune.

David Jackson, Gary Marx and Alex Richards

IRE AWARDS:

PRINT/ONLINE – LARGE

"Wal-Mart Abroad: How a Retail Giant Fueled Growth With Bribes," The New York Times.

David Barstow and Alejandra Xanic von Bertrab

PRINT/ONLINE – MEDIUM

"Rules of Engagement," Pittsburgh Tribune-Review.

Carl Prine

PRINT/ONLINE – SMALL

"Hidden Suffering, Hidden Death," Belleville News-Democrat (Ill).

George Pawlaczyk and Beth Hundsdorfer

BOOK

"The Lost Bank: The Story of Washington Mutual – The Biggest Bank Failure in American History."

Kirsten Grind

BROADCAST/VIDEO – LARGE

"Rápido y Furioso" ("Fast & Furious"), Aquí y Ahora de Univision (the newsmagazine "Here and Now").

Gerardo Reyes, Tomás Ocaña, Mariana Atencio, María Antonieta Collins, Tifani Roberts, Vytenis Didziulis and Margarita Rabin

BROADCAST/VIDEO – MEDIUM

"Unfair Game," WFAA-Dallas.

Brett Shipp, Billy Bryant and Jason Trahan

BROADCAST/VIDEO – SMALL

"War Zone: The Destruction of an All-American City," KMOV-St. Louis.

Craig Cheatham and Jim Thomas



MULTIPLATFORM – LARGE (TIE)

“Big Sky, Big Money,” PBS “Frontline,” American Public Media’s “Marketplace” and ProPublica.

Frontline: Rick Young, Anthony Szulc, Emma Schwartz, Fritz Kramer, Philip Bennett, Michael Sullivan, Raney Aronson-Rath and David Fanning

Marketplace: Kai Ryssdal, Megan Larson, Matt Berger, Deborah Clark and J.J. Yore

ProPublica: Kim Barker, Justin Elliott, Olga Pierce, Lois Beckett, Eric Umansky, Robin Fields and Steve Engelberg

“Mauritania: Slavery’s Last Stronghold,” CNN Digital.

John D. Sutter and Edythe McNamee

MULTIPLATFORM – MEDIUM

“Broken Shield,” California Watch.

Ryan Gabrielson

With contributors: Agustin Armendariz, Monica Lam, Michael Montgomery, Carrie Ching, Joanna Lin, Emily Hartley, Marie McIntosh, Nikki Frick, Christine Lee, Meghann Farnsworth, Cole Goins, Mia Zuckerkandel, La Toya Toolles, Robert Salladay, Mark Katches, Lauren Rabaino, Marina Luz and Brian Cragin

MULTIPLATFORM – SMALL

“Crunch Time,” Hoy Chicago and CU-CitizenAccess.org (Champaign-Urbana, Ill).

HOY contributors: Jeffrey Kelly Lowenstein, Samuel Vega, Roger Morales and Fernando Diaz

CU-CitizenAccess.org contributors: Pamela Dempsey and Brant Houston

STUDENT

“Drug Under the Rug,” The Post, Ohio University, (Athens, Ohio).

Alex Stuckey

GANNETT AWARD FOR INNOVATION IN WATCHDOG JOURNALISM

“Broken Shield,” California Watch.

Ryan Gabrielson

With contributors: Agustin Armendariz, Monica Lam, Michael Montgomery, Carrie Ching, Joanna Lin, Emily Hartley, Marie McIntosh, Nikki Frick, Christine Lee, Meghann Farnsworth, Cole Goins, Mia Zuckerkandel, La Toya Toolles, Robert Salladay, Mark Katches, Lauren Rabaino, Marina Luz and Brian Cragin





DAVID BARSTOW

PRINT/ONLINE – LARGE

IRE Award:

“Wal-Mart Abroad: How a Retail Giant Fueled Growth With Bribes,” *The New York Times*.
David Barstow and Alejandra Xanic von Bertrab

Judges’ comments: This two-part New York Times series on Wal-Mart’s practices in Mexico drew back the curtain on a corporate giant’s pattern of bribery within its largest foreign subsidiary, Wal-Mart de Mexico. The stories by David Barstow and Alejandra Xanic von Bertrab began with a tip and a handful of documents. Their determined effort eventually led to 600 public records requests in Mexico, producing 100,000 pages of records, and 200 interviews with government officials. Part One revealed how Wal-Mart’s top executives had shut down an internal investigation that had found evidence of systemic bribery. Part Two offered an in-depth examination of how the company used bribes to accelerate its growth in Mexico. The stories prompted investigations by the U.S. Department of Justice, the SEC and Mexican authorities. The stories also spurred the company to conduct an internal investigation that led to findings of potential violations of the Foreign Corrupt Practices Act in Mexico, India and China.



ALEJANDRA XANIC VON BERTRAB

The New York Times

Finalists:

- **“Blood Ivory: Ivory Worship,”** *National Geographic*, Bryan Christy and Brent Stirton.
- **“D.C. Tax Office Scandal,”** *The Washington Post*, Debbie Cenziper, Nikita Stewart and Ted Mellnik.
- **“Princelings,”** *The New York Times*, David Barboza.
- **“Justice in the Shadows,”** *The Boston Globe*, Maria Sacchetti, Milton J. Valencia and Scott Allen.
- **“In God’s Name,”** *Tampa Bay Times (Fla.)*, Alexandra Zayas and Chris Davis.

PRINT/ONLINE – MEDIUM

IRE Award:

“Rules of Engagement,” *Pittsburgh Tribune-Review*.
Carl Prine



CARL PRINE

Judges’ comments: A stunning example of good, old-fashioned shoe-leather reporting. Reporter Carl Prine got a tip he relentlessly pursued in the face of enormous obstacles and personal peril. Prine, himself a military veteran, spent two years traveling across America and deep into Iraq to prove the story of how a U.S. Army staff sergeant fatally shot two innocent Iraqi children and ordered the slaying of another. None of the children could speak or hear. The stories also charted an ongoing Army cover-up of the killings, false battlefield decorations and the accused gunman’s promotion. When the subject of the series made threats against the reporter and his wife, Prine wrote about that too. A courageous story and a wonderfully spun tale.



Finalists:

- **“Glamour Beasts: The dark side of elephant captivity,”** *The Seattle Times*, Michael Berens.
- **“Prognosis: Profits,”** *The Charlotte Observer (N.C.)* and *The News & Observer (Raleigh, N.C.)*, Ames Alexander, Karen Garloch (The Charlotte Observer); Joseph Neff, David Raynor (The News & Observer).
- **“Speeding Cops,”** *Sun Sentinel*, Sally Kestin and John Maines.



GEORGE PAWLACZYK



BETH HUNDSORFER

PRINT/ONLINE – SMALL

IRE Award:

“Hidden Suffering, Hidden Death,” *Belleville News-Democrat (Ill.)*.
George Pawlaczyk and Beth Hundsdorfer



Judges’ comments: This investigation focused a bright light on an outrage in Illinois. The deaths of severely disabled adults being cared for in their own homes were not being investigated by the state agency designed to protect them. Phone calls reporting abuse, neglect and horrific living conditions came into a state hotline, but were often ignored – under the reasoning that they were “ineligible for services.” Facing major roadblocks and government intimidation, George Pawlaczyk and Beth Hundsdorfer persevered to tell heartbreaking tales of Illinois residents who died under terrible circumstances. The stories led to the resignation of the agency’s inspector general, and the governor ordered a revamp of the agency.

Finalists:

- **“Kids In Peril,”** *The Palm Beach Post (Fla.)*, Michael LaForgia.
- **“ATF/US Attorney Rift,”** *Reno Gazette-Journal (Nev.)*, Martha Bellisle.
- **“A Damaged District,”** *El Paso Times (Texas)*, Zahira Torres.
- **“Our Money, Their Failures,”** *The Virgin Islands Daily News*, Joy Blackburn, Gerry Yandel, J. Lowe Davis and Stephen Cheslik.

BROADCAST VIDEO – LARGE

**IRE Award: “Rápido y Furioso” (“Fast & Furious”),
Aquí y Ahora de Univision (the newsmagazine “Here and Now”).**

Gerardo Reyes, Tomás Ocaña, Mariana Atencio, María Antonieta Collins, Tifani Roberts, Vytenis Didziulis, Margarita Rabin

Judges’ comments: In a yearlong investigation, hundreds of classified Mexican documents were obtained with great difficulty under the Mexican public access law. A database of 60,000 entries was combined with U.S. government documents to find 57 previously unreported lost weapons under the “Fast and Furious” program and to show the depth in human cost. Univision detailed previously unknown crimes committed with those weapons – including the shooting of 14 teens at a birthday party – and uncovered similar U.S. programs in Colombia, Honduras and Puerto Rico that also went awry. As a result of Univision’s diligence, the Mexican Congress asked for economic compensation for the victims of massacres in which guns from the “Fast and Furious” operation were used. A public debate erupted in Mexico on how much the Mexican government knew. Congress pressed the U.S. Justice Department for more information, and one U.S. Congressman called “Rápido y Furioso” the “Holy Grail” that broke the case.

Finalists:

- **“The Mafia of Public Job Competitions,” RBS-TV/GLOBO-TV (Brazil),** Giovani Grizotti, Giancarlo Barzi, Marcelo Theil, Hálex Vieira, Renato Nogueira Neto and Alexandre Tandy.
- **“What Killed Arafat?,” Al Jazeera English,** Clayton Swisher, Adrian Billing, Nick Porter, Karsten Sondergaard and Gautam Singh.
- **“Conviction,” Dateline NBC,** Dan Slepian, Robert O. Allen, Luke Russer, Tommy Nguyen, John Costello, Stefani Barber, Allan Maraynes, Liz Cole and David Corvo.
- **“Money Trail 2012,” ABC News,** Brian Ross, Matthew Mosk, Megan Chuchmach, Cindy Galli, Angela Hill, Michael LaBella, Mark Schone, Lee Ferran, Michael Corn, Jeanmarie Condon and Rhonda Schwartz.



GERARDO REYES



TOMÁS OCAÑA



MARIANA ATENCIO



MARÍA ANTONIETA COLLINS



TIFANI ROBERTS



VYTENIS DIDZIULIS



MARGARITA RABIN

BROADCAST/VIDEO – MEDIUM

IRE Award: “Unfair Game,” WFAA-Dallas-Fort Worth. Brett Shipp, Billy Bryant and Jason Trahan

Judges’ comments: “Unfair Game” showed how Texas high school coaches and administrators openly flouted the rules and helped students transfer school districts to assemble state championship-caliber athletic teams. The stories graphically showed how improper recruiting helped Dallas’ Kimball Knights build back-to-back state championship basketball teams, and how former Dallas Cowboy Deion Sanders’ new school, Prime Prep Academy, drew in blue-chip players against the rules. Because public records were sparse, reporter Brett Shipp used an inventive combination of social media and dogged reporting to show how high school athletics had been transformed into a business in which the best players were lured away from their neighborhood schools and sometimes across state lines. Results included the firing of one coach and an internal investigation that concluded the Dallas district had violated state rules.

Finalists:

- **“Fraud on the Job,” KING-Seattle,** Susannah Frame, Steve Douglas, Kellie Cheadle and Mark Ginther.
- **“Behind the Gates of the Guard,” NBC Bay Area & KNBC-Los Angeles,** Tony Kovaleski, Elizabeth Wagner, Felipe Escamilla, Matt Goldberg (Bay Area); Joel Grover, Chris Henao, Phil Drechsler (KNBC).
- **“Investigating the Fire,” KMGH-Denver,** Amanda Kost, Marshall Zelinger, Jon Stone, Doug Schepman, Jennifer Castor, Jason Foster, Brad Bogott, James Dougherty, Anne Trujillo, Mike Landess, Mark Montour-Larson, Katie Strickland, Jeff Harris and Byron Grandy.
- **“Denticaid: Medicaid Dental Abuse in Texas,” WFAA-Dallas-Fort Worth,** Byron Harris, Billy Bryant, Jason Trahan and Mark Smith.



BRETT SHIPP



BILLY BRYANT



JASON TRAHAN



CRAIG CHEATHAM



JIM THOMAS

BROADCAST/VIDEO – SMALL

IRE Award: “War Zone: The Destruction of an All-American City,” KMOV-St. Louis.
Craig Cheatham and Jim Thomas



Judges’ comments: This hour-long documentary is a stunning compilation of a two-year investigation into how political corruption is destroying East St. Louis, Ill. Reporter Craig Cheatham’s dogged reporting and hard-hitting questions appear to get inside the minds of hardened politicians who admit to him their wrongdoing. As part of a remarkable volume of reporting, Cheatham shows how politicians are connected to slumlords who own some of the worst housing in the region. The documentary finishes by exposing how certain tax breaks allow vice-driven businesses like strip clubs and a casino to flourish while not providing needed jobs. Well shot and finely written, the reporting resulted in the resignation of a police chief from two different jurisdictions, as well as investigations of and criminal charges against the slumlords.

Finalists:

- **“Poison in the Water,” WNCN-Raleigh (N.C.),** Andrea Parquet-Taylor, Charlotte Huffman and David Hattman.
- **“Depreciating Values,” WTVF-Nashville (Tenn.),** Ben Hall, Iain Montgomery and Kevin Wisniewski.
- **“UCDD,” WTVF-Nashville,** Phil Williams, Kevin Wisniewski and Bryan Staples.
- **“Investigating the IRS,” WTHR-Indianapolis,** Bob Segall, Cyndee Hebert, Bill Ditton, Steve Rhodes and Jacob Jennings.

MULTIPLATFORM – LARGE (TIE)

IRE Awards:

“Big Sky, Big Money,” PBS “Frontline,” American Public Media’s “Marketplace” and ProPublica.

See contributor list below.

Judges’ comments: This project featured multiple partners breaking down a complicated subject – campaign finance in the post-Citizens United era – in a simple, entertaining fashion. Big Money 2012 tells a tale of money, politics and intrigue in a remote epicenter of campaign finance, Montana. The investigation led the teams from big sky country to a meth house in Colorado and to a UPS store in D.C. as they followed a trail of documents. What they found exposed the inner workings of a dark money group. The investigation led to a Montana judicial ruling that Western Tradition Partnership violated the state’s campaign finance laws and the head of the organization resigned.

Frontline: Rick Young, Anthony Szulc, Emma Schwartz, Fritz Kramer, Philip Bennett, Michael Sullivan, Raney Aronson-Rath and David Fanning.

Marketplace: Kai Ryssdal, Megan Larson, Matt Berger, Deborah Clark and J.J. Yore.

ProPublica: Kim Barker, Justin Elliott, Olga Pierce, Lois Beckett, Eric Umansky, Robin Fields and Steve Engelberg.



JOHN D. SUTTER



EDYTHE MCNAMEE



“Mauritania: Slavery’s Last Stronghold,” CNN Digital. John D. Sutter and Edythe McNamee

Judges’ comments: In an investigation that upholds the highest ideals of journalism, CNN digital reporters John D. Sutter and Edythe McNamee gained access to the West African nation of Mauritania to put a human face on the shocking story of modern-day slavery. The country was the last in the world to outlaw slavery, doing so only five years ago. However, only one slave owner has been prosecuted for the practice and the tradition of slavery continues to dehumanize generations of the nation’s citizens. Sutter and McNamee gained access to Mauritania to work on a story about locust swarms. They had to do their reporting on slavery covertly, often in the presence of a government-assigned minder. Their project was published online, accompanied by haunting photos and video. It also ran as a documentary on CNN International and CNN US. “Slavery’s Last Stronghold” included firsthand accounts from freed and escaped slaves both in Mauritania and in Ohio in the US and one man’s transformative journey from slave owner to abolitionist.

Finalists:

- **“As Mine Protections Fail, Black Lung Cases Surge,” National Public Radio, The Center for Public Integrity and The Charleston Gazette,** Howard Berkes, Andrea de Leon, Sandra Bartlett, Steve Drummond, Alicia Cypress, Alyson Hurt, Coburn Dukehart, Barbara Van Woerkom (NPR); Chris Hamby, Jim Morris, Ellen Weiss, Sarah Whitmire, Ajani Winston (CPI); Ken Ward Jr. and Rob Byers (The Charleston Gazette).
- **“Revolution to Riches,” Bloomberg News,** Michael Forsythe, Fan Wenxin, Shai Oster, Dune Lawrence, Natasha Khan, Michael Wei, Yidi Zhao, Henry Sanderson, Neil Western, Peter Hirschberg, Ben Richardson, Melissa Pozsgay, Anne Swardson, Chloe Whiteaker and Phil Kuntz.
- **“Plunder in the Pacific,” The International Consortium of Investigative Journalists, IDL-Reporteros (Peru), CIPER (Chile) and tve (UK),** Gerard Ryle, Mort Rosenblum, Mar Cabra, Milagros Salazar, Juan Pablo Figueroa Lasch, Irene Jay Liu, Steve Bradshaw, Roman Anin, Nicky Hager, Joop Bouma, Kate Willson, Miguel López Chauca, Marina Walker Guevara and David Donald.



MULTIPLATFORM – MEDIUM



IRE Award:

“Broken Shield,” California Watch.

Ryan Gabrielson with contributors: Agustin Armendariz, Monica Lam, Michael Montgomery, Carrie Ching, Joanna Lin, Emily Hartley, Marie McIntosh, Nikki Frick, Christine Lee, Meghann Farnsworth, Cole Goins, Mia Zuckerkandel, La Toya Tooles, Robert Salladay, Mark Katches, Lauren Rabaino, Marina Luz and Brian Cragin.

Judges’ comments: This is not only an important story examining egregious wrongdoing harming some of the most disadvantaged in society. This is a story of possible murder, multiple rapes and abuse all gone initially unreported and unanswered. The reporters left no stone unturned, including how one officer was logging 107 hours a week, every week. It is also an example of tireless digging for data over 18 months and methodology to be admired. As California Watch wrote in its entry, “Many of the victims chronicled by California Watch are so disabled they cannot utter a word. Gabrielson gave them a resounding voice.” The series prompted two new laws intended to bring greater safeguards and accountability, a criminal investigation, new record keeping and staff retraining, the demotion of a police chief and more.



RYAN GABRIELSON



AGUSTIN ARMENDARIZ



MONICA LAM



CARRIE CHING



ROBERT SALLADAY

Finalists:

- “A City Program’s Deadly Failures,” WJLA-Washington, D.C., Ben Eisler.

MULTIPLATFORM – SMALL



IRE Award:

“Crunch Time: The relationship between the police departments and black communities in Champaign and Urbana,” Hoy Chicago and CU-CitizenAccess.org (Champaign-Urbana, Ill.).

HOY contributors: Jeffrey Kelly Lowenstein, Samuel Vega, Roger Morales and Fernando Diaz

CU-CitizenAccess.org contributors: Pamela Dempsey and Brant Houston

Judges’ comments: This partnership is a smart piece of accountability reporting about racial inequality that takes us inside a community through excellent video interviews and writing. Though black people comprise only 16 percent of the population, they represent 40 percent of those arrested. The reporters published as they went, presenting a collaborative effort online and a 16-page bilingual supplement distributed in both the Chicago and Champaign-Urbana areas. “Crunch Time” sticks with you.



JEFFREY KELLY LOWENSTEIN



FERNANDO DIAZ



SAMUEL VEGA



PAMELA DEMPSEY



ROGER MORALES



BRANT HOUSTON

Finalists:

- “Port Authority: Battle at the Waterfront,” Investigative Newsource and KPBS-San Diego, Brooke Williams, Brad Racino, Joanne Faryon and Amita Sharma.
- “The Cash Machine,” Philadelphia City Paper and Philadelphia Public Interest Information Network, Isaiah Thompson (Philadelphia City Paper) and Casey Thomas (interactive graphic).
- “Playing With Fire,” WVUE-New Orleans, Lee Zurik, Donny Pearce, Mikel Schaefer, Greg Phillips, Wes Cook, Tom Wright and E.Q. Vance.
- “Returning Home to Battle,” The Bay Citizen (San Francisco, Calif.), Aaron Glantz, Shane Shifflett, David Suriano, Amy Pyle, Brian Cragin, Peter Lewis and Lonny Shavelson.

RADIO/AUDIO

sverigesradio

IRE Medal:

“Project Simoom,”
Sveriges Radio, Stockholm.

Bo-Göran Bodin, Daniel Öhman
and Rolf Stengård



BO-GÖRAN BODIN



DANIEL ÖHMAN



ROLF STENGÅRD

Judges' comments: In a tour de force of journalism enterprise, Sveriges Radio reporters uncovered one of the most secretive projects in Sweden: the illegal financing and construction of an advanced weapons factory in the Saudi Arabian desert in violation of the country's strict human rights criteria. Unbeknownst to citizens and the elected officials of Sweden's Parliament, the country's Defense Department set up a dummy corporation and used military intelligence cash to hide the government's complicity in its secret partnership with the Saudi government. With dogged determination and armed with documents they obtained through various sources, the station peeled away the layers of secrecy. In a gripping storytelling style, the reporters took listeners on their investigative journey as they pursued reluctant sources who confirmed they worked on the project. These reporters stood their ground as the defense minister repeatedly lied about the existence of such a project, even when confronted with the official documents. Their reporting led to the resignation of the defense minister and his staff and the cancellation of the controversial weapons factory project. The judges commend Sveriges Radio for not only its fine reporting but its superb storytelling and production.

Finalists:

- **“iLied: Exposing Mike Daisey's Fabrications of Apple's Supply Chain in China,”** American Public Media's, “Marketplace,” Rob Schmitz, John Buckley, George Judson, Kai Ryssdal, Deborah Clark, J.J. Yore, Ira Glass and Brian Reed.
- **“Human Tissue Donation,”** National Public Radio and the International Consortium of Investigative Journalists, Steven Drummond, Joseph Shapiro, Sandra Bartlett, Robert Benincasa, Alicia Cypress, Nelson Hsu, Susanne Reber, Kevin Uhrmacher, Barbara Van Woerkom and Angela Wong.
- **“Grandma can't accept your call: Inmates disconnected by phone costs,”** WBEZ-Chicago, Cate Cahan and Robert Wildeboer.

BOOK

IRE Award:

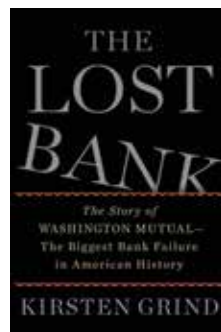
**“The Lost Bank: The Story of
Washington Mutual – The Biggest
Bank Failure in American History,”**
Simon & Schuster.

Kirsten Grind



KIRSTEN GRIND

Judges' comments: As banks across the United States failed through a combination of greed, mismanagement and circumstances beyond their control, Kirsten Grind became one of the first to publish a meaningful post-mortem. She dug into the collapse of Washington Mutual, the largest bank failure in America, with skill and determination, bringing characters and events to life with an effective use of records and interviews. With crisp writing befitting a novel, she recreates a frightening drama that should have served as a warning to legislators and regulators that too-good-to-be-true home loans would contribute mightily to the collapse of the economy.



Finalists:

- **“The American Way of Eating: Undercover at Walmart, Applebee's, Farm Fields and the Dinner Table,”** Simon & Schuster, Tracie McMillan.
- **“Subversives: The FBI's War on Student Radicals, and Reagan's Rise to Power,”** Farrar, Straus and Giroux,” Seth Rosenfeld.

 CALIFORNIA WATCH

FOUNDED BY THE CENTER FOR INVESTIGATIVE REPORTING

GANNETT AWARD FOR INNOVATION IN WATCHDOG JOURNALISM

“Broken Shield,” California Watch.

Ryan Gabrielson with contributors: Agustin Armendariz, Monica Lam, Michael Montgomery, Carrie Ching, Joanna Lin, Emily Hartley, Marie McIntosh, Nikki Frick, Christine Lee, Meghann Farnsworth, Cole Goins, Mia Zuckerkandel, La Toya Tooles, Robert Salladay, Mark Katches, Lauren Rabaino, Marina Luz and Brian Cragin

Judges' comments: In “Broken Shield,” reporter Ryan Gabrielson tells the disturbing story of how a state police agency failed to protect some of California's most vulnerable residents. But California Watch didn't stop with the traditional story. It aggressively sought and measured impact. It created a graphic video to make the story more accessible. It held events to engage the public. It also published an e-book and sent out postcards to ensure that its message got out to as many people as possible. It is an impressive package that shows that a journalist's work in many ways is just beginning with the publishing of a story.

SPECIAL CATEGORIES

TOM RENNER AWARD

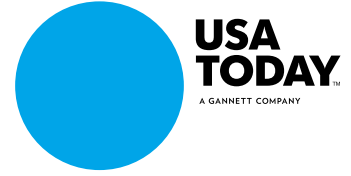
IRE Medal:

“Locked Up,” USA Today.

Brad Heath



BRAD HEATH



Judges' comments: Reporter Brad Heath discovered dozens of men locked up on gun possession charges even though a federal appeals court had concluded they had done no federal crime. Using tips from lawyers, inmates and families, and sifting through thousands of pages of court documents, Heath showed the Justice Department knew the prisoners were innocent of the charges, but made no effort to identify or alert people whose convictions should have been invalidated. Many of the prisoners didn't realize they were innocent until USA TODAY contacted them. He also found prosecutors were persuading courts to keep sex offenders in prison past the expiration of their sentences based on questionable psychological assessments. Heath's dogged reporting exposed shortcomings in the criminal justice system and resulted in the release of at least 32 federal prisoners and the end of supervised release for 12 others. IRE commends Heath for digging for the truth to correct an unbelievable breakdown in the justice system.

Finalists:

- **“Many Bullets, Little Blame,” The Kansas City Star**, Christine Vendel and Donna McGuire.
- **“Hidden Wealth of Azerbaijan President,” Organized Crime and Corruption Reporting Project**, Khadija Ismayilova, Nushabe Fatullayeva, Pavla Holcova, Jaromír Hason, Paul Radu and Drew Sullivan.
- **“The Shame of the Boy Scouts,” Los Angeles Times**, Jason Felch, Kim Christensen, Maloy Moore and other members of the Los Angeles Times staff.

FOI AWARD

IRE Medal:

“Empty-Desk Epidemic,” Chicago Tribune.

David Jackson, Gary Marx and Alex Richards

Judges' comments: For years, Chicago school officials routinely published positive statistics about school attendance. But reporter David Jackson was determined to discover the real situation and, for more than a decade, relentlessly and creatively demanded records from the secretive school board. His findings revealed a crisis in the city's schools. He showed roughly one in eight of the city's K-8 students missed a month or more of class per year, while others simply vanished from school. The series exposed a devastating pattern of absenteeism and indifference by city officials who ignored or masked the problem, and that left kids with time to get into trouble. IRE commends the Tribune team for refusing to take no for an answer and overcoming multiple open records denials.



GARY MARX, DAVID JACKSON AND ALEX RICHARDS

Finalists:

- **“Seattle Police: Vanishing Videos,” KOMO-Seattle**, Tracy Vedder, Sarah Garza, Kiyomi Taguchi and Holly Gauntt.
- **“Police Problems,” Milwaukee Journal Sentinel**, Ben Poston, Gina Barton and John Diedrich.
- **“Failed to Death: Protecting Colorado's Children,” KUSA-Denver and The Denver Post**, Nicole Vap, Jeremy Jojola, Jace Larson, Anna Hewson (KUSA); The Denver Post.
- **“The Price of Protection,” The Seattle Times**, Christine Willmsen.



INVESTIGATIONS TRIGGERED BY BREAKING NEWS

IRE Medal:

“Benghazi: US Consulate Attack,” CNN.

Arwa Damon and Sarmad Qaseera. *With contributors:* Jill Dougherty, Elise Labott, Tim Lister, Richard T. Griffiths, Tony Maddox, Charlie Moore, Richard Davis and David Vigilante

Judges’ comments: When a militant group overran the U.S. consulate in Benghazi, resulting in the death of the ambassador and staffers, initial information was contradictory. CNN correspondent Arwa Damon and photojournalist Sarmad Qaseera arrived quickly in Benghazi to find valuable clues in the wide-open but looted and burned ruins of the consulate. Damon’s stories refuted reports that the attack on the consulate was part of larger anti-American demonstrations throughout the Middle East. Damon’s courageous reporting showed it appeared to be a planned attack that came after U.S. diplomats had been warned days before by Libyan officials about the deteriorating security there. The network stood firm in the face of harsh criticism from the State Department. The U.S. government’s investigation later proved CNN’s reporting to be accurate. Damon also spoke to Libyans who tried to save the ambassador that night, shedding light on what happened to him during his final hours. Her reporting provided additional valuable context about the milieu in which the consulate attack occurred.



ARWA DAMON



SARMAD QASEERA



Finalists:

- **“Decades of Dishonor,” Lawrence Journal-World (Kan.),** Shaun Hittle, Mike Yoder and Alex Parker.
- **“Spa Shooting,” Milwaukee Journal Sentinel,** John Diedrich, Gina Barton and Ben Poston.
- **“Meningitis Outbreak,” The Tennessean (Nashville, Tenn.),** Tom Wilemon, Walter F. Roche Jr., Lisa Green, Duane Marsteller, Jessica Bliss and Josh Brown.



ALEX STUCKEY



STUDENT

IRE Award:

“Drug Under the Rug,” The Post, Ohio University (Athens, Ohio).

Alex Stuckey

Judges’ comments: This four-month investigation by Alex Stuckey of The Post, Ohio University’s student newspaper, showed remarkable determination by a single student journalist following her instincts. The investigation began when Stuckey, working on a story about drug arrests, could not find records of items seized by the Athens County Sheriff’s Office, even though state law required those records be kept. Stuckey requested records from other area law enforcement agencies as well as the state Attorney General’s Office. She built her own database. Interviews combined with the records and data showed the sheriff and other agencies were failing to track seizures and forfeitures and in some cases could not account for them at all. Stuckey’s investigation led to an audit by the county into the sheriff’s financial practices.

Finalists:

- **“Local officials are likely to profit from fracking in Southern Tier,” Legislative Gazette (Albany, N.Y.),** Andrew Wyrich, Julie Mansmann, Cat Tacopina, Maria Jayne, Pete Spengeman, Brian Coleman and Beth Curran.
- **“IJEC: Mental health on campus,” CU-CitizenAccess.org,** in collaboration with Wisconsin Center for Investigative Journalism and UW-Madison School of Journalism and Mass Communication; the University of Illinois Journalism Department, College of Media; Ball State Department of Journalism; School of Journalism and Mass Communications at Southern Illinois University; Chicago Talks and the School of Journalism and Mass Communications, Columbia College, Chicago.
- **“The Lobbies at the Top,” The New York World, Columbia University (New York, N.Y.),** Alice Brennan, Sam Guzik, Alyssa Katz, Michael Sullivan, Susan E. McGregor with help from: Curtis Skinner, Sasha Chavkin, Alexander Hotz, Yolanne Almanzar, Matt Drange and Michael Keller.

Transportation data breaks down activity at local airports

BY JAMIE GREY
KTVB-BOISE, IDAHO

Airport numbers and trends seem to be a hot topic everywhere because flight activity is so directly tied to the economy and local businesses and is a concern for people who just want to fly for pleasure.

Our airport in Boise often gives us information and is very easy to work with. However, no reports broke down the actual numbers at the airport by flights and passengers. Once I dug through some easily available federal data, I found the airport wasn't performing at pre-recession numbers like many thought or expected, but was doing worse than 10 years ago.

I started with free T-100 Domestic Segment data, which I easily downloaded from the U.S. Bureau of Transportation Statistics (<http://1.usa.gov/Y9bSQL>).

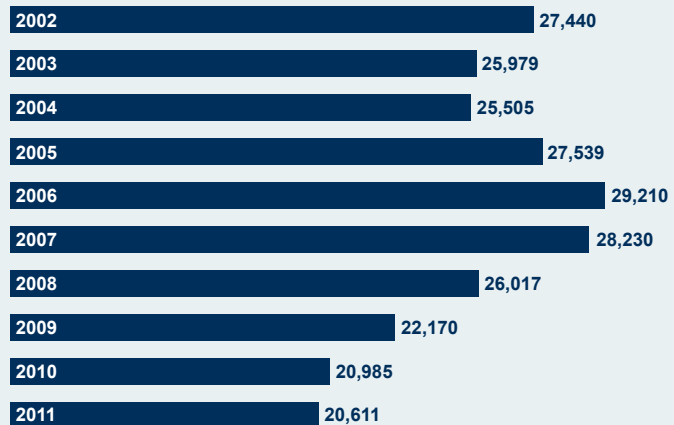
You can filter by state and year in a dropdown tab at the top and then pick the data fields you want. It very nicely outputs to a CSV file that opens into a Microsoft Excel spreadsheet – and it's clean! I personally found the most useful categories to be DepScheduled and DepPerformed (to show how many flights actually go out), Seats and Passengers (to show percentage of seats filled), Origin and Dest (very important for filtering so you can tell which airport goes with the data) and UniqueCarrier (great for seeing flights and airlines that have left if you pull multiple years).

Once I had the data, I processed all of it and looked for trends and stories. Because the data was pretty easy to use, I mostly used Excel and created simple pivot tables. I ended up posting some of those tables as PDF files directly on my web version of my story (bit.ly/Y9ewFF).

I also used Microsoft Access database manager, which I learned at an IRE and NICAR boot camp in New York, to look a bit at some overall trends and passengers versus seats available. For example, here is the SQL for a query that I ran:

```
SELECT origin, year, sum(passengers), sum(seats)
FROM [Copy Of 2002-2012 Idaho Airports RAW]
WHERE origin="BOI"
GROUP BY origin, year
ORDER BY sum(passengers) DESC;
```

BOI passenger flight arrivals



Source: Boise Airport, KTVB

After I summarized my data with some key points about passenger and available seat numbers declining, I went to the stakeholders. I interviewed airport managers and reviewed my numbers with them, a local CEO who frequently uses the airport, the Boise Metro Chamber of Commerce and an organization within the chamber that claims the situation of declining options at the airport is so critical it is looking at subsidizing flights in our city.

In addition to posting some of my raw data online, one of our production staffers, Troy Shreve, made a graphic with passenger counts during the last 10 years that quickly showed viewers how flight numbers had dropped.

This data was very useful for this story and is often updated, so I plan to keep gathering it for other stories and possibly even for little factoids in breaking news situations. It's been pretty easy to just keep a folder on the desktop and insert new data as it becomes available.

Jamie Grey is the investigative reporter at KTVB-TV, a Belo Corp. NBC affiliate in Boise, Idaho. Her email address is jgrey@ktvb.com.



More than 90 dogs, including this Corgi, were seized from a puppy mill in Marshall County, Miss. in 2010.

Photo by MICHAEL BIZELLI
bizelliphotography.com

INVESTIGATING ANIMAL WELFARE

Redefining our responsibility to afflict the comfortable and comfort the afflicted

BY DEBORAH NELSON • University of Maryland

In three decades of reporting, I'd investigated a wide range of societal ills: political corruption, scientific misconduct, environmental destruction, government malfeasance, corporate crime, war crimes and all manner of injustice. ■ Not on my bucket list: Animal cruelty. ■ There was too much human suffering to address. Besides, animal rights seemed the purview of vegan extremists, elderly cat ladies and news directors during ratings week. I had no interest in going down that rabbit hole. So how did I wind up spending a year on an investigation into the sorry lives of circus elephants? ■ I'm still not entirely sure.

The investigation began with an overheard conversation that led me to an irresistible mother lode of internal corporate and government files concerning Ringling Brothers and Barnum & Bailey's famed troupe of performing elephants.

The documents were detritus from a decade of litigation by animal rights groups against Feld Entertainment, the circus's owner, on a range

of allegations – from violating the Endangered Species Act to spying on anti-circus activists. The lawsuits failed, but not before damning evidence surfaced in discovery.

When laid end to end, the records revealed a pattern of injury, illness and fatal accidents – and the repeated failure of federal regulators to intervene, even when their own investigators urged action.

Feld Entertainment publicly portrayed its elephants as “pampered performers” trained with “positive reinforcement.” Yet the company's own records and testimony showed the opposite. These four-ton, highly intelligent creatures spent much of their lives locked in chains, confined in trains and under constant fear of the bullhook. They were poked, hit, whipped and electrically shocked.

USDA records revealed that agency officials had opened and closed a dozen investigations in as many years. They declined to take action even as complaints about mistreatment mounted, four young elephants succumbed to accidents or illness, and a deadly strain of tuberculosis spread.

“If I were an elephant, I wouldn’t want to be with Feld Entertainment,” a recently retired USDA lawyer conceded during an interview in his home. “It’s a tough life.”

“The Cruellest Show on Earth” appeared in Mother Jones in October 2011 (see the story at bit.ly/OlysAv). A month later, the USDA announced the largest penalty in the history of the Animal Welfare Act against Ringling.

But I’m not sure that significantly improved the lot of the elephants, and I confess I’m sad about that. I’d come to admire them.

EXAMPLES OF RECENT INVESTIGATIONS

This project stretched my understanding of our responsibility to afflict the comfortable and comfort the afflicted.

It also acquainted me with the wealth of really fine investigative reporting on animal cruelty that my colleagues have been doing.

To highlight some recent examples:

“Breakdown: Death and disarray at America’s racetracks” by Walt Bogdanich, Joe Drape and Griff Palmer, *The New York Times*, on the high fatality rate of race horses and the inability of regulators to address it. (See page 21.)

“Glamour beasts: The dark side of elephant captivity,” by Michael J. Berens, *The Seattle Times*, on the high infant mortality rate and poor living conditions of elephants in zoos. (See page 23.)

“Mass breeders ship thousands of puppies to Palm Beach County, Treasure Coast,” by Pat Beall and Jennifer Sorentrue, *The Palm Beach Post* (Fla.), on out-of-state puppy mills that poured thousands of sick young dogs into Palm Beach. (See page 18.)

“Blood Ivory” by Bryan Christy, *National Geographic*, on illegal trafficking in ivory for religious objects. (See bit.ly/NMV6Ur).

“The killing agency: Wildlife Services’ brutal methods leave a trail of animal death,” by Tom Knudson, *The Sacramento Bee* (Calif.), on inhumane, indiscriminate and sometimes illegal killing of animals by the USDA Wildlife Services. (See bit.ly/lzF1vv).

“Chimps, Life in the Lab,” by Chris Adams, McClatchy, on the use of chimpanzees in medical research. (See bit.ly/h5F13y).

EXAMPLES AT IRE RESOURCE CENTER

IRE’s archive contains more than 100 projects on animal welfare. The organization was

The earliest animal welfare story in the IRE archive dates back to 1977: an exposé by the Federal Times on poor animal care at the National Zoo in Washington, D.C.

founded in 1975, just a few years after Congress enacted the Endangered Species Act and expanded the Animal Welfare Act to require humane treatment of warm-blooded animals by researchers, breeders and exhibitors, including zoos and circuses.

The earliest animal welfare story in the IRE archive dates back to 1977: an exposé by the Federal Times on poor animal care at the National Zoo in Washington, D.C.

Dayton Daily News (Ohio) followed in 1979 with an exposé on the illegal animal-fighting industry. The Spokesman-Review in Spokane, Wash., documented radiation-linked health problems in children and farm animals near the Hanford Nuclear Reservation. WJLA-Washington, D.C., found animal thieves and pounds in the supply chain for research labs. The Anchorage Daily News (Alaska) caught law enforcement officials moonlighting as hunting guides involved in the illegal slaughter of big game animals. Parade Magazine did an early exposé on cruelty and filth at puppy mills, and KOA radio in Denver documented deaths, injuries and loss of pets by major airlines entrusted with their care.

In the 1990s, *The New York Times* documented a \$10 billion black market in exotic and endangered species in the U.S. that supplied hunters, pet lovers and traditional medicines. CBS “60 Minutes” dug into the exotic trade industry and discovered zoos were supplying private hunting ranches with animals.

Twenty-six years after the Federal Times exposé on the National Zoo, *The Washington Post* returned to find mistakes and misdiagnoses in the deaths of 23 animals at the zoo.

LAWS AND GOVERNMENT AGENCIES

The IRE archive is a great place to start for ideas and instruction. If you’re inspired to venture into the animal world, here is where to go for the basics on federal laws, regulations and enforcement:

GUIDES TO THE LAWS:

Animal Welfare Act

The law requires the USDA to set minimum standards for care and treatment of animals that are used in research, bred for commercial sale, transported commercially or exhibited to the public. These include zoos, circuses, puppy mills and research labs but not animals raised

for food. The standards cover “housing, handling, sanitation, nutrition, water, veterinary care and protection from extreme weather and temperatures,” according to the USDA.

Horse Protection Act

The law bars the sale, exhibition or auction of sore horses. Soring is a practice that uses abusive methods to give horses a high gait.

State farm animal welfare laws

The AWA doesn’t cover farm animals raised for “food or fiber.” But the USDA provides information on state farm animal welfare laws. (1.usa.gov/xfwn8u) Be aware that several states have laws restricting undercover video of farm animals. Five states had adopted “ag-gag” laws as of May, according to the Reporters Committee for Freedom of the Press. (bit.ly/NQDVTVK)

Endangered Species Act

The law requires the U.S. Fish and Wildlife Service to identify and protect threatened and endangered species. The law makes it illegal “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect” endangered animals.

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

FEDERAL AGENCIES:

USDA Animal and Plant Health Inspection Service

The agency enforces the AWA and HPA. Records available online include inspection reports (exportable into a spreadsheet), regulatory histories, announcements, statutes, regulations and contact information.

U.S. Fish and Wildlife Service Endangered Species Program

The agency enforces the ESA and issues permits that allow “incidental” harm to endangered species and activity “intended to foster recovery” – such as scientific research and breeding. The agency also enforces international treaties governing import and export of fish and wildlife.

Deborah Nelson is a Pulitzer Prize-winning journalist on the Philip Merrill College of Journalism faculty at University of Maryland. She previously worked at the Los Angeles Times, Washington Post, Seattle Times and Chicago Sun-Times. Contact her at @Newshawks.



BRUTAL BEGINNINGS

Data reporting digs up true histories of Palm Beach puppies

BY JENNIFER SORENTRUEN AND PAT BEALL • The Palm Beach Post (Fla.)

In 2009, what started out as a daily story – local animal rights activists protesting outside a puppy boutique in downtown West Palm Beach – turned into an investigation into how puppy mill animals were landing in some of the ritziest pet stores in Palm Beach County, and with equally ritzy price tags: \$2,000 or more.

Digging through handwritten records relegated to a state agency's basement, The Palm Beach Post eventually found 2,500 puppies had entered Palm Beach, Martin and St. Lucie counties from out of state over an 11-month period. Of those, just under half – 1,100 of the dogs – were born in Missouri, the state most associated with troubled large-scale puppy breeding businesses. And one in three puppies being sold locally came from a breeding operation that had failed inspections conducted by the U.S. Department of Agriculture.

The investigation got off the ground after we learned of an obscure state law requiring all animals being brought into Florida, even puppies, to pass a health inspection by a veterinarian. That meant forms had to be filled out. Filed with the Florida Department of Agriculture and Consumer

Services in the state capitol, the forms detailed the origin, destination, breed and age of each animal. They also showed proof of vaccination.

And they were all on paper. And nobody at the state ever examined them or used them – for anything. Instead, the paper health certificates were tossed into boxes every day until the boxes filled up. Then the boxes were stored in the Agriculture Department's basement.

SCOURING PAPER RECORDS

Jennifer Sorentruen spent three days in the frigid basement combing through thousands of records. Because they were in no particular order, each record had to be examined. She scanned a copy of any certificate that showed an animal shipped to Palm Beach County or two other counties in The Post's readership area, Martin and St. Lucie.

One of the challenges was that information on the forms was not uniform. The forms are provided by vets in the states that export the animals, and every state has its own version of the inspection form, which made it difficult to quickly sort through the records.

After three days, Jennifer had scanned more than 2,500 health certificates.

Over the next several weeks, five reporters and interns painstakingly copied the information into a database. They also printed the scanned certificates. As they entered the certificates into a database, each one was assigned a unique identification number.

The first survey of our data showed that 2,718 dogs were brought to our three-county region. We removed adult dogs from the analysis, as we were interested only in potential puppy mill animals. We also removed greyhounds, as Palm Beach County has a large dog track, and greyhounds are routinely brought here to race.

FROM BREEDER TO BROKER TO STORE

After the database was complete, reporter Pat Beall cross-checked the breeder information listed on the health certificates with about 100 USDA inspection reports.

Those reports identified which breeders had been cited for problems, as well as which breeders had been cited repeatedly. Citations varied, but some were surprisingly consistent: too-small cages, rusting cages and cages with exposed nails and broken wire, which can cause serious eye injuries and blindness, were common. Others were more serious and included such things as cages caked with feces and infested with rodents, puppies and breeding animals forced to sleep in freezing cold, and malnourished animals. USDA inspectors had found animals in need of veterinary care – two had to be euthanized – at an operation that delivered 82 puppies to area pet stores.

We then connected the breeders to the specific store they were supplying.

Some pet sellers we contacted emphasized that their puppies come from USDA-certified breeding operations. And some pet stores, such as Petland, use middlemen with few USDA violations.

We found these middleman brokers, though, were sometimes buying from breeders with documented problems. For instance, one sick puppy named Molly came from a broker with no major USDA citations. However, the broker got the puppy from a Missouri breeder. Within weeks of Molly's birth, a USDA report on that breeder's operation found crowded cages that did not have enough room for dogs to "sit, stand, and lie in a normal manner and to turn about freely." Molly became the series' lede: "What Susan Marik wanted was a healthy, teacup-sized pug puppy with a good

Newspaper page from The Palm Beach Post, December 12, 2010. Headlines include 'MADOFF'S SON KILLS HIMSELF', 'MASS BREEDERS FEED PUPPY PIPELINE', and '3rd child would be too charming'.

Newspaper page from The Palm Beach Post, December 12, 2010. Headlines include 'ECONOMY'S PICKUP LIFTS TRUCK SALES', 'Tax bill's enemies begin to back off', and 'At-home dealers ship in pups by the dozen'.

We found that two of the area's largest puppy importers were Palm Beach County residents who were accepting dogs from out of state but telling buyers they were locally bred.

pedigree – and no puppy mill in its history. What she got from a Boca Raton puppy boutique was 4-pound, 11-week-old Molly, loaded with germs, in need of oxygen treatments and born in Missouri, the puppy mill capital of the nation."

We also found even clean USDA bills of health may not mean much. Revoking a license is rare, sometimes taking years to complete, while a breeder may continue to do business. The USDA employed just 99 inspectors in 2008 to examine 5,720 licensed breeders and brokers across the nation. Further, some sellers in The Post's review of sales records were not listed as licensed by the USDA, avoiding

any inspection. And sellers who deal directly with buyers over the Internet are not federally regulated.

We also requested copies of complaints filed with Florida's Department of Agriculture and Consumer Services, which handles consumer complaints in Palm Beach County by people who unknowingly purchased sick dogs from local pet stores. We reviewed their vet bills to confirm charges and looked for health problems commonly linked to poorly run mass breeding operations, such as kennel cough, lungworm and congenital defects. We also reviewed documents the buyers were given by the store at the time they purchased the puppies. Using our database, we determined whether the store had a history of importing puppies from problem breeders.

We visited pet stores to get a general sense of how the animals were kept and whether there was information available on the source of the puppies. We then contacted owners, initially by phone. If we got no response to phone calls – and we almost never did – we followed up with a certified letter. We also called and mailed breeders. While most of those calls went unanswered, we did contact two breeders who were willing to talk to us, including one who had been convicted of animal cruelty.

RIGHT: Pam Pearn checks in a carrier of dogs brought in to the Central Missouri Humane Society by the Animal Health Division of the Missouri Department of Agriculture in 2010. The animals were rescued from a dog hoarder, a pet lover who got out of hand, from north of Columbia, Mo.

FINDINGS

Most of the dogs went to pet stores. However, we found that two of the area's largest puppy importers were Palm Beach County residents who were accepting dogs from out of state but telling buyers they were locally bred.

Our investigation found that one local seller had imported dozens of dogs from out of state. Records showed that the local seller received 50 of her puppies from a breeder in Seneca, Mo. The breeder's USDA inspection reports showed multiple violations, including sharp wires in metal cages and some stacked cages that had feces leaking down from top to bottom. But buyers had little recourse. Many had signed forms waiving their rights to return puppies for congenital and hereditary disorders.

Florida's puppy lemon law allows stores to ask buyers to sign the waivers. If a waiver is signed, the buyer has 48 business hours to have a veterinarian examine the puppy. If a vet finds the dog unfit, the buyer has the right to return it for a full refund or to exchange it for a pet of equal value. However, many owners were unwilling to part with their sick pets.

After our stories ran, the Palm Beach County Commission went forward with a pending series of reforms, including a requirement that pet stores post signs on cages specifying where the puppies were born and bred.

Additionally, one of the two local sellers passing off puppies from problem breeders as locally bred was arrested for mistreating a dozen Shih Tzus.

Our stories ran in two parts with sidebars and several boxes in December 2010. The first story focused on the out-of-state pipeline shipping dogs to Palm Beach County. The second-day story looked at homeowners who were passing out-of-state puppies off as locally born and bred. Sidebars included a story on how Missouri came to be the nation's capital of problem puppy breeders and recently proposed laws there curbing abuses; the growing fad of high-priced designer dogs; and a story on a specific puppy purchase gone wrong. We also provided boxes describing which local pet stores bought the most out-of-state puppies and the top five problem breeders importing into Florida.

Jennifer Sorentrou has covered local government for The Palm Beach Post in Palm Beach County, Fla. for more than a decade.

Pat Beall is an award-winning reporter with the Palm Beach Post, where she has been a member of The I-Team since its 2009 inception.



Erin Sutherland | Missourian

HOW TO TRACK PUPPY MILL SELLERS IN YOUR COMMUNITY

Reporters looking to do a similar story should first determine how your state tracks puppies that are imported from other areas and in what format the information is stored – hopefully not in a freezing basement. Florida's broad public records laws made our access to this data easy, but other states may exempt the information from public view.

If the records are not available in a database format, then create one. Attaching a unique ID number to each record helped us compare them against original paper records.

Our records detailed which breeder supplied the imported puppies and where the puppies were delivered. Once you have the breeder's name and other identifying information from the records, you can look up their track record using the USDA's Animal Care Information System (ACIS) search tool at tinyurl.com/bpjlewl.

Be skeptical of USDA reports. The inspectors are understaffed, and the breeding operations may get only a cursory look. Also, it can take years for the USDA to terminate or revoke a breeder's license.

Become familiar with any puppy lemon laws your state may have. We located an attorney who specialized in animal rights laws.

Talk to local and state consumer advocates, who may already know of problem stores or breeders and can give you input on how any puppy lemon laws may be working. National organizations may be familiar with specific large-scale breeders.

Ask local animal control officials for records of complaints about stores or retailers.

Check court records. Although hampered by agreements giving away the right to sue, some owners did file lawsuits.

Photos from Missouri and other states were hard to come by. We looked for some art from third parties, such as TV stations or, when we could confirm its origin, animal rights groups.

BROKEN HORSES

Horse-racing data points to animal deaths and injuries

BY GRIFF PALMER • The New York Times

It's funny how you can get caught up in a task and not take a step back to see if there isn't a more sensible approach.

I had spent two days banging my head against a wall of cookies and "Captchas," trying to harvest the Daily Racing Form's racing results charts from the Equibase website, and wondering how I was going to parse that mess of PDFs into structured data.

Investigative reporter Walt Bogdanich and veteran racing reporter Joe Drape had decided to put the horse-racing industry under their microscope. Anecdotal evidence suggested that race horses were being injured at an alarming rate, and Walt was looking for data to check it out. He had a sense that the Daily Racing Form's race charts, which track every horse in every sanctioned race in the United States, could be valuable in analyzing these injuries.

Walt turned to The Times's CAR team, and the task was handed to me.

The Equibase site was designed to resist retrieval en masse of its charts. If a user at one IP address requested too many charts, the site would begin throwing up Captchas – automated tests that determine whether a computer or a human is accessing a site – before allowing the user to retrieve any more.

Finally, it occurred to me to ask the question: Might there be a database underlying the PDFs?

I mean, think about it: *Equibase*, right? The Equibase Company describes itself as "the sole data collection agency and provider of racing data to the Daily Racing Form."

A little poking around on the Equibase site showed that it offered the data available as comma-delimited text – for \$1,995.95 per year.

That's when my pal Rob Gebeloff (who's been known to step up to a betting window from time to time), suggested seeing whether the Daily Racing Form would sell us a copy of the database. The Daily Racing Form offered the data for less than half what Equibase was asking.

In an ideal world, we would have been able to start with The Jockey Club's Equine Injury Database. Launched in 2008, the database tracks U.S. horse-racing injuries in a standardized format, with the intent of developing valid statistics that will help the industry improve track safety and identify horses at risk of injury.

But in order to secure the participation of as many tracks as possible, The Jockey Club agreed to never release statistics on individual tracks. Moreover, many tracks refused to submit their injury data. Others submitted

data on only some of their injuries.

Finally, we turned to the Daily Racing Form, itself. Aha! The Daily Racing Form offered the data for half what the other companies were asking.

UNDERSTANDING THE LINGO

The primary function of the chart data is to provide statistics of use to handicappers – performance in past races, lineage, date of last start, etc. Buried in this mound of data, though, are three free text fields in which trained "chart callers" make notes on the performance of each and every horse in every race.

Among the callers' observations are notes on obvious or apparent injury to horses. The chart callers used many terms that were suggestive of possible injury, but we decided to focus on those most strongly indicative of injury: broke down, injured, lame, bleeding, euthanized (or "destroyed," as in humanely destroyed), collapsed, and vanned off (removed from the track in a trailer).

Winnowing these terms out of the free text fields was no easy task. By "free text," I do mean free. Chart callers used a variety of creative abbreviations and misspellings – "euphanized" instead of euthanized; "vanned" or "vnnd" instead of vanned. Some callers would write "vanned off." Others would write "van off." Sometimes, they would simply write "vanned."

Sometimes a horse had a "breakdown." Other times it "broke down."

All of our terms of interest were laced among the chart callers' peculiar argot. They might use the term "collapsed" not to refer to a stricken horse but to a horse that fell hopelessly behind the field. They might write that a horse that won spectacularly "destroyed the field."

We had to take care to eliminate such nonvalid references as we tried to develop statistics from the data.

The term "vanned off" was especially problematic. At the end of a race, if a horse's handlers suspect it may be injured, they will ask that the horse be taken to the barn in a trailer, rather than on foot.

A van-off may be prompted by an obvious, catastrophic injury. However, a trainer may call for a van simply because the jockey said the horse took a bad step during the race, or had a worrisome hitch in its stride.

After weeks of effort, we felt that we had isolated our marker terms as thoroughly as possible. Because the data listed every start during the study period, we had a base we could use to calculate a rate of incidence.

SHOWING THE INCIDENCE RATES

Most reporters are strongly inclined to compare and rank: Who is “worse” or “better” than whom? That was certainly the case on this story. After vigorous debate, though, we decided the data simply did not support such comparisons between tracks.

We ranked the tracks by rate in a spreadsheet, and then calculated how many more incidents would be required at each track to cause its rate to exceed that of the next higher ranked track. In more than half of the cases, the addition of a single incident would cause a track’s rate to exceed that of the track ranked immediately above it.

Our comparison of the Daily Racing Form data to other sources did not boost our confidence. The New Mexico Racing Commission maintains its own database of horse injuries and deaths. We compared that list with the Daily Racing Form data and found a few cases in which the racing form data gave no suggestion that the dead horse had suffered any injury.

Ultimately, the graphic that ran with the day-one story showed a three-year incidence rate for each track but did not rank the tracks. Instead, we listed tracks alphabetically by state, with a bar chart indicating each track’s rate, and a line representing the national average rate running through the bar chart.

Because the fact that a horse was vanned off the track was not conclusive evidence of an injury, we wrote that our analysis measured the number of times horses were injured or showed signs of injury. Some industry representatives criticized our inclusion of van-offs. The New York Racing Association pointed out that some vanned-off horses had not suffered significant injury and continued to race. Yet our reporting also showed that trainers continued to race injured horses.

As our project neared publication, the Aqueduct Racetrack in New York experienced a spike in horse injuries and deaths. Shortly after our series ran, Gov. Andrew Cuomo’s office directed the then-New York State Racing and Wagering Board to release a database it had been building of horse injuries and

The series had far-reaching effects. Within days of its publication, The Jockey Club proposed a ban on race-day use of drugs on race horses and a lifetime ban from racing for repeat violators.

deaths. The state had listed 99 of the vanned-off horses as killed, 76 as injured while racing and 32 as having been involved in an incident, on-track accident or a fall. Another 36 were listed as having been placed on the stewards’ and veterinarians’ list.

While the racing form data figured prominently in the stories, it was only one of several data sources. Where possible, we got injury and death reports from state racing authorities. We reviewed aggregate statistical reports generated from the Equine Injury Database. Some individual race tracks, despite the fact that they are not required to do so, publish the statistics they report into the Equine Injury Database. Where those statistics were available, we reviewed them.

NEW RULES AND RESTRICTIONS

One key focus of the series was the use of therapeutic and performance-enhancing drugs and their possible role in horse injuries and deaths. We combed through numerous states’ owner and trainer discipline reports, along with postmortem toxicology reports, to document the use of drugs on horses.

The series had far-reaching effects. Within days of its publication, The Jockey Club proposed a ban on race-day use of drugs on race horses and a lifetime ban from racing for repeat violators.

The following month, the New York racing board ruled that race tracks could not offer purses worth more than twice the as-

signed value of the horses running in the race. (One angle The Times explored in the series was whether purses, which had grown sharply due to casinos’ opening on race-track grounds, were tempting owners to run cheap horses, often with the aid of drugs, in pursuit of the money.)

Three months after the series ran, the New Mexico Racing Commission unanimously approved tighter restrictions on drug use and harsher penalties for those caught using drugs on their horses illegally. The next month, U.S. Sen. Tom Udall, a Democrat of New Mexico, convened a committee hearing at which many industry leaders called for stricter policing of horse doping and harsher penalties for those caught doping horses. Udall continues to push for such legislation.

TIPS FOR REPORTING

A reporter planning to dig into horse racing in his or her own state or region should, of course, mine state regulatory records for all they are worth. Check to see if tracks in your coverage area publish their Equine Injury Database numbers. Assess how effectively your state’s regulatory agency polices the industry.

It may be worth your while to buy the Daily Racing Form data for your subject tracks. Prices for individual tracks are much more modest than for all tracks nationwide. Be warned, though: This dataset is not for the faint of heart. The data structure is complicated and requires either sophisticated data processing software or some pretty decent programming skills to handle.

Journalists outside the U.S. should investigate whether sanctioning bodies in their countries maintain handicapping databases similar to the Equibase data, and whether those datasets, like the U.S. data, might provide anecdotal clues to what is happening to race horses.

Griff Palmer is a reporter in The New York Times’s Computer-Assisted Reporting group. Read the series “Breakdown: Death and disarray at America’s racetracks” at <http://nyti.ms/lgTdxs>.

BIG BUSINESS

Zoos prize baby elephants, but at what cost?

BY MICHAEL J. BERENS • The Seattle Times

Before her first birthday, Chai was ripped away from her mother in Thailand, chained and sedated, and then flown to her new home in Seattle. The tiny elephant was a gift from Thai Airways International in 1980 to celebrate a new route between the continents. Attendance at Seattle's Woodland Park Zoo soared but eventually leveled off. So by age 12, Chai was groomed by zoo officials to have her own baby. Zookeepers began crude, experimental attempts at invasive artificial insemination.

Seattle zoo officials were desperate to make a baby elephant. Yes, newborns boosted gate sales. But the zoo industry was desperate for another reason, as well: elephants inside U.S. zoos are dying out quicker than they are being born.

At this rate, the 288 elephants left inside 78 U.S. zoos could be "demographically extinct" within the next 50 years because there will be too few fertile females left to breed.

The Seattle Times series – "Glamour Beasts: The dark side of elephant captivity" – covers just one facet of the rich tapestry of untold stories that lurk within America's zoos, tracked by a trail of state and federal public records, financial disclosures, audits, emails and internal memos.

Most metropolitan areas have a nearby zoo. Like many good enterprise stories – the kind with local roots and national reach – some of the most compelling tales are found in our own backyards.

THE ZOO BUSINESS

Generally, there are two tiers of zoos – accredited and unaccredited.

Most large zoos are accredited through a governing body called the Association of Zoos & Aquariums (AZA), based in Maryland. The private, nonprofit group dictates standards of care. Accredited zoos are typically funded with tax dollars, subject to public record laws and government oversight.

However, dozens of zoos don't subscribe to AZA standards – or can't meet them. Pay special attention to these places. In April, for instance, a zoo in Mississippi advertised a giraffe for sale at \$60,000 – a practice banned within



Newborn elephant Hansa plays in 2001 with her mother, Chai, at Seattle's Woodland Park Zoo. Hansa died in 2007 from a mysterious herpes virus that has claimed other young captive elephants in zoos nationally.

AZA zoos.

In Washington, an unaccredited zoo showcased "white tigers" with deep blue eyes, a genetic defect that is commercially bred; white tigers don't exist in the wild. Private dealers and breeding farms are scattered across the country, constituting a loosely regulated network of animal profiteers.

Keep in mind that some non-AZA zoos have formed a rival group – the Zoological Association of America, or ZAA, which some critics at accredited zoos charge is a thinly veiled attempt to confuse the public. (ZAA members counter that their organization is an attempt to embrace smaller zoos that may not have the

money or resources to meet AZA standards, many of which they claim are unnecessary or misguided.) There are many stories to be found with the ZAA and its member zoos, encompassing themes that cross into business and politics.

But even accredited zoos have found questionable ways to commercialize endangered species. An Oregon zoo offers elephant car washes for \$20; you can find YouTube videos of families laughing and screaming in their cars. In California, an accredited zoo still offers elephant rides for extra cash, a dangerous practice abandoned most everywhere.

Remember, behind the banners of conservation and preservation, zoos are businesses

Benjamin Benschneider | The Seattle Times

competing for entertainment dollars.

Go to Guidestar and examine public financial filings (Form 990). Many zoos are struggling – dozens operate in the red. That’s why so many have added attractions like big-screen movie theaters, water parks and thrill rides. Some zoos soak patrons with exorbitant ATM fees. Others rake profits through hefty parking fees. Financial records detail dozens of strategies.

As a cost-cutting move, the Woodland Park Zoo shuttered a popular exhibit and carted away more than 60 small animals to other zoos. Officials parlayed the savings into a new gift shop.

ANIMAL CARE

The series’ genesis was nothing more than a desire to do something different. Following a project involving accidental methadone deaths, I had joked with colleagues that I wanted to do stories on fuzzy little animals. But the more I thought about it – about animals – the more I became intrigued. Zoos comprise a big industry that often escapes the investigative spotlight.

After mulling over broad themes with my editors, we decided the most powerful story centered on one of earth’s largest mammals.

There are four key record types involving animal care: daily zookeeper logs and reports, medical-history charts, clinical-pathology records (veterinary reports), and diagnostic-laboratory results. These public records bring to life the details of captivity, revealing when accidents or abuse occurs, while tracking the nature of treatments for injury, disease and behavioral problems.

Don’t ignore breeding contracts. Accredited zoos adhere to a “species survival plan” which dictates when and where animals will be bred and most importantly, how the offspring will be shared.

Also, a rich source of narrative detail is found within internal memos and emails – all public records at most accredited zoos. Sometimes the records provide moments of humor. Following an artificial insemination attempt, a Seattle zookeeper wrote in his log: “Come on sperm!”

These records can also reveal major story threads. For instance, a Seattle zoo memo revealed that a mysterious virus had killed young elephants at zoos across the country, including including a zoo in Missouri. Seattle wanted to breed one of their elephants at the zoo. The memo declared, “It was decided that the plusses (a baby elephant) outweighed the negatives.” A Seattle elephant did get pregnant when coupled with a male at the Missouri zoo. Her calf later died from the virus.

HOW WE PUT THE PACKAGE TOGETHER

Compelling graphics and video are key components of enterprise stories. The secret is to join newsroom forces from day one.

I first wrote a detailed story memo that outlined story themes and visual possibilities. The memo was quickly shared and discussed with all relevant departments – news, photo, video, graphics, and digital and web design. We held a large meeting – the project was still in its infancy – and ideas were batted around. This allowed everyone to feel excited about the story and have a sense of ownership, and served to send the signal that top editors wanted this story.

For the video, we quickly realized that an elephant is an elephant – they all look alike. How do we create story arc, pacing and visual diversity? Multimedia producer Danny Gawlowski masterfully stitched together new video, historical video, animated graphics (which he created), shots of paper records and still photographs. The historical footage, some obtained through a local television partner, was immensely powerful. The slow pans and zooms of key quotes on paper records added an investigative layer.

We used narration to tie everything together. There was very little dialogue – talking heads – on the video. We scripted the video as a chronology, which registered at a hefty 8 minutes and 37 seconds. Yet we set new viewing records for viewer retention; web readers will watch long videos if they are compelling. This video serves as a great example of how to make a documentary-style product with very little new video.

Our signature interactive graphic was designed to show the toll of captivity by examining the family tree of two Seattle elephants – the parents of the first elephant born in North America. We made this decision early, which was good because it took many weeks to accomplish. The effort was spearheaded by Mark Zawilski, a web designer and developer. Overall, 29 elephants appeared in a timed sequence that also highlighted reckless incestuous breeding among fathers and daughters, brothers and sisters. All but six are dead.

The project also has its own home page designed with a compact, reusable template (fits on one screen) adapted from other projects. A key feature is the use of tabs to designate repositories of additional stories. Typically, a picture anchors the home page. Instead, editors opted to embed the video in the top spot. This paid huge dividends in clicks and reader satisfaction.

– Michael J. Berens

People who contributed to The Seattle Times series “Glamour Beasts: The dark side of elephant captivity” include: photographer Steve Ringman; multimedia producer Danny Gawlowski; editor James Neff; desk editor Jerry Holloron; photo editor Fred Nelson; print designer Bob Warcup; graphic artists Mark Nowlin and Justin Mayo; producer Katrina Barlow; web design/development by Mark Zawilski; additional audio production by Peter Neff; researchers Gene Balk, David Turim.

In what remains an ongoing story, researchers are making great strides in better understanding the virus, called the Elephant Endotheliotropic Herpesvirus, which continues to ravage zoos.

BREEDING AND BIRTHS

The zoo industry publishes historical records of Asian and African elephant births and deaths called the studbooks. They’re freely available

on the web as PDF documents. They’re a good starting point but woefully incomplete.

I turned to elephant consultant Dan Koehl, a Swedish zookeeper, who has created a comprehensive database of elephant ownership worldwide, which he has posted on his web site. He graciously allowed me to use his data as a foundation for my own work.

Using these two sources, I created a custom database of every elephant birth and death at a



Steve Ringman | The Seattle Times

PAWS elephant sanctuary co-founder Ed Stewart feeds one of his elephants.

North American zoo, and independently confirmed the zoo industry's records and Koehl's data through the use of public records (many thousands of pages of records from dozens of zoos), interviews with zookeepers and in some cases, newspaper accounts for events dating back to the early 20th century.

For story purposes, I analyzed just the past 50 years beginning in 1962 with the birth of Packy at a Portland zoo – the first elephant born in a zoo in North America.

There are many issues to explore. One of the most contentious involves whether cold-weather zoos with confined spaces should harbor tropical elephants genetically wired to walk miles a day. Two private, nonprofit preserves exist – California and Tennessee – where retired elephants can live out their last days. Since the early 1990s, at least 22 zoos – including Chicago, Detroit, Philadelphia and San Francisco – have closed their elephant exhibits or said they plan to do so.

Don't overlook animal welfare groups, which have vast troves of public records. In particular, the California-based group In Defense of Animals had thousands of pages of valuable and verifiable animal care records. I generally avoided quotes in the story from

diehard animal advocates. That's because I wanted the data and the records to do the talking.

Nonetheless, be prepared for pushback. The zoo industry continues to maintain that "elephants are thriving inside zoos." But based on industry breeding records, it's not true. For every elephant born in a U.S. zoo, on average two others die.

And Seattle zoo officials continue to sidestep how many times they performed artificial insemination procedures on Chai even though their own records, tabulated by The Times as of last year, show 112 unsuccessful attempts.

A telltale chapter in the industry's failure to propagate captive elephants is found in Washington – and dozens of zoos nationally. None of Seattle's three elephants are considered candidates for pregnancy. At a nearby zoo in Tacoma, two more aging and infertile females – ages 49 and 50 – wait for death. For now, there are not enough elephants to replace them.

Michael J. Berens is a Pulitzer Prize-winning investigative reporter for The Seattle Times, where he has worked since 2004. He previously worked on the investigative team at the Chicago Tribune and The Columbus Dispatch.

RESOURCES

Websites cited in the story:

- **The Seattle Times project:** seattletimes.com/elephants/
- **Nonprofit financial records:** guidestar.org
- **North American Asian Elephant Studbook:** elephanttag.org/professional/2010AsianElephantStudbook.pdf
- **North American African Elephant Studbook:** elephanttag.org/professional/2011_african_elephant_studbook_webversion.pdf
- **Accredited zoos with the Association of Zoos & Aquariums (AZA):** aza.org/accreditation/detail.aspx?id=147
- **Non-AZA facilities:** zoology.msu.edu/uploads/documents/nonAZAaccredited2012.pdf
- **In Defense of Animals:** idausa.org
- **Example of a breeding contract:** documentcloud.org/documents/527670-oregon-zoo-elephant-contract.html
- **Dan Koehl's Elephant Database:** elephant.se

BIG GAME

A saga of greed, politics and the death of a wild jaguar

BY DENNIS WAGNER • The Arizona Republic

More than two years ago, a southern Arizona author sent me an email suggesting a story about the 2009 fatal capture of a cat known as Macho B. He said the biologist convicted of capturing America's only wild jaguar had never been interviewed and might just be willing to tell the whole story. He also gave me contact information of an intermediary.

The story idea seemed iffy at first. National media had swarmed like buzzards over the slaying of an endangered feline by Arizona Game and Fish Department employees. I figured other journalists had covered every angle and I would be coming in blind, having never written a word about the controversy.

Still, looking through clips from my own newspaper and numerous other publications, I found gaping holes. The big-cat expert who set and baited the trap, Emil McCain, had been working under a state contract. He was on vacation in Europe when Macho B died. Yet he was the only person convicted? It made no sense. Who authorized McCain to capture the jaguar, and why? Who else knew? How did other participants escape prosecution?

I sent a note to the go-between and spoke with him on the phone, explaining my interest. Several days later an email arrived from McCain. Under terms of his probation, he was banned from doing wildlife research in the United States. So, he wrote to me from Spain, where he was studying wild felines.

McCain said he wanted to talk, but was reticent. He asked to see some of my previous investigative stories. He needed to check with his attorney. He was busy in the field.

I sent him copies of my work and then began churning out state and federal public-records requests while I waited. Occasionally, I sent a note to McCain, asking if he was ready. For 18 months, he politely put me off.

I used the time to immerse myself in Macho B's story, making it a side job during snippets of free time from other stories and projects. Game and Fish officials were surprisingly cooperative. More than 10,000 pages were at my disposal, some already posted online and the rest in a box-filled room at head-



Arizona Game and Fish Department

Wild jaguar Macho B was captured in photos by Arizona Game and Fish Department above and on opposite page.

quarters. The U.S. Fish and Wildlife Service stonewalled for months, but finally released a heavily redacted crime report of 4,300 pages.

My editor, Kristen DelGuzzi, understood the value of patience, offering encouragement without pressure. Finally, in March 2012, McCain agreed to an interview via email. I sent the first installment of what would become scores of questions. Within days, he began churning out responses that eventually filled more than 50 pages.

CLUES TO A COVER-UP

McCain's version of events was incredible: Not only had Game and Fish employees encouraged him to capture Macho B and joined in a cover-up, he claimed, but federal wildlife authorities also knew about the jaguar trap.

There was just one problem: Emil McCain lacked credibility. He had lied about the capture of Macho B, claiming it was unintentional even though he baited the snare with female jaguar scat. He had removed evidence afterward. He did not initially tell the truth to

federal agents when they interrogated him. In correspondence with me, he even said his sworn plea statement contained false information. Given that background, I could not write a story about McCain's assertions unless they were verified by other evidence.

As it turned out, public records filled that need. I dug up emails from Game and Fish officials who were planning to collar the jaguar, urging McCain to set the trap and congratulating him on the capture. I also uncovered a previously undisclosed memo discussing capture plans that Game and Fish administrators had insisted did not exist.

Finally, Fish and Wildlife crime reports disclosed that the federal agency's jaguar lead had deleted damaging emails from her computer during the investigation, which prompted agents to seek her criminal prosecution for obstruction of justice and false statements.

I began drafting the story, but a critical question remained unanswered: Why did state and federal wildlife authorities want to catch Macho B?

FINDING ANSWERS

I continued diving through records and discovered a pair of motives that the media had not exposed: 1) Officials were eager to collar and track a jaguar because it would likely put them first in line for a lucrative federal research project. 2) That research involved the U.S. Border Patrol's new security fence, its impact on wildlife migrations, and a fierce debate over whether jaguar habitat should be protected in the United States.

Flushing out those themes required more interviews, more days of scouring federal crime reports that had all names and important information blacked out. (To identify witnesses, in some cases I had confidential sources provide uncensored copies. In other instances, I matched redacted federal interviews with statements made by witnesses identified by name in state records.)

Amid the research, I made another stunning discovery: Department of Homeland Security funds that had allegedly prompted Macho B's capture were eventually granted to a research team at the University of Arizona. Two members of that team had played key roles in the demise of Macho B. And the Fish and Wildlife biologist overseeing their project is the same woman who allegedly obstructed justice during the criminal investigation.

I filed more public records requests, conducted more interviews. The Fish and Wildlife Service declined interview requests and provided documents that were redacted in violation of the Freedom of Information Act. The University of Arizona, after months of stalling, withheld key reports and blacked out information in defiance of state law. University researchers refused to discuss their \$771,000 jaguar project, which is still underway.

There were no unique tricks to the newsgathering. Public-record quests require patient determination in dealing with government and the development of trust with confidential sources who provide materials backdoor. From there, it's a matter of laborious reading.

The creation of a detailed timeline was critical, as were dozens of interviews.

TELLING THE STORY

By autumn of 2012, my file on Macho B was bloated with excess information, characters, historical context and political nuance. It was time to write. I had begun working under another veteran editor, Pat Flannery, who helped develop an outline and trim the fat. We agreed to a three-part series beginning with the jaguar's anguishing capture. From there, we decided to tell how Macho B died as a who-dunnit narrative as well as an investigative news report.



Arizona Game and Fish Department

There were no unique tricks to the newsgathering. Public-record quests require patient determination in dealing with government and the development of trust with confidential sources who provide materials backdoor.

Production of the overall package (bit.ly/SXghS1) became a team event shepherded by Cherrill Crosby, senior director of the Republic's Watchdog News Center. Staffer Rob O'Dell created interactive maps showing jaguar sighting locations and the proposed habitat. I did a video interview with the carnivore manager at the Phoenix Zoo and wrote an FAQ on jaguars. Our photo staff developed an online slide show using Game and Fish Department pictures from Macho B's capture. Other videos described how the story was done and lessons that might be learned. The Republic also launched a new tablet publication – an online news magazine dubbed "AZ" – with the Macho B story.

The net result portrayed more than the anatomy of an exotic cat's death. It was a saga of government negligence, official misconduct,

greed, scientific jealousy, environmental politics, border conflicts and cover-up. The overwhelming public reaction was outrage.

At this point, I'm supposed to tell how heads rolled, new laws were passed and people went to prison. But there was no such impact. Nothing happened.

Before the series appeared, some state employees got disciplined and some policies changed. But Game and Fish administrators displayed little interest in further action. The U.S. Fish and Wildlife Service, which did not discipline its jaguar lead, removed her name and title from nearly all investigative records and would not discuss her role. The U.S. Attorney's Office turned down prosecution of the jaguar lead and two others. The case is entangled with border security and environmental politics -- both hot-button issues in Arizona -- so no lawmakers called for hearings.

Emil McCain, a nongovernment biologist working under a state contract and direction, was the only person held criminally accountable. He admits lying about it, but still claims to be a scapegoat who wasn't even in the United States when Macho B got captured and killed.

Dennis Wagner, a reporter at The Arizona Republic and USA Today's correspondent in the state, has been in the news business 36 years as a beat reporter, news columnist and investigative journalist. He has received awards from Best of the West, the Arizona Press Club, Sigma Delta Chi, The Associated Press and other journalism organizations. Wagner's career began at the Baja Times, a bilingual newspaper he helped found in northern Mexico.

IRE RESOURCES

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 or by contacting the Resource Center directly, 573-882-3364 or rescntr@ire.org.

STORIES

No. 25642: KCRA-TV (Sacramento, Calif.). “Off Track: Clandestine Racing in California” delved into a world of illegal, clandestine horse racing on private tracks throughout California, where drug deals, prostitution, illegal gambling and animal cruelty were the norm. KCRA obtained the point of view of investigators and a veterinary scientist who found that horses were being dosed with mixtures of cocaine and methamphetamine. Added to this, few local law enforcement knew the racing was happening and state investigators lacked resources to stop it. (2012)

No. 25524: McClatchy Newspapers. The series “Chimps: Life in the Lab” examined in detail the ethics and scientific necessity of medical research using chimpanzees. Focusing on a group of about 200 chimps in a federal facility in New Mexico, the stories showed the long-term mental and physical impact of constant medical experimentation of the chimpanzees, and it was revealed how scientists were moving toward a consensus that chimp experimentation was not scientifically necessary. (2011)

No. 25512: Mother Jones. “The Cruellest Show on Earth” documented a decade-long history of injury, illness and fatal accidents in Ringling’s famed herd of performing elephants – and the repeated failure of federal regulators to intervene. (2011)

No. 25097: Wiley Publishing. The book “Saving Grace: How One Dog Escaped the Shadowy World of American Puppy Mills” exposed the epidemic of puppy mills in the U.S. It documented large-volume commercial kennels where ill and often injured dogs are caged in squalor and forced to bear puppies until they are worn out. (2010)

EXTRA! EXTRA!

“Airline Animal Deaths Raise Concern,” NBC Bay Area Investigative Unit. After a five-month analysis of government documents, the NBC Bay Area Investigate Unit uncovered that in a six-year span, 302 animals had died, had been injured, or had disappeared in the care of commercial airlines. (2013)

“Coveting Horns, Ruthless Smugglers’ Rings Put Rhinos in the Cross Hairs,” The New York Times. Driven by a common belief in Asia that ground-up rhino horns can cure cancer and other ills, the trade has also been embraced by criminal syndicates that normally traffic drugs and guns but have branched into the underground animal parts business because it is seen as “low risk, high profit,” American officials say. (2012)

“Investigation finds animal corpses in Colorado Humane Society trash,” KMGH-Denver. Over six weeks, journalists discovered more than a dozen dead animals in a dumpster outside the Colorado Humane Society. Such disposal saved the Colorado Humane Society – a private organization not affiliated with the National Humane Society or any other animal shelter – about \$12 per animal. The reporting also raised questions of financial mismanagement and the society’s drive to solicit donations despite a suspended license. (2007)

THE IRE JOURNAL

“In the doghouse: Flawed state system lets 9 out of 10 kennels pass inspection.” The Morning Call (Allentown, Pa.). Tim Darragh, suspecting that Pennsylvania’s 55 dog wardens probably could not do an adequate job inspecting more than 2,700 licensed kennels, used data from the Department of Agriculture to analyze the inspection records. He found that kennels often received a satisfactory grade, even when wardens had made notes about unsatisfactory conditions. (November/December 2007)

“Puppy Heartbreak: Hidden cameras show true plight of dogs sold by ‘celebrity kennel.’” WTVJ-Miami. Scott Zamost and Jeff Burnside explain how they approached a standard puppy mill investigation and managed to unearth enough unique facts (and disturbing video) to make the story newly compelling. The authors discuss how they travelled to the Midwest to find breeders who mistreated their dogs. Hidden cameras played a crucial part in this investigation. (November/December 2007)

“Marine Deaths: Ugly side of captive-animal facilities surfaces, showing neglect, lack of marine park oversight.” Sun-Sentinel. Through computer analysis, Sally Kestin shows how a quarter of the marine mammals that died in captivity in Florida marine parks never reached age 1, “and half were dead by 7 years old. One in five died of seemingly avoidable or preventable causes.” (November/December 2004)

A documents state of mind

Nick Keish



BY JAMES B. STEELE

The first rule I was taught as a young reporter at The Kansas City Times years ago was to “never assume.” You were told to never assume how someone spelled their name. Never assume that a previous news story was accurate. Never assume you knew the nature of a company’s business even though its name might appear to make the answer self-evident.

It was a simple rule that has stayed with me to this day, not only for such elementary matters as the spelling of a person’s name, but for the larger challenges we face as reporters. So now I never assume where I’ll find information. Or who will talk to me. Or how someone will answer a question to which I already know the answer.

For a story on an international oil shortage that Don Barlett and I wrote in the 70s, we were told that the Italians were light years behind the U.S. in keeping oil statistics. But there in the basement of the Genoa Port Authority one day we found a mother lode of up-to-date data that showed the alleged cutback in production was mostly a farce. Similarly, in a rural Illinois county, we came upon a 20-year-old transcript of a zoning hearing that revealed how a slick operator had fooled a little town to get a permit to bury highly toxic waste in its backyard. Who would have thought the Internet would have coughed up information that showed that the mail drop used by a Pentagon contractor in the Bahamas was also the center of a multimillion-dollar offshore tax scam?

Another lesson, of equal importance, I learned more slowly. When I broke into reporting and was assigned a story, my first instinct was to reach for the phone and call someone who might know something about the subject I had to write about.

It didn’t even cross my mind that there might be another way to obtain that information. But as so many of us now know there was and is another way to get information, and it is central to the way almost all of us do our work today – the use of public records. They give us color, accuracy, facts we cannot otherwise obtain, and they deepen our understanding of a subject in ways I couldn’t have imagined as a young reporter. They don’t take the place of interviews; they supplement them and lead us to new sources and questions we might not have thought to ask.

The greatest revolution in reporting in my time has been the growing use of documents. Almost everyone entering the field has a general knowledge of documents and how to use them. Seminars are given routinely by IRE, other professional organizations and j-schools on how to do document reporting.

Even so, there is still a lot of mythology about documents.

Because Don Barlett and I have made widespread use of them over the years, people assume that we have an encyclopedic knowledge of all the great sources. Not true. Our work with records has taught us only how limitless this field is.

The most useful documents are usually ones we use only once and did not even know existed when we began reporting a story. Thus the challenge isn’t to try to memorize what is out there; the challenge is to find what’s needed for a specific story. To do that we adopted what we call a documents state of mind. We assume the document exists somewhere. We just have to locate it.

When we do find that document, it’s rarely a blockbuster. The process is more subtle. Piecing together a story with documents is a little like working a jigsaw puzzle; no one piece tells the full story, but each piece is crucial in assembling the full picture of the story you are trying to tell.

In addition, documents provide two more crucial things: independence from our sources and perspective on a topic.

We always read extensively before we interview. This gives us an idea of whether the persons we are interviewing know what they are talking about and whether they are telling the truth. I’ve heard reporters say they know when they can trust a source, but remember: The greatest hustlers are first-class liars.

Lastly, documents can give perspective to a story. During our reporting on the global oil crisis in the 70s, some members of the media claimed the world had only about 10 years of oil reserves left. Through documents going back half a century, we showed that the claim was false and that this bogus contention arose every time there was a major oil crisis. In our current book, “The Betrayal of the American Dream,” we bring perspective to the story of the nation’s trade policies by showing how Congress has for decades enacted supposedly tough trade laws to curb our trade deficit – all the while allowing the deficit to soar ever higher.

Bringing perspective is vital to give context to the events of our time. And in many ways it’s easier than ever to do. The Internet has ushered in the golden age of document reporting. Our old adage of a documents state of mind has morphed into a web state of mind. We assume that most of what we need in the way of documents from court records to archival material can be found on the web. And usually it can. The challenge, as always, is to find it.

James B. Steele is a contributing editor for Vanity Fair and one half of the Barlett and Steele investigative reporting team. Winners of virtually every major national award including two Pulitzer Prizes and two National Magazine Awards, Barlett and Steele have received five IRE Awards.

Sveriges TV turns to crowdsourcing for tough-to-gather data



Rikard Westman | elvisphoto.com

BY HELENA BENGTSSON
SVERIGES TELEVISION

It's all The Guardian's fault. The British paper first did a crowdsourcing project in 2008 asking its readers to help categorize expenses for members of Parliament. Soon, every editor in Sweden wanted to do the same thing.

The problem is that we are not British. We did not have half a million PDF records to draw from. Most of our many millions of public records are still on actual paper.

Still, asking the general public for help works really well in Sweden, simply because we are also a much smaller country. A national newspaper or broadcaster will also reach a majority of the people living here. By using crowdsourcing correctly you can accomplish two things: You get insight into something that would be hard to cover by

means of traditional journalism, and you gather good cases for use in stories.

One of the most successful projects we've seen in Sweden is "The Mortgage Map," a project by Swedish national daily Svenska Dag-

bladet (see the map at bit.ly/HbCZ4X).

The paper created an online form asking readers to fill in the mortgage rate they had been offered when seeking to buy a house or an apartment. There were also fields for the name of the bank, date of offer and zip code. By collecting thousands of mortgage rates from all around Sweden, the paper's journalists created a powerful tool which could both compare and follow the mortgage rates. As a public service bonus, the mortgage rates could be used in negotiations with brokers. The project was awarded Sweden's Stora Journalistpriset, the highest journalism award in the country.

One other example is the FAS3 project made by the national broadcaster in Sweden, Sveriges Television. FAS3 ("Phase 3") is an employment program from the national government agency for employment. It is supposed to help people who have been out of work for several years. This is done by assigning them a work place where they have to stay for eight hours a day. The company or organiza-

tion that accepts the person gets 5000 SEK (about \$750) a month. The person gets a small salary from the employment agency. The idea is to break the habit of people who have been unemployed and therefore not used to routine and fixed hours for many years.

This became an excellent opportunity for employers to game the system. Anyone could stuff a room full of people, call themselves an employer and collect the \$750 per person per month from the government.

At Sveriges Television, we wanted to check this out – but when we asked the employment agency for a list of all the public and private companies, the agency refused to give out any information about the private companies. We challenged the decision in court, but lost, even though the private companies received more than \$1.4 million of taxpayer money.

That's when we got the idea to ask the public for help. We built an online form asking for information about each company, how many FAS3 persons there were and what they were asked to do. We also started a blog asking people to give us their story – not just giving us a tip, but telling the whole story. By having these two options we could get clean, easy-to-analyze tips – and heart-wrenching, long stories about people who really were mistreated and made to feel worthless by their employers.

The most important thing the project gave us was lots of knowledge about a system that had been closed for public scrutiny. We got the names of the largest private companies that had accepted persons in the FAS3 program. Besides that, we got a ton of tips and stories that we could use both nationally and locally.

Another Sveriges Television project worked with a weekly program, "Veckans brott," or "The Crime of the Week." It wanted to find out how the police handle reports of everyday crimes, such as car theft, burglary and Internet fraud. In one example, a woman had been the victim of identity theft. She had gathered evidence by herself and presented that to the police, but the police had decided not to investigate and wrote off the case within a week.

It's important that you use this method only when you have no other way.

Also for this project, we created an online form and by the end of the program, the on-air correspondents asked the public to share their stories of how the police had responded when people tried to report an everyday crime. Overnight, we had almost a thousand responses and we could start doing stories the next day at the national news. We also followed up with a bigger story on the weekly show the next week.

An interesting side effect was that we also got tips from police officers, discussing politics within the police force. They were pressured to process cases quickly and of course, the easiest way to process a case is to close the investigation before it has even begun. So we were also able to do stories about police officers' getting shut out and reprimanded for trying too hard to do their job, as their stats were not as good as those who just routinely closed cases.

In all, we got about 3,000 tips about cases, most of which the police had closed immediately – and a promise from the Swedish chief of police to improve their work. The Attorney General also reacted to the story and criticized the Swedish police for how they treated people reporting everyday crimes.

You should beware of the downsides when using crowdsourcing as a journalistic tool. One is the need to check your data – in the case of FAS3 we made phone calls to every company that was mentioned as a FAS3 employer. We

did this to make sure that no one had tried to give us false information. For the crime show, we chose only to report single stories – and before that checked with the person giving the tip and with the police that the information was correct.

I also think that it's important to give something back to the public – to make sure that their efforts are rewarded. In the FAS3 project we made it possible for them to tell their story, and in the mortgage map they got a tool to help them check their own rate, but in some cases we have just collected the tips and not given anything back. For me, it's important that you use this method only when you have no other way – not just as an easy way to get people to use as examples for your story.

A lot is going on in Sweden regarding data journalism right now, and crowdsourcing is just one of many things. There is certainly a huge change in awareness and interest both from the public as well as from editors, compared to a couple of years ago when few people even knew about CAR and data journalism.

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KEEP OUT!

Supreme Court backs state record laws that exclude nonresidents

BY DAVID CULLIER
UNIVERSITY OF ARIZONA

Want a public record in Virginia, Alabama or New Jersey? Unless you already live there, you had better start packing the U-Haul.

In a disappointing unanimous decision April 29, the U.S. Supreme Court ruled that states can ignore public record requests from nonresidents.

This is one of the most FOI-hostile and backward court opinions I've seen in years. It makes the Wall Against Outsiders in my home state of Arizona look progressive. And it's not going to get any better.

Keep out of Virginia

It all started when Mark McBurney of Rhode Island wanted records from Virginia about why the state dragged its heels in getting his ex-wife, a Virginian, to pay him child support. Virginia denied him the records, pointing to a clause in the state

public record law that says only residents have access to Virginia records. A few other states have similar provisions in their laws, including Alabama, Arkansas, Delaware, Georgia, Missouri, New Jersey, New Hampshire and Tennessee.

Another man, Roger Hurlbert of California, joined McBurney in suing Virginia because the Commonwealth denied him access to real estate records he wanted for his commercial information company. The two argued that denying them

access violated the "privileges and immunities" clause in the U.S. Constitution, intended to ensure citizens are treated the same nationwide for privileges that are "fundamental" to being American.

I thought access to government information was a "fundamental" right in the United States – many nations consider access a basic human right. But then, I'm not Samuel Alito or Antonin Scalia.

Access denied

In *McBurney v. Young*, the Supreme Court ruled in favor of the state, saying that access to public records is not a

"fundamental" right. Further, the court said the point of state FOIA is to let Virginia citizens obtain information to hold their officials accountable and that "noncitizens have no comparable need."

To rub it in, Justice Alito stated that "The Court has repeatedly stated that the Constitution does not guarantee the existence of FOIA laws. Moreover, no such right was recognized at common law or in the early Republic. Nor is such a sweeping right 'basic to the maintenance or well-being of the Union.'"

Alito continued to point out that "FOIA laws are of relatively recent vintage," that we were fine without the laws pre-1960s, and that access to records is a luxury.

This isn't a huge surprise, unfortunately.

After all, it was Scalia who wrote as a law professor in 1982 in *Regulation* journal that FOIA was a disaster and a prime example of needless over-regulation. In oral arguments in February, Scalia said that maybe the state "didn't want outlanders mucking around in Virginia government. Why isn't that reasonable?"

Because, Mr. Honorable Scalia, that hides important information needed by all U.S. citizens.

National reporting projects

The Reporters Committee for Freedom of the Press submitted a 76-page amicus brief to the court, signed by 53 news organizations, outlining in extensive detail how national reporting projects, based on state public records, have led to significant change, including:

- The Washington Post in 2010 obtaining records nationwide to show how local law enforcement agencies use battlefield equipment for domestic surveillance.
- USA Today in 2011 detailing incidents of cheating on standardized tests throughout the country.
- ProPublica's Robin Fields in 2010 showing wide disparities nationally in dialysis care.

The Reporters Committee included many, many more examples of award-winning document-based investigative reporting, but the court completely ignored that. Rather, the justices focused on the business aspects of trafficking in public records and ignored the public benefit of people having access to government information, no matter what state you live in.

Until the court views public records as more than a commodity, like lumber or turnips, we will continue to have to push against decisions that ignore the public benefit of government records.

Until the court views public records as more than a commodity, like lumber or turnips, we will continue to have to push against decisions that ignore the public benefit of government records.

Take action!

So what do we do? Wallow in self-pity and complain about government? No! We do that every day.

Instead, we get busy.

1. If your state records law excludes nonresidents, work with your press association to get it changed. Just because the Supreme Court issues a bonehead opinion doesn't mean states have to follow it. Freedom of information is a statutory right, so get the statutes in your state fixed.
2. Help journalists nationwide by serving as a MuckRock state volunteer. Michael Morisy is looking for volunteers in Alabama, Arkansas, Delaware, Georgia, New Hampshire, Tennessee and Virginia to retrieve public records for nonresidents.
3. Write about the records you obtain from other states. Include sidebars to your investigative stories explaining where the records came from, and explain how citizens can access them. This isn't our right – it's everyone's right.

Resources

The Supreme Court ruling:

supremecourt.gov/opinions/12pdf/12-17_d1o2.pdf

MuckRock state volunteer sign-up: bit.ly/Zwa4St

Global Right to Information Rating: rti-rating.org

Reporters Committee Open Government Guide:

rcfp.org/open-government-guide

Ultimately, it takes resolve to push back against this kind of regressive thinking – that the U.S. was fine pre-1960s without FOIA and it's fine without FOIA now. When it comes to the strength of our access laws, we are backsliding as a nation, falling behind Serbia, Liberia and Mexico. The U.S. ranks 40th in the world, and continues to drop.

Don't let us fall behind further. Hold the line!

David Cuillier is director of the University of Arizona School of Journalism and president-elect of the Society of Professional Journalists. He is co-author, with Charles Davis, of "The Art of Access."

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Snapshots from our blogs

Behind the Story: NICAR data leads to OSHA investigation

BY SARAH HARKINS

In October, the National Institute for Computer-Assisted Reporting sent an email over its listserv announcing that updated data were available from the Occupational Safety and Health Administration. Ron Shawgo of The Journal Gazette of Fort Wayne, Ind., realized the paper had never examined OSHA data for Indiana. So he requested the data. Through his analysis, he discovered that Indiana's inspection numbers had been declining, resulting in a backlog of businesses that had never been inspected.

Shawgo began with 21 tables of data for Indiana, dating back to 1972. He linked the tables and ran queries in Microsoft Access. "I started looking at numbers of inspections over the years," he said. The state was completing 5,000 fewer inspections than it had completed 20 years earlier. His article, "IOSHA falling down on job?" was based on this initial query.

Shawgo knew that Indiana, like 26 other states, opted to have a state-run OSHA when the U.S. Department of Labor started the program in the 1970s. The federal OSHA sets guidelines for these state agencies but has little power to enforce them.

He determined how well Indiana was meeting these goals by comparing the datasets provided by NICAR with national datasets available on the U.S. Department of Labor and OSHA's web pages. He also pulled OSHA's Federal Annual Monitoring and Evaluation (FAME) Reports, which provide audits of each state's program.

Shawgo said it took a while for him to massage the data. "As a reporter, you're always concerned you're misrepresenting the numbers," he said. Being able to refer back to the national data gave him a sense of what other states' departments had accomplished. He found that Indiana's rates of fatalities and illnesses/accidents had declined at a pace similar to national rates; however, the inspections numbers led him to question how thoroughly

IOSHA was protecting Indiana's workers.

In a phone conference with three IOSHA officials, Shawgo presented his findings and was able to confirm that inspections had fallen since the 1980s. The agency was "very cooperative," he said.

Representatives at IOSHA told Shawgo a decreasing budget and high turnover were responsible for the lower inspection numbers. The state set a yearly goal of 2,000 inspections, but a former Indiana labor commissioner told Shawgo it would take IOSHA 80 years to inspect all of Indiana's workplaces at current staff levels. "I came away from this realizing they're dealing with the money they have," Shawgo said.

He hoped to continue to use the data from NICAR for future investigations.

Read Ron Shawgo's story at bit.ly/16Atiu8. You may reach him at rshawgo@jg.net.

Behind the Story: Orange County Register reporter stays patient and follows the money trail

BY SARAH HARKINS

Melody Petersen of The Orange County Register has two pieces of advice to offer reporters: stay patient and follow the money trail. Petersen investigated school bonds in Orange County after realizing schools were opting for expensive agreements that would push costs onto taxpayers decades after the initial bond was distributed. She found that school districts were accepting deals that would cost taxpayers more than 10 times the original amount in a special bond known as a capital appreciation bond.

Other reports from The Orange County Register state that the bond deals will cost Orange County districts \$2 billion over the next 40 years.

Petersen started by requesting a list of all capital appreciation bonds issued to schools since 2007 from the California State Treasurer's Office. She ranked the list according to the ratio of total required repayments to principal to determine which bonds would be the most expensive for taxpayers. "George K. Baum & Company, a Midwestern investment bank, showed up repeatedly on the list," she said.

It seemed to Petersen that school boards had hired the bank for its staff of political consultants, "who were skilled in passing bond ballot measures," she said. In California, it's illegal for schools to hire political consultants but many had hired George K. Baum & Co. anyway. "The firm was even pitching these deals to some schools that weren't thinking about constructing new classrooms. The bank offered to help these schools come up with a list of

what to build,” Petersen said.

Petersen sent FOIA requests to schools the bank had worked for to get more documentation on the deals, asking for copies of any correspondence and any documents which showed estimated costs to taxpayers. “I found that school boards were approving the bonds based on documents that had only blanks where the numbers were supposed to be,” she said. “The superintendents had the estimates of bonds’ cost in their offices, but these numbers were not discussed in public meetings.

“I had to make special requests to get the actual numbers,” Petersen said. “Obviously, this doesn’t give you much confidence that school board members knew the real cost of the deals before approving them.”

She also used Electronic Municipal Market Access, or EMMA, a database run by the Municipal Securities Rulemaking Board, which offers free access to information on municipal securities. From the site, she learned that George K. Baum & Co. had been selling schools capital appreciation bonds that would eventually cost taxpayers 10 times the value of the initial bond. “I could see speculators jumping in and quickly snapping up a bond from Baum or another dealer, and then selling it within days or even hours for a quick profit. If Baum had given the school the lowest interest rate the market had to offer, speculators would not have been able to profit like that,” she said. Typical bonds should cost two to three times the initial bond amount.

George K. Baum & Co. responded to The Register in a written statement that the bank had followed “The letter and spirit of the many federal and state laws and regulations that govern our business.”

“As underwriters, we have a clear obligation to deal fairly at all times with issuers and we have a duty to purchase bonds from the issuer at a fair and reasonable price,” the statement said. “In the extremely competitive market of California school finance, underwriters who do not treat their clients fairly and honestly, quickly lose clients.”

The California state treasurer has since asked the state’s attorney general to investigate whether schools were breaking the law by hiring banks that also provided political consulting. The state legislature is also pushing for a bill that would limit the amount of debt schools can have in capital appreciation bonds. “At many California schools, too much of what taxpayers pay for bonds has been going to pay interest and financial fees. That ultimately hurts the kids,” Petersen said.

Melody Petersen can be contacted via email at mpetersen@ocregister.com.

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