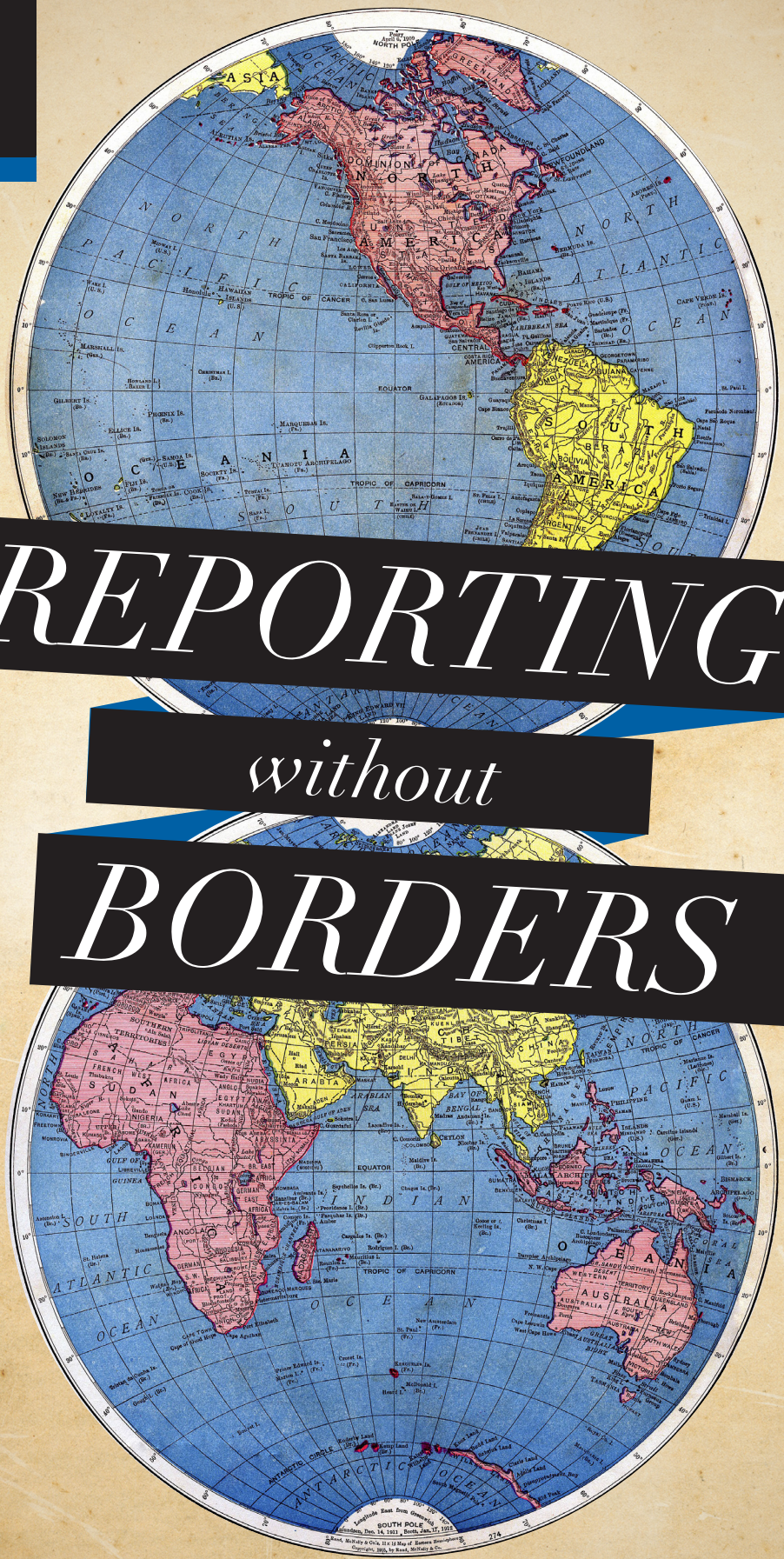
The IRE Journal

FIRST QUARTER 2015



REPORTING without BORDERS

2015 IRE CONFERENCE

Philadelphia

JUNE 4–7

The best journalists in the business will give you the secrets to finding hidden information, completing the toughest interviews, tracking down sources, digging into data, mining the Web...

Crime? Got it covered. The environment and natural resources? We can help. Education? Politics? Business and finance? You bet. And more. So much more.

So hold the dates.
Make your plans.
And come to IRE 2015.

For more information and for regular updates, go to www.ire.org.

Can't afford to attend IRE training?

Apply for a fellowship or scholarship!

www.ire.org/events-and-training/fellowships-and-scholarships/

POST YOUR JOB OPENINGS WITH IRE!

FEATURING:

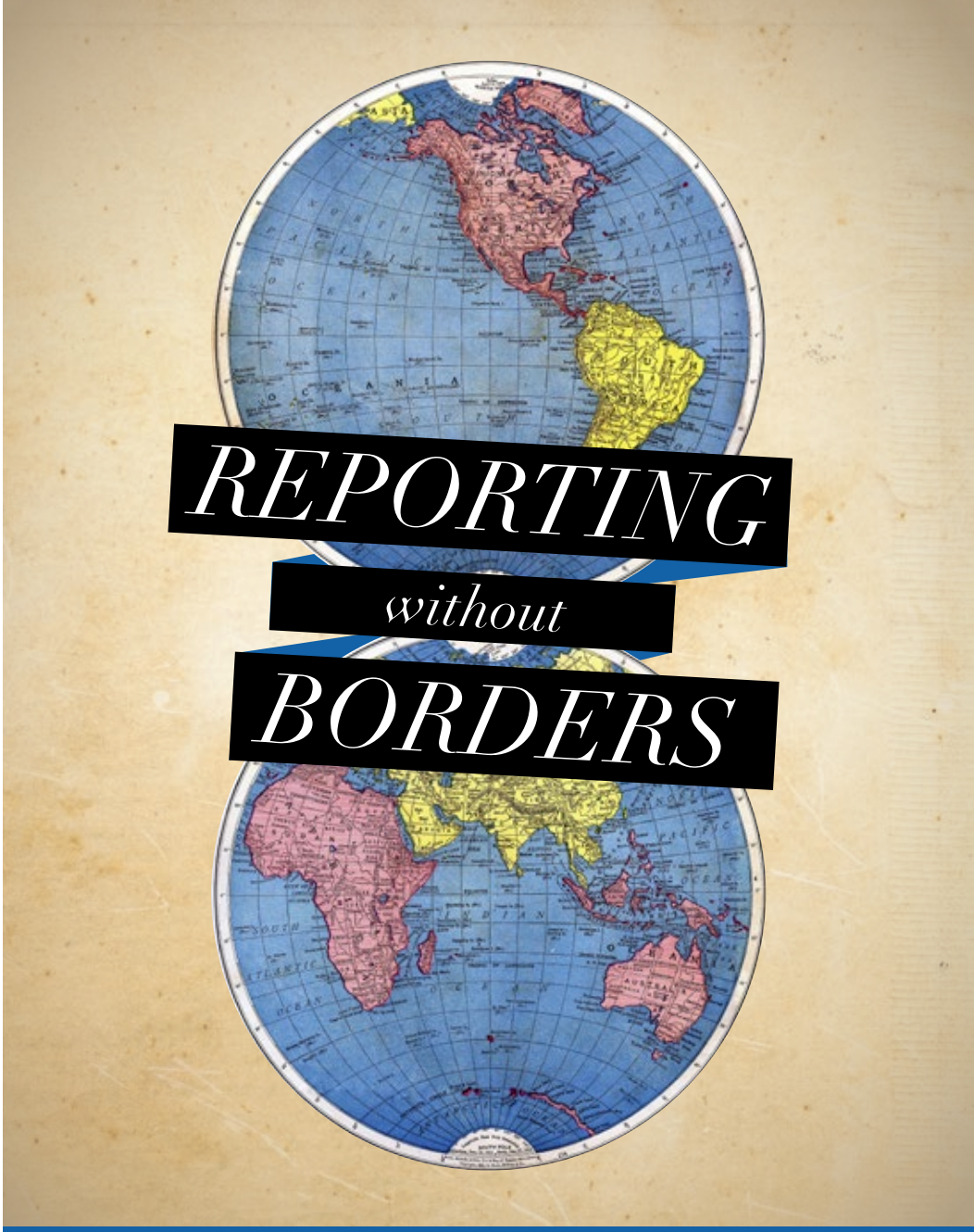
- A listing on our quick-look grid.
- A link to a page of your own, where your listing can continue in greater detail.
- No need to count words or lines! Explain the job, profile the company, describe the city.
- Listing within 24 hours for emailed postings.
- A six-week Web life.
- One low $150 price per job listed.

FOR MORE INFORMATION, call IRE at 573-882-2042 or email your announcement to: jobpostings@nicar.org. Be sure to include your billing address.

BLIND BOX SERVICE: For an additional $50, a blind email address can be set up with automatic forwarding of cover letters and resumes.

The IRE Journal

FIRST QUARTER



REPORTING without BORDERS

The IRE Journal

FIRST QUARTER

Volume 38 | Number 1

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

Rethinking our lone-wolf ways

BY MARK HORVIT

For most of recorded history, investigative journalists were a solitary species.

Walk into any newsroom and if you saw someone with notebooks, documents and boxes stacked in such a way as to cut off human contact, it was a pretty safe bet that you had found the investigative reporter's desk.

If, heaven forbid, you tried to spark up a conversation with one of them, it would go something like this:

"Hey, what are you working on these days?"

"What? Why do you want to know? Who told you to ask?"

"Whoa, wait, I was just curious…"

"What have you heard?" (Veins popping, eyes bulging, voice rising.) "Did (insert source's name) tell you to ask? Is there something I should know?"

This would continue until you backed away, slowly and in a nonthreatening manner, and mumbling, "never mind, never mind."

Things are (somewhat) different today.

Paranoia hasn't disappeared — it's a born-in trait. But as resources in newsrooms have dwindled, the need to — gasp — collaborate has slowly emerged.

There are entire organizations built on the concept of investigative journalists working together on projects. A percentage of the work being done at nonprofit investigative centers relies on collaboration with established news organizations. Local, regional and national public radio has become fertile ground for investigative projects that pair reporters from different newsrooms. And local TV and metro papers have done powerful work when joining forces.

Those partnerships are thorny to navigate, given not only the lone-wolf predisposition of many investigative journalists but also the legitimate concerns over protection of sources, fair division of labor and sharing of credit.

Imagine how much more complicated it becomes when the collaborating newsrooms are separated by thousands of miles, deep cultural divides and language barriers.

We have devoted the centerpiece of this edition of the IRE Journal to just such relationships. These are marriages that, although clearly not made in heaven, can produce heavenly results.

International collaboration has become increasingly important as the economy becomes more global. At the same time, our virtual lives make it just as easy to befriend someone on the other side of the globe as it is to meet a neighbor. And the Web has torn down barriers to finding journalism done on other continents. Put the right apps on your phone, and you can follow the news in Europe, Asia and South America as easily as you can find out what's happening at City Hall.

Geographic boundaries are less daunting, and that's true regardless of the size of a newsroom. As a result, globetrotting projects are no longer the purview of only the largest news organizations. At the past few IRE Conferences, journalists from metro U.S. papers have made contacts with reporters in other countries. Those collaborations have resulted in powerful work. In addition, international attendance has steadily grown at the CAR Conference, and it reached a record high this year in Atlanta.

But easier access doesn't necessarily equate to easier interaction. There are plenty of potential pitfalls to working with colleagues in other countries. We explore the upsides and the downfalls of global partnerships on the coming pages.

We're also doing a better job of exploring the potential for such collaboration at the annual IRE Conference. For a number of years, we had a "global track" of panels, where reporters from other countries spoke about their work. That was fine, but it tended to isolate those speakers and, consequently, they mostly talked to other international attendees.

For the past couple of years, we've been working to integrate speakers from throughout the world onto panels based not on geography, but on topic and expertise. The result, we hope, is that we all learn from each other and start to see the areas in which we can work together.

To do just that, please join us in Philadelphia for the 2015 IRE Conference on June 4-7. And in keeping with the IRE spirit, be prepared to share your ideas. You never know where your next partner may be coming from.

Mark Horvit is executive director of IRE and NICAR. He can be reached at mhorvit@ire.org or 573-882-1984.

Travis Hartman

Executive Director Mark Horvit addresses IRE members the night of the March 6 election in Atlanta.

Student IRE members now eligible to vote

Students will now be allowed to vote in IRE elections after members overwhelmingly approved the measure in a meeting at the annual Computer-Assisted Reporting Conference in Atlanta.

A membership meeting was held on March 6 and attendees also approved three other changes to the Articles of Incorporation including redefining what a "professional member" is to include those "substantially engaged in news gathering, presentation or production."

There was no online or absentee voting for these measures, as the Articles of Incorporation require in-person voting for measures that change the Articles. The election was held by voice vote. Afterward, some members questioned if it would have been more appropriate to hold a secret ballot.

The language for each ballot item is below. In all cases, IRE Board members supported these changes unanimously.

If you have any questions or comments, please contact IRE Executive Director Mark Horvit at mark@ire.org or 573-882-1984.

Approved Articles changes:

1. Members changed the definition of "professional" membership:

Previous: Section 5.01 … The Professional class shall be limited to persons substantially engaged in reporting and/or, editing.

Approved Change: The Professional class shall be limited to persons substantially engaged in news gathering, presentation or production…

2. Members approved to allow students to vote in IRE elections:

Previous: Section 5.01 ... Neither Associate or Student members shall be eligible for the voting rights which are reserved to the other classes of members.

The approved revision removed students from that clause.

Approved Change: Associate members shall not be eligible for the voting rights which are reserved to the other classes of members.

3. Members approved the removal of the following wording from the Articles:

Previous: Section 5.02. Voting Rights. Each Professional, Academic, or Retired member of the Corporation who is present in person shall be entitled to one (1) vote upon each question voted upon at all meetings of the members without regard to his or her class of membership.

Approved Change: Removed Section 5.02 from the Articles of Incorporation.

The change was recommended because the section was redundant and to remove any mention of "in person" voting. IRE has allowed absentee voting for many years, and now allows online voting.

4. Members clarified the rules to allow the Executive Committee of the IRE Board of Directors to vote by phone or electronically.

Previous: Section 9.01 ... affirmative vote of the majority in number of the members of the Executive Committee, present in person or by proxy.

Approved Change: affirmative vote of the majority in number of the members of the Executive Committee, present or by proxy.

2014 Philip Meyer Award Winners

Three data-driven investigative reports were named as winners of the 2014 Philip Meyer Journalism Award. The projects, using social science research methods, revealed how tens of billions of dollars were being used improperly by the Medicare Advantage system; discovered that temporary workers are increasingly being used to fill some of America's dirtiest and more dangerous jobs with few, if any, benefits; and exposed that government at all levels remains unable or unwilling to address the problem of rising sea levels while continuing to incentivize growth in those areas most at-risk.

First place was awarded to "The Medicare Advantage Money Grab," by Fred Schulte, David Donald, Erin Durkin and Chris Zubak-Skees of The Center for Public Integrity. The project revealed nearly $70 billion in "improper" Medicare payments to health plans from 2008 through 2013. The investigation exposed how federal officials missed multiple opportunities to corral overcharges and other billing errors.

Second place was awarded to ProPublica's "Temporary Work, Lasting Harm" by Michael Grabell, Olga Pierce, Jeff Larson and Lena Groeger. This series combined street-level reporting with sophisticated social-scientific analysis to expose a disturbing, little-noticed trend taking hold in industrial America — major companies have turned to temporary workers to fill dangerous jobs in factories, warehouses and processing plants, and they face a much greater risk of injury than other workers.

Third place was awarded to "Water's Edge: the crisis of rising sea levels," by Ryan McNeill, Deborah J. Nelson and Duff Wilson of Reuters. These stories examined the continuing effects of rising seas on the United States and the country's response to an increasingly watery world.

Run for the IRE Board

It will soon be time for candidates to run for the IRE Board of Directors. If you're interested in learning more about what it means to serve on the board, please contact Executive Director Mark Horvit at 573-882-1984 or mark@ire.org.For IRE to remain relevant, it's important to have a Board that represents our membership and our industry, with diversity in gender, race, geography and type and size of news organization. If you're not sure you're ready for the commitment of serving on the Board, think about joining one of our committees. It's a great way to get involved, and in many cases active committee members eventually become Board members.

Here's the Board election schedule

- April 13: Period to declare candidacy begins
- May 11: Deadline for candidates to appear on the initial ballot
- May 18: Voting period begins; candidate statements posted at www.ire.org
- June 4: Deadline to get on the ballot
- June 6: Voting closes (exact time TBD)

The Cost of Troubled Minds

Calculating the price of mental health in Texas

Andy Pierrotti
KVUE-Austin

When my assistant news director first suggested I look into emergency rooms impacted by mental health patients, I wasn't sold on the story. But after seven months of digging through state records and following patients around Texas, I now realize it's one of the most underreported issues facing communities across the country.

In Texas, our KVUE Defenders investigative team uncovered inadequate funding, resources and shortages of mental health professionals that cost state taxpayers millions of dollars a year and put a vulnerable population at risk. In September 2014, we produced a 30-minute investigative special about the issue titled "The Cost of Troubled Minds."

Challenges for TV

Mental health investigations can be challenging to visualize for TV news. When you record video for most health-related stories, the illness or ailment is easy to see. All you have to do is write to the video of the person with the injury. It takes a lot more time to see and understand mental illness because it's often masked by a healthy exterior.

For our investigation, that person was Joann Kennedy. Until recently, she spent more than 20 years living on Austin streets battling schizophrenia and bipolar disorder. Gaining her trust was key.

Investigative photojournalist Derek Rasor and I spent hours each week for about a month getting to know Kennedy. I would stop by on the way to the TV station or on my way home from work. During that time, we learned a lot. She told us she was admitting herself into the ER several times a month, was once married, and had a daughter in Alabama and five sisters in Austin. She also talked about her time in jail.

Those conversations helped us focus our investigation. With her permission, we requested her jail and medical records. That information painted a picture of just how much it cost to treat mental health patients in emergency rooms and jails. Public records requests showed a 77 percent increase in mental health patients flooding local ERs over a three-year period. Jail records also showed an increase in inmates diagnosed with chronic mental illnesses. Kennedy cost local taxpayers nearly $1 million in ER visits and treatments at a county jail. Kennedy's story provided a digestible cost and a relatable face to the problem.

KVUE-TV

Joann Kennedy has been battling schizophrenia and bipolar disorder for decades. She agreed to tell her story and share her medical records with KVUE.

Joann Kennedy's mugshots through the years at the Travis County Jail in Austin. She has spent 1,344 days in jail since 1994.

When we tracked down Kennedy's family, her sisters were reluctant to speak with us. They feared we were going to exploit her embarrassing past. Luckily, one agreed to an interview. With her help, we located Kennedy's daughter who lived in Mobile, Alabama. We arranged an interview and our general manager approved the cost to travel to Mobile. Her daughter provided a compelling narrative into Kennedy's life story as a mother before her

mental illness spun out of control. I felt it was important to show compassion to Kennedy, since we were arguably using her as the poster child for the cost of untreated mental illness.

Mental health advocacy organizations steered me to additional information. They, too, were a little worried when an investigative reporter started calling. They didn't want to participate in a story that would further stigmatize what they are fighting to change. After proving to them I wanted to understand the issues, Austin's National Alliance on Mental Illness and other organizations guided me to data. The organization also introduced me to a long-time state representative diagnosed with mental illnesses. He proved to be valuable in sharing the history of state mental health funding.

The data

For a statewide perspective, I needed to go beyond local jails and hospitals. I focused on the Texas Department of State Health Services. The agency became a clearinghouse of valuable data. Its public information officers were pretty helpful, too. Because Kennedy told us she had a difficult time getting treated in state psychiatric hospitals, I wanted to know how many beds were available. Through records requests, the state provided a great spreadsheet and chart. It showed there were 443 more beds at state-run mental health hospitals in 1994 than there are today. An animation illustrating those figures provided a compelling perspective for TV. Months later, an audit found "the state's mental health hospital system is in crisis" due to "lack of capacity, outdated facilities and shortage of critical personnel."

Requesting budgets also provided perspective. While they showed the state legislature pumped more than $240 million into mental health programs two years ago, it also showed that amount didn't quite replace the funding lawmakers yanked ten years ago. When I asked the agency's deputy director if he thought the state should compare its funding with better-performing states, he said it had never been done and there were no plans to do so.

Funding isn't the only systemic issue. After interviewing many patients, it appeared there are not enough mental health professionals to treat patients. State records proved it. Lucky for us, the state posted the total number of licensed psychiatrists for each county on its website. It showed nearly 200 counties out of 254 did not have one practicing psychiatrist treating patients. Through that list, I was able to track down a psychiatrist who serves a population of about 750,000 people just south of Dallas. He is one of about half of Texas' psychiatrists who plan to retire in 10 years. In an interview, his highly emotional concern for patients became a poignant moment in the piece. We also learned the agency commissioned a report to research the mental health professional shortages.

While researching this issue, we learned a special commission was in the middle of conducting an in-depth audit of the Texas Health and Human Services Commission (HHSC). We didn't have the audit's full recommendations for the initial investigation, but it later validated our findings.

Potential reform

A week after our investigation aired, the state commission released its full recommendations. It urged lawmakers to overhaul the HHSC, citing that it had "fragmented and poorly integrated programs and services."

Compelled by our investigations, a state senator also filed legislation that could address the shortages of mental health workers in Texas. If approved, it would provide tuition reimbursements for students who graduate with specific mental health degrees and agree to work in underserved areas of Texas. It wouldn't be a quick fix, but it could be a start.

Andy Pierrotti is an investigative reporter with KVUE-Austin, the ABC affiliate in Austin, Texas. He's been recognized with awards and fellowships from the Texas Broadcasters Association, the Radio Television Digital News Association, The Associated Press, Society of Professional Journalists, IRE and John Jay College of Criminal Justice. In 2014, he won an Emmy for a documentary he produced about a broken foreign adoption system.

Producing a 30-Minute Special

I'm fortunate to work for a TV station that supports long-form investigations. Our sales department always appreciates more content to sell, too. It doesn't mean I'm off the air for weeks at a time though. In about 2 1/2 years, I've produced three 30-minute investigative specials on different topics. While producing each one, news managers still expected me to be on air. That meant producing quick-turn investigations, assisting in breaking news and preparing promotable investigations for sweeps. I did this all with no producer at the time. Bottom line is, you can get it done, too, if you really want it.

I pitched each special to my news director by producing one compelling investigation about the issue. It's like giving them a taste of a full entrée. After approval, I then wrote a checklist of every topic involving the story and how to tell each one. While preparing my first special, I didn't think I could produce enough content to fill a half hour. It's easier than you think. After commercials and teases at the end of each block, you actually only need to fill about 24 minutes of content.

With management's help, I then narrowed the checklist into four segments:

- The Problem. This is typically the longest segment and the most challenging to produce. It sets the pace of the special. It requires compelling information sprinkled throughout the piece and great characters. Don't put all your best stuff in this piece. Remember, you have a lot of content to fill.
- The Other Big Problem. This segment is a little shorter than the first. Sometimes, it focuses on the second most compelling topic in the investigation. In "The Cost of Troubled Minds," this segment focused on the shortages of mental health professionals in Texas. Sure, I could have quickly referenced this in the first piece, but I didn't want to rush through such an important issue. I also had great data and characters to reinforce the problem.
- Changes to Fix the Problem. This piece typically references potential policy changes, legislation or other action needed to address the problem. This is also a good time to share with your viewers if any of your investigations lead to action or change.
- Recap of Issues/Viewer Involvement. So, you've just dumped a ton of information on viewers. Use this last piece to recap what you've told them. Don't suggest your investigation just solved the problem. Viewers remember what they feel more than what they know. Leave them with a compelling story reemphasizing the big picture problem and promise you'll continue following the story.

Contract to Cheat

How to find companies illegally treating employees as contractors

Mandy Locke
The News & Observer

$467 million in lost tax revenue in North Carolina. Another $392 million in Florida. And $1.2 billion in Texas.

Those three numbers were our Holy Grail in 2013 and 2014.

Like most projects, the ambition on the outset was fairly simple: We wanted to put a price tag on the financial impact of construction firms illegally treating workers, who should be employees, as independent contractors. By doing so, some companies were not adhering to a host of labor laws and tax codes that directed employers to pay unemployment taxes and to withhold federal and state income taxes and Social Security taxes from workers' paychecks. Getting there was anything but simple. We amassed tens of thousands of pages of obscure documents, testing records laws in several states. To make sense of them, we became accidental experts in economics and statistics.

Our five-part series, "Contract to Cheat," pulled together reporters and editors across eight McClatchy newsrooms, the company's Washington D.C. bureau and ProPublica. Beyond those tax loss numbers, our reports revealed widespread abuse of workers and an uneven playing field across an industry that was fed by stimulus dollars meant to give the American economy a needed jolt. The government, meanwhile, sat idly by; cheating companies interpreted their indifference as permission to break the law.

"Contract to Cheat" evolved from a body of work I did at The News & Observer in Raleigh, North Carolina in August 2012. I teamed with database editor David Raynor to sketch a deep but largely anecdotal collection of stories about illegal labor scams in the state's construction industry. That report, "Ghost Workers," captured the plight of one do-it-right business owner trying to compete against companies able to shave 20 percent or more off their labor costs by offloading employees into contractor limbo.

At the end of 2012, the Raleigh team, led by veteran investigations editor Steve Riley, was left with some nagging questions: How often was this happening and at what cost? We wanted names; we wanted numbers.

Travis Long | The News & Observer

Campbell Terrace affordable housing-near Trust Drive and Belief Lane in Fayetteville, N.C.- was a project finished with the help of stimulus funds. Of the 159 workers on the project, 63 percent appear to be misclassified, records from the housing finance agency show.

For this project, the devil was in the details, and at dozens of turns, they seemed just out of reach.

Our ticket came in the form of a federal law known as the Davis-Bacon Act. The law requires private firms taking part in federally funded or backed work to prove they are paying wages federal labor officials establish for each trade in each region. To comply, the companies submit certified payroll reports to the government each week.

The documents provided a treasure trove of data. Every row, every block of information, got us one step closer to those three staggering numbers. The companies must list each of their workers by name, the type of work they do, the hours they logged that week and their hourly wage. There was no way to reliably use technology to help us electronically analyze them. At least half of them were handwritten.

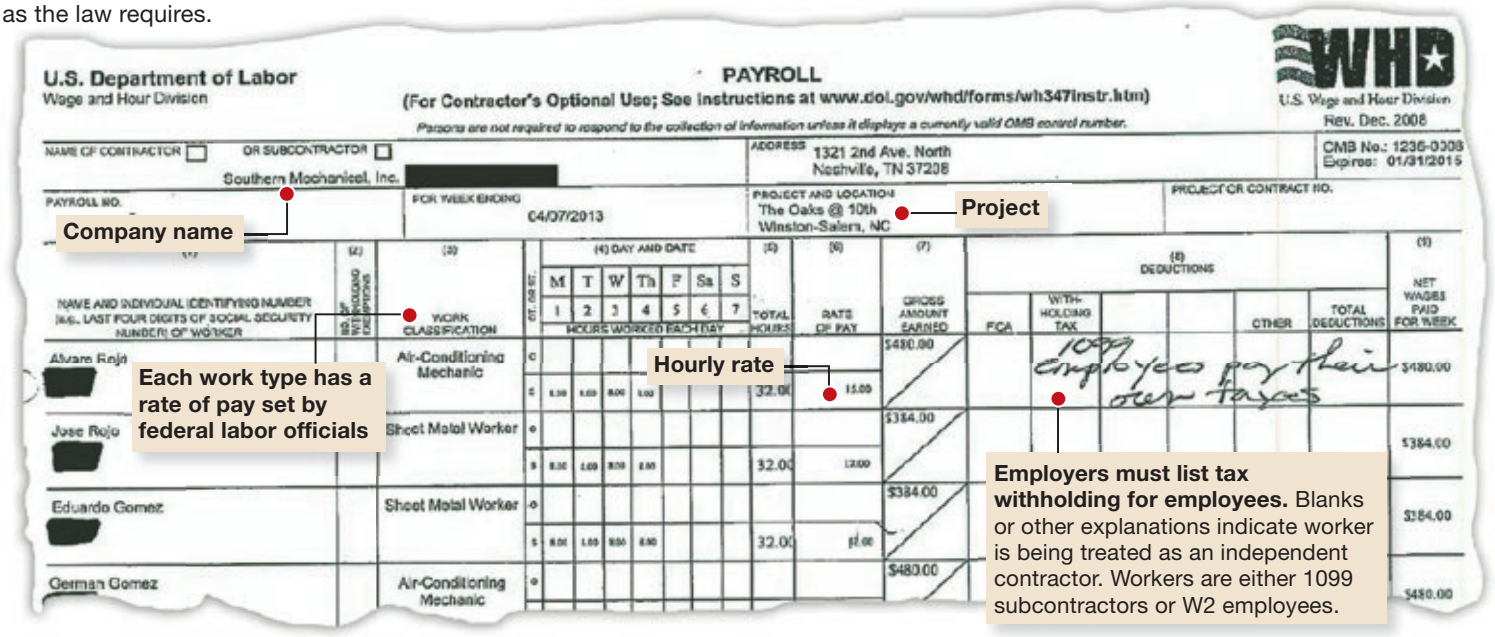
The right side of the payroll report — reserved for tax withholding — offered the clues we needed. What was there — or wasn't — was key to our findings. Hundreds of companies left those boxes blank. Some offered other explanations — "1099 employee" or "employee pays own taxes." All were signals that these hourly workers weren't employees but rather independent contractors. Current and former labor investigators and revenue inspectors told us that just about any reading of labor laws and revenue codes suggests these workers should have been employees, not self-employed contractors.

The first problems with the records were physical. They were all in hard copy. They were stashed in filing cabinets and closets at dozens of local agencies across the state. There was no central database. No zip file to request. No shortcut.

Still, I was able to gather enough records in North Carolina in the spring of 2013 to feel certain we were onto something. Instead of asking the typical editor question — "When can you get me the story?" — Riley asked this startling question: "What if we tried to get these records in other states? Maybe some of our McClatchy colleagues would be interested."

Employees as independent contractors?

The News & Observer and Charlotte Observer collected tens of thousands of payroll records for affordable housing projects supported with federal funds. Nearly 1,000 companies filed records like this one, indicating they treated hourly workers they hired as independent contractors, not employees as the law requires.



SOURCE: U.S. Department of Labor

The News & Observer

Buy-in came surely and swiftly from top McClatchy brass. Newsrooms from Miami to Fort Worth to Belleville, Illinois slowly signed on. ProPublica agreed to seek records in New York. Soon, a crew of 10 reporters became long-distance colleagues. The level of coordination across disparate newsrooms was a first for McClatchy.

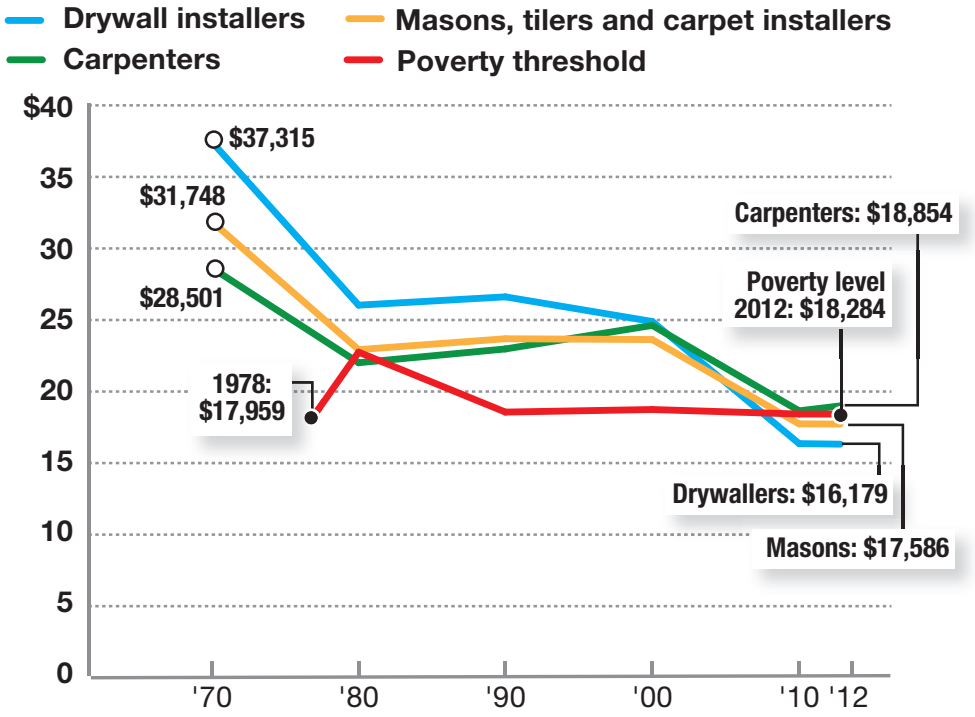
When starting a cross-border investigation, it's a good idea to designate a lead reporter or newsroom. This reporter or team will try and test various methodologies to nail down a plan for others to join as they come on board. Remote colleagues are far more willing to invest time and resources if the scope and plan is already decided. We also learned early on that communication at the ground level is key. Reporters need to be talking constantly. We found ourselves troubleshooting often and leaning on each other for support. Scheduling bimonthly, then weekly conference calls with participants kept the giant mass of us on target. Creating spreadsheets with budgets to be shared across Google Drive also helped us coordinate in real time.

Raleigh took the lead in figuring out where the records were and what to do with them once we found them. My early missteps and triumphs would guide reporters in Miami, Fort Worth, Charlotte, Kansas City, Bellville, Fresno, California and Columbia, South Carolina.

We had decided to focus on federally funded projects involving HUD funding because

Bringing the hammer down

Construction wages for all trades have dropped during the past four decades, converging with the federal poverty level of a family of three.



NOTE: U.S. labor levels adjusted for 2012 dollars, poverty threshhold family of three.

SOURCES: Integrated Public Use Microdata Series, University of Minnesota, U.S. Census

The News & Observer

affordable housing captures a broad range of construction work. We quickly learned that HUD officials did not collect and keep these records, but rather depended on the local agencies to monitor the records. This was both a blessing and a curse. North Carolina's public records laws are robust and fairly straightforward: If a government agency has something, it belongs to the public.

Though the records "lived" in various local government offices across North Carolina, HUD officials still saw the records as theirs and insisted the Freedom of Information Act must guide their release. That would have put huge delays on our collection of records, ensured heavy redactions and cost thousands of dollars. The local agencies were in an awkward position: HUD held the purse strings for current and future projects. They were loath to cross the feds and sat on our requests until we were forced to go to court for answers. We filed a lawsuit against more than a dozen local agencies using the state's public records law. One by one, local agencies turned over the records.

McClatchy contracted with professional data punchers to input the fields of information into databases we could manipulate and mine within our newsrooms. We used a Michigan outfit that McClatchy corporate had used previously for a project. Other companies do this, too. Query your pals on the IRE listserv for other recommendations.

Meanwhile, we consulted with more than a dozen economists, sociologists, statisticians and accountants to craft the most precise method for calculating lost tax revenue. Here's the shortest and simplest explanation: Within each state, we used our data to determine the rate of misclassified workers within each specialty trade represented on the projects we collected. We then applied those trade-specific rates to a state's population of workers employed in such trades. (Raynor relied on IPUMS, microdata samples from Census data.)

To figure out what specific tax losses to assign to each worker we estimated to be misclassified, we hit the streets. We knew anecdotally that some of our misclassified workers likely received a 1099 tax form, which likely implied some sort of tax compliance. But others were entirely off the books and far less likely to pay taxes.

The only way we could determine how many workers were in each camp was to ask. We took our list of more than 3,000 misclassified workers in North Carolina and tried to hunt down at least one from each of the more than 360 companies for which they worked. We looked for phone numbers and addresses, then divided the state into three regions and hit the road.

It took exactly two hours of knocking on doors to realize this population of workers was elusive.


The Sunday News & Observer
SEPTEMBER 7, 2014 newsobserver.com
Triangle food scene's growth spurt
NCSU, UNC COME BACK; DUKE WINS
Sports
Arts & Living
UP TO $213 IN COUPONS
Contract to Cheat FIRST OF FIVE PARTS
N.C.'s $467 million problem
■ Cheating construction firms leave huge tax gap
■ Payroll records show workers being exploited
» Mistreated
Labor-law dodge hurts workers, taxpayers
The series
TODAY
A huge tax drain
MONDAY
Under government's nose
TUESDAY
Workers feel pinch
WEDNESDAY
Companies that cheat
THURSDAY
Getting it right
By the numbers
278,919 Construction workers in North Carolina in 9 specialties we analyzed
102,310 Estimated number of those workers who were misclassified as independent contractors
$3,961 Lost federal and state tax revenue per year estimated for a $12-an-hour worker who received a 1099 tax form for independent contractors
$5,213 Estimated annual lost tax revenue per worker if worker received no tax form
$467 million Federal and state tax revenue lost annually because of misclassification, according to the estimate by The N&O and The Charlotte Observer
Employees as independent contractors?
» Online
See video, take a quiz
dealsaver
triangle.dealsaver.com
$9 value $29.99
Protective Case (with attached stand)
For iPhone & Samsung Devices
salebreaker.com, Online

Phone numbers were disconnected; many had moved. An address we thought was legitimate would lead us to a vast apartment complex with no apartment number to guide us.

When we did find the workers, we had another set of challenges. Failing to pay taxes is a crime, of course, and we were asking them to admit this. The Spanish-language skills of Franco Ordoñez, a McClatchy reporter, were invaluable in getting doors open and for ensuring these workers knew exactly who we were and why we wanted to know.

Our time in the field was exceptionally time-consuming and, at moments, utterly demoralizing. Our rate of success was easily one in 10. But knocking on doors allowed us to better see the human impact of these practices. Our workers described all kinds of exploitation: not being paid by bosses for all the hours they worked, being forced to pay for their own workers' compensation insurance, being coached to lie if anyone asked about earning overtime wages.

For months, our colleagues in Texas (Yamil Berard at the Fort Worth Star-Telegram) and in Florida (Nicholas Nehamas and Evan Benn at The Miami Herald) collected records for dozens of projects to replicate the work in North Carolina. Berard faced similar records roadblocks but for different reasons: Local agencies in Texas solicited and got different opinions from lawyers in the state attorney general's office on their responsibility to turn the records over.

In Illinois, Mike Fitzgerald found a pleasant surprise on the records he collected — the companies actually treated workers as employees. Ryann Grochowski Jones from ProPublica had the same experience in New York. Their findings, while not as much fun for the journalists, provided invaluable insight — an obvious solutions story.

Our footprint was haphazard, and to help widen our reach, Ordoñez requested payroll reports from a stimulus project in each of the states where we did not have a participating paper. A few other papers helped us plug gaps, too, namely Columbia's The State and The Fresno Bee in California.

Pulling together our national reports and local stories into a cohesive and manageable digital presentation was its own special challenge. Barb Barrett took lead on editing national stories while Julie Moos and Danny Dougherty (all in the D.C. office) worked their magic to pull together a comprehensive microsite that allowed readers to dip in as minimally or as fully as they wanted. This sleek site was another first for McClatchy.

Often, a human character makes you care about a situation and nudges you toward records to see the bigger picture. With this project, we started with the records. Luckily, our pathway to the characters was in black and white on the payroll forms.

In the end, we think our stories worked because we let the characters reveal the problem. We showed how government bureaucrats shrugged their shoulders while mom-and-pop businesses across rural America folded. We showed the instability for the misclassified construction workers and their families. We finally got to name names.

Soon after our September publication, regulators from Washington to state capitals vowed change. Businesses are enraged and demand reform. We, meanwhile, are on to the next phase — following all the promises made.

Franco Ordoñez contributed to this article.

Mandy Locke is an investigative reporter for The News & Observer in Raleigh. She has written extensively about the legal system, child welfare, forensic science and hospital disputes. Her series in 2012, "The Ghost Workers," led to this current series; it won a Gerald Loeb Award for business reporting. She also has won the Michael Kelly award and other honors.

Franco Ordoñez is a reporter in McClatchy's Washington D.C. office where he covers immigration and labor issues. His work includes unexplained child deaths and how the poultry industry in North Carolina profits by denying workers needed medical care. His work has been honored with the Casey Medal, Gerald Loeb and Robert F. Kennedy journalism awards.

Engaging the Audience

Using a different approach to interest the public in Alabama prison reform

Michelle Holmes and Challen Stephens
Alabama Media Group

A yearlong investigation into the Alabama prison system started with some shocking facts, delivered in a Jan. 17, 2014 letter from the U.S. Justice Department to Gov. Robert Bentley.

Thirty-six percent of the staff at Julia Tutwiler Prison for Women, Alabama's only women's prison, had sex with female prisoners. Add sexual harassment to that, and the number nearly doubles.

"The women at Tutwiler universally fear for their safety," the letter warned. "Low staff assignment, coupled with officers absconding from their post to engage in sexually inappropriate behavior, places prisoners at serious risk of harm."

As bad at that seems, it's not just one place or one problem: Alabama's prisons are the most overcrowded in the nation and keep getting worse, for men and women. While Alabama's general population has grown by 23 percent since 1977, the prison population has skyrocketed more than 840 percent.

As the state's largest media organization, we knew we couldn't look away. But we knew that plenty of our readers would prefer to do just that.

In the reddest of the red states, reporting on prison reform is an uphill battle. Our three Alabama newspapers, The Birmingham News, The Huntsville Times and Mobile's Press-Register, have reported on disturbing findings such as these for years.

Yet the statewide conversation stays the same, encapsulated in this comment on our website, AL.com: "Those goons need some despair. Maybe they won't try to go back. I for one couldn't care less what they do to a bunch of prisoners. It would suit me just fine if the morning headlines read 'Overnight, the Department of Corrections Fed Every Inmate to the Alligators.'"

We knew we needed more than facts. So we began with the simplest questions:

How did we get here? Could change come to Alabama? How could we convince the people of Alabama to care?

In February 2014, we created the Alabama Investigative Journalism Lab in collaboration with The Center for Investigative Reporting, and began a deep and concentrated exploration of new kinds of storytelling that could maximize audience engagement around significant and complex topics like this one. The lab was created to help push us toward innovative approaches to investigative work and a framework for bringing new partners into our work. The prisons investigation was our first project, though many of the same ideas and tools were used in reporting on Obamacare and gun rights in 2014.

Julie Bennett | AL.com

Inmates in a dormitory at Julia Tutwiler Prison for Women in Elmore County near Wetumpka, Ala.

CIR CEO Joaquin Alvarado, Executive Director Robert J. Rosenthal and Cole Goins, distribution and engagement manager, drew from their organization's deep commitment to "journalism that moves citizens to action," consulting with us on strategies for bringing the public into the process.

Their team dove in with brainstorming and framing and helped re-energize our relationship with our local NPR station, WBHM in Birmingham, which pursued many of these same issues with its own reporting staff.

Our collaboration with WBHM reporters (we did separate reporting but helped spread one another's content and met to plan stories and share sources) helped magnify the attention the work was receiving in Alabama's largest city, and brought more important voices into the conversation.

Groundsource, a new platform for mobile engagement spearheaded by Andrew Haeg,

entrepreneur in residence at the Center for Collaborative Journalism, helped us reach beyond our usual audience and offered a new perspective on reaching underserved citizens.

So what about the reporting?

We effectively turned prisons into a daily beat for a team of four or five reporters. Each would post small items often, while working on longer-range features and investigations.

We told the audience what we were going to look into as we did it, and we asked the audience what they wanted to know. We posted regularly. Often multiple times a day. Some were small data items: a look at the number of prisoners by county, a look at the money made from prisoners making license plates. Some were interactive polls and online chats with experts. We took real quotes on prison reform and let the audience rate them blindly, revealing who said what a day later. The governor's quotes were the lowest rated.

Throughout this storm of media activity, we began to shape a new model for online and print, and for a news operation in three separate cities. We began to build toward "clusters," or periods when we would deliver traditional news stories on certain topics, such as medical care for inmates or conditions in the prisons.

We found wardens promoted despite being cited for beating inmates. We found guards who were often removed for abusing or sleeping with female inmates, but seldom, if ever, prosecuted. We found medical doctors who had lost their licenses — one for sleeping with his patients. We found lawmakers cutting the prison budget and we found guards making more than their salary in overtime pay as prison officials plugged staffing holes.

Along the way, we paid $700 for prison records. These requests included attorney fees, subcontracts, warden reimbursements, records regarding prisoners under life sentence, prison investigative files, case records referred by the Alabama Department of Corrections (ADOC) to the district attorney's office, and spreadsheets of all prison personnel and pay.

Most fees were small. At times, we worked around the prison system, using records in other state offices to identify pay and overtime. At one point, ADOC charged $29.16 for copies of healthcare contracts and refused to allow a reporter to photograph the original records with a cell phone for free. That caught the interest of the audience.

We used Excel, Tableau and many other tools to help visualize exactly how far out of whack Alabama was in a series of alternative story forms. Then we asked readers what they thought, at times in polls, other times in online conversations with lawmakers, experts and former prison employees. We interviewed guards who were prosecuted for sexual misconduct with female inmates, and we interviewed former inmates from the women's prison.

For six months, we gave readers a steady stream of varying viewpoints, of intimate firsthand testimony. We gave them the facts, the stats. We combed through the contracts. We looked into the budgets. We explained how Alabama prisons stack up, and why. We joined WBHM in hosting a packed public forum where hundreds came to talk about prison reform in Birmingham.

We tried to have a little fun. We engaged often with "Orange Is the New Black" author Piper Kerman via Twitter, and brought together a number of former inmates to watch the Netflix series and tell us how it measured up to real life.

Constantly, we measured page views of our online content to understand reader interest, as prison stories began to get more traction with readers, not less. In part, we also learned that some experimental posts didn't work. There is a limited appetite for transparency around the reporting process. But there was interest around being denied records and being told we couldn't photograph records.

Given the volume of output, we wrote weekly summaries to serve as a sort of index for the preceding week. Not many looked at those. But we also wrote overviews, pulling together more incremental posts into a traditional narrative. Those did work.

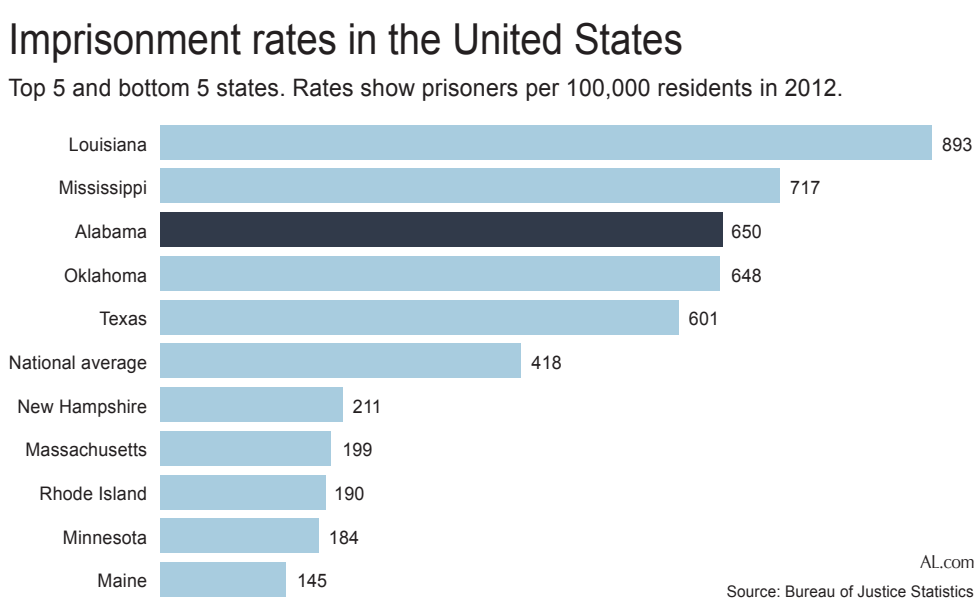
The weekly summaries were what we called "links posts," meaning we picked the best of the prison posts, wrote a few grafs of summary, copied the headlines and included a short blurb on each with a link. This was essentially cataloging and did not resonate with readers. Readers far preferred to share whatever individual story had captured their interest. The narratives were traditional overviews, much like a rewrite desk reassembling reports from various correspondents. These narratives put certain topics in one place, with a clear write through, making it plain to readers what had been discovered and how it all stacked up in relative significance. It was sort of the magazine take on a flurry of incremental reports. We didn't do a lot of this, but these were heavily read and shared.

Midway through the year, we pulled together a special takeout section, highlighting some previous reporting, but also filling it with new voices from the families of inmates and new stories tying together much of what we had learned.

The mostly anonymous commenters were still divided. But something had changed. The blaming of Obama had (mostly) disappeared. So had the bashing of imagined and nameless corrupt local officials. Commenters were no longer arguing as a primary point that prisoners deserved whatever they got. Commenters were no longer saying the politicians and reporters need to investigate. Instead, they were arguing over how to fix it.

Any evidence gleaned from just comments is questionable. After all, commenters self-select. But we saw the same shift across the board. Lawmakers began to take up the issue and discuss it more freely. Former prison workers came forward to talk to us. We could see people were reading, with page views by the hundreds of thousands. And former inmates began to find us. Hundreds shared their stories and contact information in an internal database we built to connect reporters with sources.

In the fall, the issue moved, in a traditional fashion, to the editorial and opinion side of the house. Two reporters continued to monitor developments, and we ran a couple sets of deeper stories, but we took our foot off the



The Birmingham News SUNDAY JUNE 22, 2014 SPECIAL REPORT AL.com

UNJUST JUSTICE

WHY WE CANNOT LOOK AWAY FROM ALABAMA'S SHAME

JAMMED, VIOLENT, LURID: THE STATE'S PRISONS HAVE REACHED A BREAKING POINT. TODAY'S SPECIAL REPORT GOES INSIDE THE WALLS, EXPLORES SOLUTIONS AND SHOWS WHY IT'S IMPORTANT TO GET IT RIGHT.

This is a call to action. More than 200 years ago, America's founders laid out the philosophy of a penal system based on rule of law and belief in justice. After months of reporting and analysis on the vile and illegal conditions in Alabama's prisons, we fear that this American ideal, central to our Bill of Rights, is slipping away here.

As a news organization with roots 10 generations deep in Alabama, we have an obligation to tell these hard, ugly stories; to stand as watchdogs against abuse, waste and wrongdoing; and to urge reform.

We do not call for luxuries. We believe in punishment. But we, like you, do believe in fundamental human decency, and in our Constitution that offers protection to all people, even those inside our prison walls.

EDITORIAL

Today, we bring you this deep look into a broken prison system that your hard-earned dollars fund. Today, we bring you stories of people from your hometowns — many of them women — abused by those whom you pay to keep order. We bring you a trail of shuffled wardens, unpunished crimes and a state budget hemorrhaging into decrepit cells and overcrowded dorms. We ask you to read these stories and discuss them in your homes and schools and churches. Then, we ask you to join us in calling for reform.

This is not "our government's" problem. It is a burden we all share. Since 1977, Alabama's prison population has increased 840 percent, while the overall state population grew just 23 percent. We spend more and more and more, but the system is close to double its planned capacity, which contributes to a place where prisoners are raped by guards, and a heart attack victim gets offered ice chips and is told to lie down.

Since our team of journalists began delving into Alabama prisons five months ago, we have heard dismissive comments, but also we have heard from many readers who understand that being tough on crime does not mean state-sanctioned cruelty.

Our state spends nearly 26 percent of its general fund budget on prisons. It spends many millions more on a court system bound by simplistic laws that keep repeat minor offenders behind bars and fed and housed by us for years.

With more than 32,000 individuals sentenced to the custody of the Alabama Department of Corrections, our state boasts 1 inmate for every 150 residents, the third-highest imprisonment rate in a nation that already leads the world.

"This is the biggest challenge our state has ever faced," says state Sen. Cam Ward, R-Alabaster, who leads the Legislature's prison oversight committee.

In this section, we lay out the scope of the problem before us.

In the months ahead, we commit to bringing you solutions.

We do think there is hope. Officials who initially chafed at criticism now admit that the system can't be sustained. They say they have heard from many Alabamians demanding change. It's a start. But Alabama's leaders still need to hear from more of you and understand that studies and discussions and summits are not enough. We cannot stand idly while the federal government swoops in. We need to stand for justice. Together we must call out loud and clear.

See Page 12 to learn how you can make your voice heard.

$2 at newsstand

gas. We had published over 160 news items on prison by July. We'd publish another 90 or so the second half of the year, although many of those were op-ed.

In August, we announced a new partner in the lab — the David Mathews Center for Civic Life. Our goal: to encourage thoughtful deliberation both at AL.com — the state's digital town square — and in face-to-face public forums.

Through a series of workshops drawing hundreds of people, we worked with everyday Alabamians, officials, lawyers and academics to identify the issues and lay out paths to reform. Hundreds more participated online through HTML forms set up to capture public response to specific paths forward, intentionally moving the conversation well past the comments at the end of stories. The forms we collected asked people for their full identities.

By the end of the year, we produced rigorous investigative reporting that mattered. We're proud of that. But it was the full attention to the conversation that turned the tide.

When starting an investigation, it's helpful to create a plan, a news budget, and then whatever you do, don't let that budget get in the way. Basically, don't let the fact that your reporting isn't complete slow your willingness to publish what you do know. It's akin to treating a larger investigative project as breaking news. Also, find out what readers want to know and let go of items that fail to spark interest, provided they are not essential to understanding the larger situation. Be prepared to have your ego bruised. Work that doesn't resonate with readers can be identified in a digital climate. Be prepared to learn from your audience.

For two decades, Alabama knew there was a serious problem in the prisons. But for two decades it never went beyond the initial news story or nonprofit report. It's our sense that as the true shape and scope of the problem came into the light, as we refused to allow the problem to follow the normal pattern and yet again fade into the background, something changed.

It's not that the conversation shifted. There had never been a public conversation. This was in some ways more like an intervention, a news organization forcing a long overdue confrontation with our own state.

We said we were going to look into Alabama prisons and stick with it. And in the end, we carried Alabama along with us. The state's egregious standing, its history of mistreatment, and its looming financial calamity were simply too much to ignore.

It's hard to measure exactly what we accomplished. We don't think we offered any magic bullets. But we know the issue has the attention of the people and lawmakers have momentum. If there's a time to act, it's now.

Michelle Holmes is vice president of content for Alabama Media Group, where she oversees the editorial operations of AL. com, The Birmingham News, Mobile's Press-Register, The Huntsville Times, The Mississippi Press, and gulflive.com. She was a 2012 John S. Knight Journalism Fellow at Stanford University, and previously served as editor-in-chief and managing editor at three daily newspapers in the metro Chicago region and as director of business development at Ustream.TV.

Challen Stephens is managing producer for investigation and enterprise at Alabama Media Group. He has served as a city editor for The Huntsville Times, and as a statewide projects editor. He began his career covering education in Alabama, won several national awards and was a Knight Wallace education fellow at the University of Michigan from 2006 through 2007.

REPORTING without BORDERS

CROSS-BORDER INVESTIGATIONS

Collaboration, communication and protection are key

BY MARINA WALKER GUEVARA » INTERNATIONAL CONSORTIUM OF INVESTIGATIVE JOURNALISTS

The encrypted email from our partners inside China came with the kind of message we had been dreading: *"Our reporters are now being closely watched, and it's possible that further actions might be taken."*

The Chinese editor added that her team needed to pull out immediately from its collaboration with the International Consortium of Investigative Journalists (ICIJ).

Four months earlier, ICIJ had launched a cross-border collaboration with the ambitious goal of bringing together journalists from mainland China, Hong Kong, Taiwan, Germany, the U.S., Spain and elsewhere to investigate the secret offshore businesses of China's top leaders.

Losing our Chinese colleagues was unsettling and a setback, but it wasn't the end of the story.

After making sure our Chinese partners were safe, the rest of the group pressed ahead with the work and, on Jan. 21, 2014, ICIJ and a dozen media partners — including the Guardian (U.K.), Le Monde (France), El País (Spain) and Ming Pao (Hong Kong) — published "China Leaks," an investigation that revealed how close relatives of President Xi Jinping and other communist leaders used offshore tax havens to shroud their wealth (bit.ly/1ikFsNK).

China's censors promptly blocked access to ICIJ's website in the mainland. But they struggled to contain the stories that were being published simultaneously in many countries, in eight different languages (English, Chinese, Spanish, Japanese, French, German, Korean and Dutch).

As effective as they are, the Chinese censors had to deal with an unusual target — a convergence of media outlets pushing the same story from different corners of the planet and across multiple platforms.

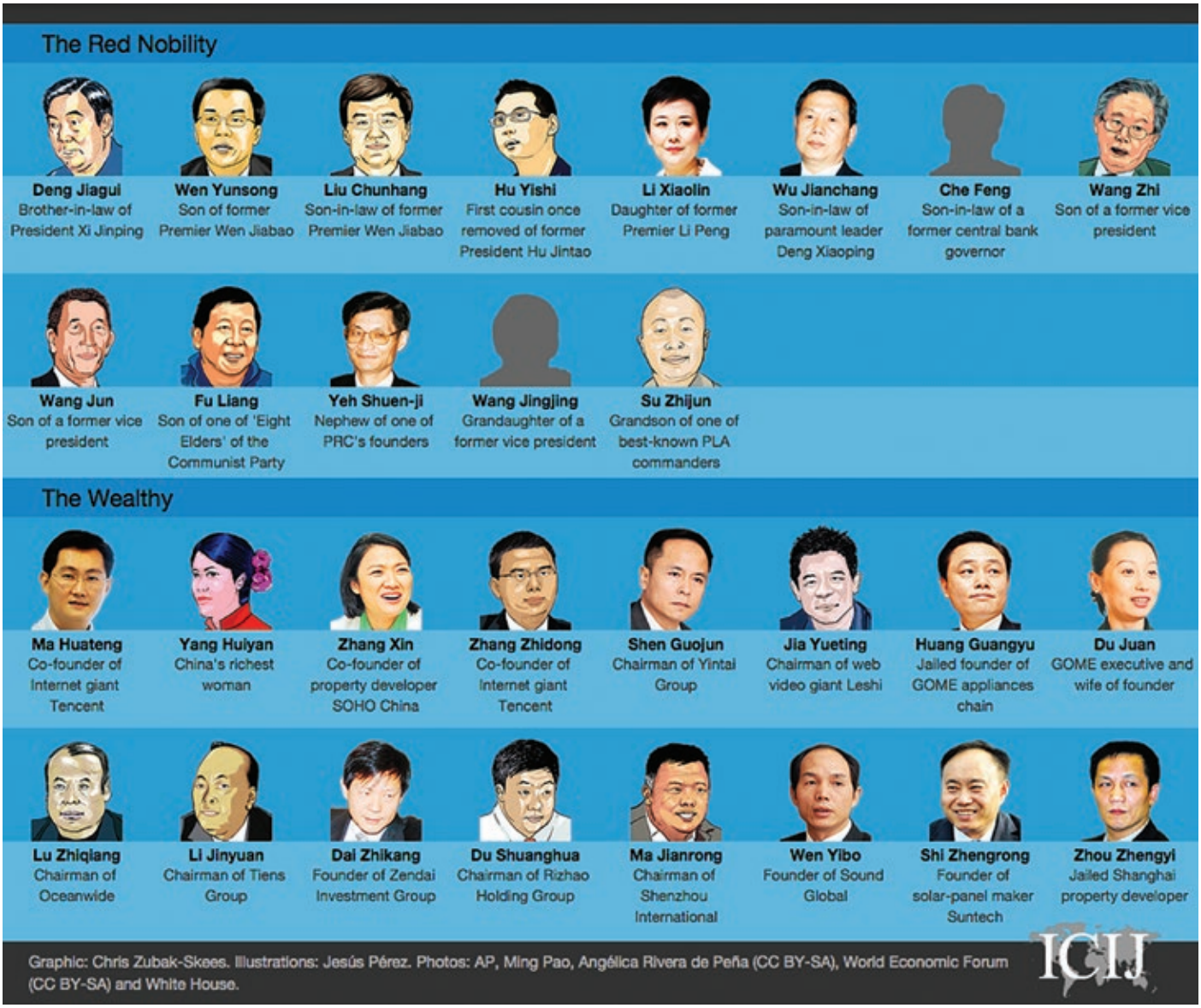
Tim Meko

VIRTUAL, GLOBAL

Welcome to the world of cross-border investigative journalism, where reporters work together in "virtual newsrooms" on stories that are relevant not just to their own countries but also to a worldwide audience. Data and documents are researched in encrypted online platforms. Leads are chased the world over, then shared with the team in secure online forums.

By combining shoe-leather reporting and state-of-the-art technology, multinational networks of reporters are eclipsing the traditional idea of lone-wolf foreign reporting to pioneer a new category: global reporting. When done well, the results can also be global.

ICIJ has been doing cross-border investigations since 1997, when a team of journalists in Colombia, Italy, Canada, the U.S. and U.K. exposed how leading multinational tobacco companies had colluded with organized crime to smuggle cigarettes around the world.



Among thousands of Chinese users of tax havens revealed in the ICIJ files are relatives of the country's top leaders and some of China's wealthiest men and women.

Today, well-established networks of investigative reporters exist in Eastern Europe, Africa and Latin America, among other places. For dozens of new nonprofit investigative centers around the world, cross-border collaborations are a way to leverage resources and reach wider audiences.

Cross-border reporting can also help shield journalism from outside attacks. In a recent ICIJ collaboration, a bank threatened one of our partners with an injunction. After the bank learned that dozens of other media organizations around the world were working on the same story, the injunction threat subsided.

ACROSS BORDERS

Great stories are often global in nature or have ramifications, victims and villains scattered around the world. Think NSA, money laundering, environmental damage, to name a few. Is there any other way to effectively tackle those stories than in a cross-border fashion?

With shrinking budgets and fewer foreign bureaus, the legacy media is also turning to cross-border collaborations. Some notable ones from recent years uncovered how people close to the Kremlin have profited from Russia's state spending; exposed Trafigura's — a Dutch multinational commodity trading company — cover-up of toxic waste dump in West Africa; and sent two former Costa Rican presidents to jail. None of these blockbuster stories could have been pulled off by a reporter working alone.

Between 2012 and 2013, ICIJ brought together more than 120 reporters from 58 countries in a reporting collaboration called "Offshore Leaks," producing stories that revealed the secret offshore holdings of politicians, business people and organized criminals from dozens of countries (bit.ly/1mE96h6).

People asked us how we had managed to coordinate the investigation across so many time zones, languages and journalistic traditions. We still are trying to figure that out — and still learning new lessons as we continue to publish new investigations.

Here's what we have learned so far:

1) A COLLABORATION MENTALITY

Before starting a cross-border investigation ask yourself: Do you want to truly collaborate with colleagues overseas in a relationship

An interactive graphic was created for the project. It allowed users to click on an individual and see relationships and offshore accounts.

of equals or do you just need help for your story from somebody in another country?

If you want a real collaboration, then a "cross-border team mentality" needs to guide everything you do. You are no longer working just for yourself and your newsroom. You have to be ready to do research and reporting that might never make it to your story but will help your colleagues in other countries. You might need to adjust your reporting habits (quickly transcribing interviews and sharing transcripts; learning to communicate online safely; going "all digital" for easier and faster sharing of notes and documents). You might even find yourself working in a team alongside your competitors. In ICIJ's recent investigation into multinational companies that received secret tax deals in Luxembourg, three Belgian newspapers worked together as one team. In Denmark, Germany and the Netherlands competing newspapers and television stations worked side by side on the story.

If you are part of a cross-border collaboration, be a giver. It's always a two-way thing, and it pays off.

2) THINK GLOBAL, THINK LOCAL

The best cross-border investigations have global appeal and rich local angles. Many investigative reporters around the world — and, increasingly, their editors — love to be part of something bigger than themselves and their news cycle. But they usually need the local news peg.

Our Luxembourg investigation worked because reporters from more than 30 countries were able to search the data set we provided and find at least one big company relevant to their countries. They investigated the systemic issues and the global patterns, but led their stories with the company their readers care about, whether it was Disney in the U.S. or Deutsche Bank in Germany.

Cross-border collaborations don't always need to be complicated, multi-country reporting juggernauts. Local newsrooms should see them as a way to enrich and add value to business, crime and environmental stories that do not stop at state or national borders. For their award-winning series "Fugitives from Justice," Chicago Tribune reporters collaborated with local journalists in India and South Korea to track Chicago-area criminals who had fled the U.S. and were hiding abroad.

JOURNALIST SECURITY GUIDE

The following are excerpts from the Journalist Security Guide by the Committee to Protect Journalists. For more information, visit cpj.org.

The world is an increasingly dangerous place for journalists. On average, more than 30 journalists are murdered every year, and the murderers go unpunished in nearly nine of 10 cases. Hundreds of journalists each year are attacked, threatened or harassed. Many are followed or have their phone calls and Internet communications intercepted. More than 150 are behind bars at any given time, some without being charged with a crime.

This guide details what journalists need to know in a new and changing world. It is aimed at local and international journalists of varied levels of experience. The guide outlines basic preparedness for new journalists taking on their first assignments around the world, offers refresher information for mid-career journalists returning to the field, and provides advice on complex issues such as digital security and threat assessment for journalists of all experience levels.

BASIC PREPAREDNESS

Thoroughly researching a foreign destination before traveling there is essential to staying safe. Closely review news reports reflecting a range of perspectives, diverse academic sources, travel and health advisories from the World Health Organization and other governmental or multilateral agencies and reports on human rights and press freedom from both government and nongovernmental sources.

Make every effort to learn basic expressions in native languages to enable daily interactions and to show respect, both of which can enhance your security. Research travel routes out of the area along with the status of available medical facilities. American University's Foreign Correspondence Network provides a list of diverse resources that can help in your preparation.

Appropriate clothing, including foul-weather gear, should also be purchased before departure. Journalists operating overseas should choose earth tones or dark colors that will not stand out at a distance and are distinct from the blue used by law enforcement or the army green or camouflage colors used by military units. The International Federation of Journalists recommends carrying a dummy wallet filled with official-looking cards and some cash in case you are robbed.

You may also wish to obtain an international driver's license in advance from a reputable provider. Having an international license, along with a license from your home jurisdiction, is required in some nations and may make it easier to rent cars in some locations.

INSURANCE COVERAGE

Securing adequate health and disability insurance is among the more difficult challenges faced by many journalists. Staff journalists working domestically should thoroughly review any policies provided by their employers for conditions and restrictions. Contract journalists should attempt to negotiate for coverage with their assigning news organization. But freelance journalists may have to find and pay for coverage on their own; they should take the time to research plans that fit their specific needs.

VACCINATIONS

Some nations may require proof of vaccination as a condition of entry; check the requirements of specific nations. Bolivia, for instance, has required visitors to have a yellow fever vaccination.

Most doctors recommend a 10-year tetanus shot for adults aged 19 to 64. For journalists traveling to areas where malaria is prevalent, doctors may also prescribe a prophylactic antimalarial medication to protect against infection. For some areas, vaccination against polio, hepatitis A and B, yellow fever and typhoid may also be recommended. The vaccination for hepatitis B must be planned a half-year in advance because it requires three separate inoculations over a six-month period.

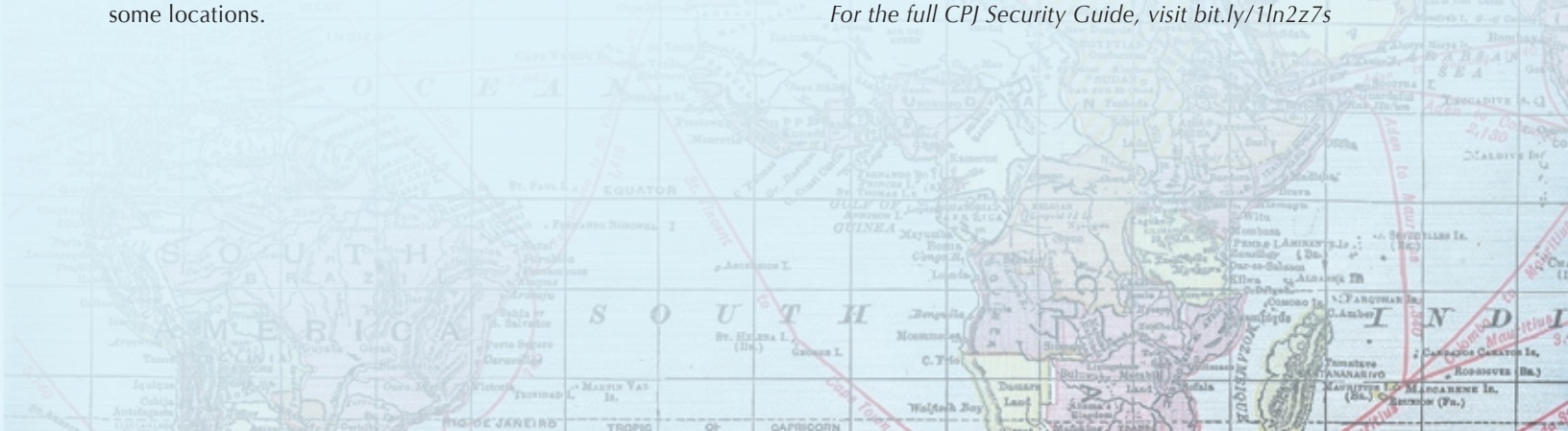
You should also carry an international vaccination card as well as official documentation of your blood type and any allergies or other medical conditions.

CONTINGENCY PLANNING

Journalists facing sustained risk should prepare a contingency plan. The plan should include contact information for the journalist and his or her family members and editors, along with responsive government officials, foreign diplomats, and both local and international press freedom and human rights organizations.

The plan should specify the frequency and exact means by which the journalist will check in with editors and family members. The plan could include a simple code for the journalist to discreetly signal an immediate threat. Codes could also be devised to signal that the journalist wants to meet at a prearranged location, or to switch to another means of communication. In the event a journalist becomes out of touch, the plan should specify how long editors and family members should wait before taking action. The plan should include a detailed list of individuals and groups for editors and loved ones to contact or call locally, regionally and internationally.

For the full CPJ Security Guide, visit bit.ly/1ln2z7s



3) ESTABLISH CLEAR RULES (AND PICK YOUR PARTNERS CAREFULLY)

Cross-border collaborations can quickly become nightmares if they're not put together carefully. Pick your partners wisely, focusing not just on their editorial skills but also on their personalities. Avoid massive-ego and high-maintenance types — the work you are doing is already hard enough.

Organizations such as the Organized Crime and Corruption Reporting Project, the Global Investigative Journalism Network, the African Network of Centers for Investigative Reporting, CONNECTAS, and ICIJ all can recommend the most talented, teamwork-oriented journalists who can help form your cross-border team.

Once you have the right people in place, establish clear rules of engagement in writing and ask everyone to sign a common agreement outlining publication dates/embargoes; confidentiality of the data and the reporting; expectations for sharing/communication, issues of credit, legal responsibilities. Journalism practices and standards vary wildly from country to country. If, for example, hidden cameras or anonymous sources are not an option, you'll need to spell this out from day one.

4) MANAGE, MANAGE, MANAGE

While cross-border collaborations are great opportunities for camaraderie, the investigation needs to have a clear chain of command and a project manager who calls the shots. The manager has a tough job: keeping track of a virtual network of investigators scattered around the world while maintaining her or his eyes on the big picture. In large collaborations involving dozens of reporters and media organizations, regional coordinators also can provide guidance to reporters, encourage collaboration among team members and assist the project manager.

"Do you want to truly collaborate with colleagues overseas in a relationship of equals or do you just need help for your story from somebody in another country?"

5) PROVIDE COLLABORATION TOOLS

True cross-border collaborations don't happen over email or on the phone.

At ICIJ, we are using a range of open-source digital tools that allow reporters to share information securely and efficiently. Most recently, we have used software called Apache Solr to make our project data searchable on the cloud during the reporting process. We also implemented an open-source social networking platform (Oxwall) that allows reporters to have, in one place, threaded communications and shared files. It's like a private Facebook page for your investigative team.

Once they are up, these platforms don't just work by themselves. We work to keep people interested in the topic and to encourage reporters to share their findings. We try to lead by example, doing a lot of sharing ourselves. We also train reporters (in person, through manuals and videos) on how to use the data and the online platforms. In every project we do, we try to meet at least once in person as a team.

Tim Meko

ICIJ

Mar Cabra explains the Swiss Leaks data at a team meeting in Paris, attended by 40 journalists from around the world.

6) LEVERAGE RESOURCES

Cross-border collaborations can be one of the most financially efficient ways of doing investigations. Costs for documents, such as records from certain corporate registries, are shared. Media organizations take turns bearing the costs of translations. Key interviews are pooled. Even interactive graphics are shared. Cross-referencing and linking at publication time expands the reach of your stories enormously and brings the economic equation full circle. In short: Cross-border collaborations are good business.

7) TAKE RISKS, GET RESULTS

Yes, you are taking significant risks by choosing to share rather than scoop others and by following leads around the world rather than in your backyard. The payoff can be big, too. ICIJ's three-year probe into tax havens has resulted in official inquiries, legislative changes and resignations in dozens of countries, from South Korea to the U.S. It also has created a close-knit and nimble community of investigative journalists who are producing better, more impactful stories — in their own countries and globally.

Marina Walker Guevara is deputy director of the International Consortium of Investigative Journalists, a Washington DC-based network of 185 reporters in 65 countries who collaborate on cross-border investigations. A native of Argentina, Walker Guevara has reported from a half-dozen countries and her investigations have won and shared more than 25 national and international awards, including from Investigative Reporters and Editors, Overseas Press Club, the Society of Professional Journalists and the European Commission.

THE KHADIJA PROJECT

Reporters cross borders, take over imprisoned journalist's investigations

BY IGOR SPAIC & MICHAEL MATTSON » ORGANIZED CRIME AND CORRUPTION REPORTING PROJECT

It seemed a typical December day in the Azerbaijani newsroom of Radio Free Europe/Radio Liberty (RFE/RL) when a band of armed police burst in, barking orders at the staff. They rifled through papers, confiscated computers, broke open a safe and took documents.

Over the next three days reporters were in a bizarre, uncertain world. Some fled the country. Others went into hiding. Some were interrogated at length not sure if they'd be arrested. Police told them at times they were looking for fraud, drugs or evidence of a coup plot.

The drama was the natural conclusion of what has become a theatre of the bizarre. Three weeks earlier, their award-winning reporter, Khadija Ismayilova, was arrested. The charges were unbelievable even by Azerbaijani standards. She had allegedly incited a former boyfriend and colleague to commit suicide by denying him a job when he tried to return to the newsroom. The fact that she had no authority over hiring didn't seem to matter nor did the fact that the ex-boyfriend later recanted all of what he had told prosecutors. Instead, she was held another month and then charged with abuse of power — a particularly Orwellian charge for a journalist who has no power in Azerbaijan. Ismayilova has denied all charges and has continued to accuse the government of covering its corruption by eliminating the last vestiges of a free press.

But if the scene is shocking, it's not especially surprising for people working in the region. In a world where the march of technology is rapid and unstoppable — global networks, data-scraping tools, easy crowdsourcing — the possibilities for journalistic work ought to be dizzying. But, uncomfortable with such scrutiny, countries have lashed back, cracking down on press freedom. Journalists in Turkey, Russia and China, to name a few, are being detained, questioned and jailed.

The case of RFE/RL and Ismayilova is both disturbing and particularly illustrative.

Many suspect her real crime has been to expose the business connections of President Ilham Aliyev's inner circle. Ismayilova has reported how the president's family secretly benefits from gold and silver mining, telecoms and construction projects such as the shimmering steel-and-glass Baku Crystal Hall. This new events center in downtown Baku is is emblematic of the Aliyev's reshaping of the ancient seaside town which has been gutted and rebuilt as a glitzy version of Dubai.

Radio Free Europe

Award-winning journalist Khadija Ismayilova was arrested in December in Azerbaijan. While she is in jail, reporters have continued her investigations.

In 2011 and again in 2014, she showed that Aliyev's daughters were linked to telecom giants Azerfon and Azercell, benefiting financially from the latter through a series of offshore shell companies — especially troubling given that these companies cooperate with authorities to monitor phone calls and Internet traffic, a power that has been repeatedly used to target journalists and activists.

Throughout her career, Ismayilova has continued her work undimmed by repeated harassment, a particularly abhorrent example of which was an attempt to blackmail her as part of a sexual-shaming campaign. In 2012, a camera was planted in her bedroom, and footage was sent to her with a letter threatening its release unless she "behaved." Ismayilova went public with the blackmail attempt.

She and her colleagues are deliberate targets of the regime. She was named an enemy of the state in 2009 in a leaked cable President Aliyev said he wished to see a "change in direction" at RFE/RL. Six years later, the organization is operating under unimaginable limits. In March, bureau chief Babek Bakirov was slapped with a travel ban.

Among 180 countries listed in the 2014 World Press Freedom Index issued by Reporters Without Borders (bit.ly/1bUJA2S),

International collaboration: one veteran's take

BY DREW SULLIVAN » ORGANIZED CRIME AND CORRUPTION REPORTING PROJECT

IT WAS FEBRUARY LAST YEAR when I got a call from our editor in Ukraine. Vlad Lavrov, a veteran of the Kyiv Post and the Maidan protests, told me he had something important and we needed to call everybody in and get to work immediately. It was Saturday night. I was tired. How important could it be? We are an investigative reporting organization, not a breaking news organization. The line was bad and I couldn't make out exactly what he was saying, but it was something about the deposed President of Ukraine's house and documents floating in a lake.

Two things clicked. First, in eight years working with Vlad, I trusted his news sense. Second, was the word "documents." In the years covering the regime of Victor Yanukovych, we had rarely gotten our hands on actual records. I took the time to listen, and within hours we had wired money to Ukraine and our programmers were working 18 hours a day building a website that would become Yanukovychleaks, an award-winning site that would release to the public a tranche of 30,000 important documents that would prove the extent of the corruption in the Russian-backed government.

The success of Yanukovychleaks rested not only with the excellent, committed journalists in Ukraine, but also in a system of cross-border reporting that had been set up over years. We knew and trusted each other, and we had the same values. Easier said than done.

Cross-border investigative reporting may be the most challenging form of journalism for a number of reasons. Working across different languages, cultures and styles of journalism creates misunderstandings that can derail even good stories. It's also hard to coordinate over time and space when you can't sit down with someone. Relationships must be built over time. A cross-border network is a valuable tool to be cherished and cultivated.

The Organized Crime and Corruption Reporting Project (OCCRP) has the distinct advantage of having done this for almost a decade from Europe to Vladivostock on the Sea of Japan.

When working on cross-border stories especially in developing countries, there are some rules of thumb to follow:

BE RECIPROCAL

We get dozens of media outlets contacting our reporters and editors for help on stories. But often when we go back for their help, we get curt answers like "We're really not interested in THAT story" or "That's not interesting to our readers." We've stopped working with many journalists because of this. If you want to cooperate internationally, you need to pay a price by agreeing to help others. It's a generalization, but our reporters tend to be gracious and hospitable because it's their culture to be so. On the other hand, too often Americans, Brits and some Europeans are overly aggressive, selfish and more often than not, do not reciprocate.

IT'S NOT YOUR JOURNALISM

American journalism is practiced only in America — nowhere else. Journalism around the world is unique to each country's history, government and culture. You have to negotiate such basics as standards, ethics in newsgathering, level of proof, accuracy and other professional standards. Don't assume you agree. Talk it out.

Azerbaijan is ranked near the bottom at 160, described as one of the countries where "media pluralism is in the process of succumbing to the increasingly repressive tendencies of rulers clinging to power."

In another study, by journalist Till Bruckner, Azerbaijan is shown as the second-worst country in the world for persecuting and jailing journalists (when measured per capita — bit.ly/1wFxJlK). Yet it was also the only country in his "10 worst" that maintained outwardly good relations with the international community as a democracy with a moderate regime. Azerbaijan is supported by high-level politicians like former U.S. Rep. Dan Burton, R-IN, a lobbyist for the country who has not ironically said "tolerance is a continuous learning process for all nations, but Azerbaijan has taken impressive steps in just 23 years of independence," and calls it an important U.S. partner (bit.ly/1BAkAt4). Bogus charges, such as those faced by Ismayilova, are key to avoiding an openly repressive stance.

Other examples include that of Seymour Khaziyev, a reporter for the opposition daily Azadliq, who was arrested in August after defending himself from an attack near his home in Jeyranbatan. He was charged with "aggravated hooliganism" and sentenced in January to five years in prison.

Today, Ismayilova's lawyer Fariz Namazli says she is doing well. She can only be held for 18 months in pre-trial detention, but could be held indefinitely during the trial itself, so her future is very much still in the balance. Communication is not easy with Ismayilova herself. She has gotten some letters through to the outside world, which have subsequently been published. However, each time a letter gets out, she has been sent to solitary confinement.

But she is in good spirits. She jokes with prison guards and prosecutors, sings opera music with her fellow inmates, and has formed a choir. She's an inspiration, says Namazli.

Some of Ismayilova's comfort may come from the fact that reporters outside Azerbaijan have picked up her work and vowed to continue her investigations in an effort called The Khadija Project. Ismayilova was one of the pioneers of cross-border reporting in Azerbaijan. She attended international conferences and trainings of the Global Investigative Journalism Network and was invited to work with the Organized Crime and Corruption Reporting Project (OCCRP). Her first big investigative break came from working with a scraped Panamanian

BE AWARE OF RISKY SITUATIONS

Many stringers working for international media get killed more often than staff journalists. Their employers justify their culpability by saying "They knew what they were getting into." However, they often push reporters to go to unsafe places, do dangerous undercover assignments, talk to very dangerous people, and generally practice unsafe journalism. The local reporters sometimes do this because they need the money — they have families. But it's also sometimes because they are not experienced or knowledgeable about the dangers and they expect the international media to guide them. At times, they also do the dangerous work because they are from cultures where honor dictates they meet commitments and finish the work. The dirty little secret is that American media will assign tasks to local reporters they'd never assign to their own staff. This is shameful.

TRUST LOCAL REPORTERS

I often did not trust local reporters when I arrived in Eastern Europe 15 years ago. Because of this I screwed up stories that would have been better had I believed the reporters I worked with. Learn who is good and trust them as you would any other colleague. The stories may sound incredible, the logic odd or the motivations suspect, but that's because you don't understand what's going on. Other cultures are alien. It took me 10 years to get a nuanced understanding of the history and the local way of seeing the world. It's those differences that make the world interesting.

SHARE CREDIT

Too often Western journalists erase their local partners from bylines or they are left off award submissions. This has happened many times to my reporters. A great way to make a friend for life is to share with them an award or the benefits of a story. An easy way to lose a friend is to be dismissive of their contribution. Ironically, many international journalists don't care too much about awards. They seldom bring more money or any advantage to them. There is plenty of credit to go around. Be gracious and hospitable and it will pay rewards.

CHECK LOCAL RULES

Outside media organizations can get into trouble trying to rely on documents they don't understand. I've seen Western media rely on intelligence documents that no serious reporter within the country would have used. They know the value of intelligence reports; they understand they are often politicized, and they know data is unusable unless independently verified. Be careful with information from other countries and understand that it has limitations you could have never guessed. Use the local experience.

GET A GOOD LOCAL PARTNER

I've often seen international media come into the region and team with an unethical local reporter who takes money to do positive stories, works for a political party or organized crime figure, or who is completely untrustworthy. Look out for media in developing countries that are owned by political interests, organized crime or specific business interests; they have no interest in doing good journalism. You need to find good people or you will be used.

If you do get a good person and follow the advice above, you can do amazing work. You can also meet the true heroes of journalism today. They're the reporters who risk their lives to show how organized crime and corrupt leaders are killing people and stealing vast fortunes. They do great work and change their countries. It takes time, patience and understanding. But that's what makes it so fun.

Drew Sullivan is the cofounder and editor of the OCCRP in Sarajevo, which works in 27 countries around the world. He founded The Center for Investigative Reporting in Sarajevo in 2003. OCCRP's work has led to more than $300 million in assets seized and 75 investigations since it started work in 2007.

electronic registry of companies she got through OCCRP. In it, she found many of the immediate family members of President Aliyev. She mined the data for a year issuing one big story after another.

Now some of those same journalists who cooperated with her have started The Khadija Project, an attempt to finish many of the stories she was working on.

OCCRP felt it was necessary to show that even an arrest cannot stop the work of investigative reporting. They have been quietly working on finding the assets of the ruling families of Azerbaijan in collaboration with reporters from Maeydan TV — an independent Azerbaijani media organization that was forced to close its offices in Baku and now operates out of Berlin — RFE/RL, and the International Consortium of Investigative Journalists. It is being coordinated by two longtime IRE members, Deborah Nelson and Don Ray. They work with a network of reporters from around the world, including a half dozen of Ismayilova's colleagues and former students.

The project was inspired by the Arizona Project — an effort by IRE members in the seventies to finish the investigation by Arizona Republic reporter Don Bolles, who was murdered while meeting a source. Early on, OCCRP reporters including Khadija made commitments to each other's work to always finish each others work if something bad were to happen. Khadija herself made this request to finish her work in the days before her arrest.

Others from around the world can help The Khadija Project by looking up the names of the family members of the three families that run Azerbaijan in public records in their area, volunteering to help report on the Khadija case, sending tips about corruption and wrongdoing by the Azerbaijani government, anonymously sending leaks to our platform, or just sharing their expertise. The list of names and other updates will be posted on the site occrp.org/free-khadija-ismayilova. Reporters can also contact Don Ray at don@occrp.org.

This spirit is illustrative of the camaraderie that can strengthen networks of reporters worldwide who all have their integrity and sense of purpose in their common work.

Igor Spaic was born in Sarajevo, Bosnia and Herzegovina, in 1990. He has a University of Buckingham degree in political science and international relations and has been a journalist with the OCCRP since 2014.

Michael Mattson is an intern with the OCCRP in Sarajevo. He is studying political science and international affairs at Northeastern University in Boston.

FOREIGN FOI

How to request records in another country

BY EMILIA DÍAZ-STRUCK » CENTRAL UNIVERSITY OF VENEZUELA

The lack of information in one country does not mean that the information does not exist. Many times, stories connect with different parts of the world, and searching in other countries could improve the findings. Persons and companies can have investments and lawsuits in different countries, global partnerships as well as cross-border connections. Records, court files and other documents can be found. If they are not available online, it is time to think of crossing borders in a different way and do freedom of information (FOI) requests in other countries.

There are several steps that can be helpful when you decide to include cross-border FOI requests as part of your reporting:

1. PLAN AHEAD

When you start an investigation, do not forget to check its cross-border connections. Often, these connections can come from investments or people's backgrounds. Just think for a moment if your story includes persons or companies that could have a past or a present in different countries. If so, check online and start planning. FOI requests take time, and in almost every country the legal framework establishes the amount of time it should take to answer a request.

Planning also means knowing what kind of information you are searching for, in which format it can be found and in which countries the information could be available.

2. CHECK THAT THE INFORMATION IS NOT ONLINE

Before doing any information request, verify that it is not available online. Sometimes governments and institutions in different countries have their own search systems for public records. Documents can also be found as PDFs in different languages. It is useful to dig thoroughly online before deciding to continue the FOI adventure.

3. KNOW THE LEGAL FRAMEWORK

A key step before doing a FOI request in any country is to know the legal framework. Many countries in the world have FOI laws. These laws openly establish how the process works in each country: how to address the request, if it is possible to do the request online through a website, if it needs to be sent to a specific institution or if it actually needs to be sent on paper. This varies from country to country.

A good way to do better FOI requests in other countries is to find a colleague or an organization that works in the country where you are planning the requests.

To check the legal frameworks established in various countries, you can find resources complied by the Global Investigative Journalism Network (GIJN) (bit.ly/1yHadEa), including links to freedominfo.org, Access Info-Europe, Right2Info and other organizations around the world that provide manuals and specific information about the laws in various countries or regions.

If you do not find all the information you need on those websites, you can look at local ones. To do this, it is useful to do advanced searches to find the legal framework of the country where the FOI request is going to be done.

If the country does not have an explicit FOI law, you might still be able to request the information. Some countries that do not have FOI laws address public information requests in other laws. For example, you may find it in specific articles of a country's constitution, which can be quoted while making your request.

In Venezuela, for example, there is no FOI law, but the right is granted through the Constitution. There are four articles that mention that any person has the right to request information to the authorities and the right of free speech, among others. To request public information, a person can write a letter quoting these articles.

It can be useful to get advice from lawyers, colleagues and organizations in countries with no FOI law. They can say if there is any legislation that can support a request, or if not, how information can be requested.

4. UNDERSTAND THE LANGUAGE AND CULTURE

Not everything can be requested and found in English. More than 60 countries have made English their official language, but

others have French, Spanish, Portuguese, Arabic, German, Italian, Chinese, Russian, among others, as their official language. This means that some institutions where the official language is not English could be reluctant to answer FOI requests submitted in English. Sometimes you are more likely to get an answer when the request is sent in the country's official language. If you do not speak the language, ask for help.

After deciding in what language the request is best written, it is also important to understand the country's culture. Some countries are more formal than others. Some countries will not differentiate between requests from foreigners and nationals; some might be more likely to respond to their nationals, and others to foreign media. It is useful to understand how this works in the country where you need to do the FOI request.

5. KNOW THE ORGANIZATIONAL CHART OF THE INSTITUTION

When you submit the request, you should send it to the right person. Contacting the wrong person could mean never getting an answer. Each country has its own governmental structure and each institution has its own organizational chart. While establishing what information or document you are going to ask for in your FOI request, you will need to know the person inside the institution who should have the information and will be in charge of answering the request.

However, in some countries, only a few people are authorized to talk or answer any request made to an institution. It is important to know whether this is the case, and then address the letter to the head of the organization. Otherwise, the answer you might receive — if you receive any — will be: "I'm not authorized to respond your request. You should send it to …" This restarts the process and more time will be needed to get a positive answer.

6. FIND ORGANIZATIONS AND JOURNALISTS THAT WORK IN OTHER COUNTRIES

A good way to do better FOI requests in other countries is to find a colleague or an organization that works in the country where you are planning the requests. There are special organizations around the world that promote the right to access public information and that have experience doing FOI requests. They are usually open to giving advice on the best ways to do FOI requests in that country, how to write them and how to follow up.

Colleagues in other countries are also a good way to improve the requests. They are used to the country's culture, the best way to reach organizations or institutions, the time it takes and how to follow up the requests. They also speak the country's official language, know the legal framework and have probably done FOI requests for their own journalistic pieces. It is useful to contact a colleague, explain what you are doing and ask for their help.

If you do not know a journalist in the country you would like to do the request, you can ask for a reference from organizations like IRE, GIJN, the International Consortium of Investigative Journalists (ICIJ), Arab Reporters for Investigative Journalism (ARIJ), Organized Crime and Corruption Reporting Project (OCCRP), African Network of Centers for Investigative Reporting (ANCIR) and the Press and Society Institute (IPYS), among others.

7. EMBRACE THE CROSS-BORDER SPIRIT

Besides asking for advice, directly involving a colleague in another country in the project also can be useful. If the story has connections in a different country, the possibilities to find more information, access more data, understand the story better and do successful FOI requests could increase when someone from the country is involved in the project. To do this, when you reach your colleague, you can propose the possibility of publishing the angle of their country in their own publication on the same day you will be publishing your story.

A colleague from that other country would know if it is better if a local does the request or if you as a foreigner can do it. The colleague will be the right person to tell you the best way to reach public institutions with FOI requests. And if the agency prefers to respond to nationals, then as your partner in the project, your colleague will be happy to help you with the request. Of course, you should also be helpful with your colleague's questions and should be willing to share. This will embrace the cross-border spirit of collaboration.

8. WRITE THE REQUEST

With every FOI request, it is important to know:

- What to ask for (be as specific as possible)
- To whom you should address the request
- What their contact information is
- How the information is stored and in which format you would like to receive the information
- What legal framework supports your right to ask for public information, so you can quote it in the request

While writing your request, do not forget to include your contact information. If there is no online platform to send the request and you decide to partner with another colleague in a different country, remember that when your partner goes to the public office to leave the request, the office should stamp and date a copy of your request to prove that it was received.

9. FOLLOW-UP

Once the FOI request is submitted, the countdown starts. You should write in your calendar when you should expect an answer according to the time limits established in the legislation. It is useful to do follow-ups to confirm that the request was received and to check on its status. If time passes and the day you were supposed to receive an answer comes with no answer, you can send a second request.

If the response to your request does not come with the right information, or if the request is denied, another request can be sent and the process will start again. If you are going to send another letter, remember to be as specific as possible with your request and send it to the right person. You can always mention the outcome of the request in your final story, even when you do not get a positive one or you did not receive a final answer. It will show that you tried to find more answers and information for your piece.

When you cooperate and get help from an organization or a colleague, do not forget to thank them for all their efforts. Remember to give proper credit, and respect the agreements you made when you started working together on the story. It is always nice to hear a "thank you" from your working partners!

Emilia Díaz-Struck is ICIJ's research editor. She is a professor of journalism at the Central University of Venezuela and co-founder of the Venezuelan news website Armando.info. Diaz-Struck has been a contributor for The Washington Post and has also written for the magazine Poder y Negocios and Venezuelan newspapers El Universal and El Mundo.

MALAYSIA AIRLINES MH17

Crossing into Ukraine to seek the truth

BY DAVID SCHRAVEN » CORRECT!V

Months after the downing of MH17, there were still no answers to the most important questions: Who fired the shot killing 298 people? Was it an accident? Was it a mistake? Or was it perhaps even intentional? At CORRECT!V, the first nonprofit investigative newsroom in Germany, we wanted to find answers to these questions. Our reporters Marcus Bensmann and David Crawford set off from Berlin to search for the truth.

In August 2014, our two reporters started off by collecting all the material they could find. From September onwards, CORRECT!V then developed a strategy designed to uncover the truth. Viewing the events from a distance was important to us. We wanted to escape the media hype, the constant thirst for news, this situation in which each tiny piece of the puzzle was blown out of proportion into a huge breakthrough. We wanted to take a step back to get a clearer idea of what had happened and to be able to pinpoint inconsistencies in the various accounts. We noticed that there were huge numbers of journalists at the MH17 crash site; reporters were even posing for photos with pieces of the wreckage. But no one seemed to be at the rocket launch site.

We quickly realized that the crash was part of a huge propaganda war surrounding the Ukraine crisis. One side claims that Russia is the aggressor; the other maintains that Russia is only acting in self-defense. Both sides have their own narrative, each obscuring reality.

We tried to battle our way through this labyrinth of propaganda. Who said what and when? After we'd gathered enough pieces of the puzzle, we were able to check these statements. There were a few facts acknowledged by all sides, which led to some fairly surprising conclusions on key points.

Russia, for example, went to huge lengths to develop an air-to-air strike theory. Officials kept on producing witnesses and statements claiming that MH17 could have been attacked from the air. At the same time, however, the Russian Ministry of Defence did not dispute a photograph showing a Buk rocket launch pad taken at the time the plane was shot down, near the spot it happened.

CORRECT!V

Because they lacked photos, CORRECT!V used comic-strip style illustrations to recreate what some villagers witnessed.

This is a key point: All sides involved accepted the authenticity of this photograph, which potentially depicted the weapon used in this crime. This rocket could have shot down MH17.

Now we were faced with the task of establishing whether a rocket was launched from the ground or whether MH17 was indeed attacked in the air, as maintained by Russia. Of all of the weapons, experts we interviewed agreed on this point: The marks on the

wreckage of MH17 could only have been caused by a surface-to-air missile. The experts involved came from the West and NATO countries, but also from Eastern Europe. A particular point they made was that shrapnel from the missile was only able to seriously damage the front part of the Boeing 777 because the plane was so large.

So it was clear that MH17 had not been shot down by a fighter jet. At this point, we'd like to emphasize that bellingcat.com laid the groundwork here and did an excellent job. The portal organized and categorized images that were making the rounds on Russian social networks. We based our work on these findings. We looked at where bellingcat said the photos were taken, then we traveled to the area to investigate: Were there any traces of tanks or artillery? Did any witnesses remember tanks or heavy artilleries?

CORRECT!V

Debris of flight MH17 in a private garden near the village of Rozsypne. The aircraft wreckage was distributed over an area of approximately 10 km by 5 km.

We took it a step further and asked the next question. How exactly does a Buk work? And what is the purpose of this weapon?

The answers we found were surprising. Buks are only designed to shield advancing tank units from air attacks carried out by enemy fighter jets and are only able to distinguish between friend and foe. Everything that does not emit a friend signal is automatically a foe. Buks were introduced in battle more than 30 years ago as wartime weapons for situations where there are no civilian jets in the skies, only foes that must be shot down. Buks are brutally efficient, but also imprecise and simple weapons: Russian military technology from the last millennia.

Our task now was to find the tanks advancing in Eastern Ukraine and then the Buk missile systems that had protected these tanks.

Bensmann traveled to Eastern Ukraine to knock on a few doors. All he had to do was knock on the right door in the right place. Not where the plane hit the ground, but at the rocket launch site.

We gathered all the information we could find to pinpoint the possible location of the Buk. We thoroughly checked the coordinates provided by the Russian Ministry of Defence and NATO's data on troop movements. We entered all of this data into a Google map to see exactly what happened and where. We looked for patterns that would emerge from this information on troop movements. At the same time, we analyzed all available flight data for these areas. We entered it into another interactive map to see which patterns would emerge from the aircraft movements (bit.ly/1zN32qK).

Our findings were astonishing. We established that there had been tanks around the city of Snizhne and that these tanks had come from Russia. We were able to make out a kind of shield of civilian planes over Eastern Ukraine, which provided cover for attacking fighter jets. We were able to see how this protective shield disappeared after the downing of MH17, leaving only Russian planes in the skies. Russian planes that emit friend signals.

Armed with these findings, Bensmann traveled to the crisis area. He was assisted by a Ukrainian freelancer whom we knew we could trust. Bensmann found the stringer by asking some friends he had

CORRECT!V

A CORRECT!V reporter knocked on doors to find witnesses willing to talk.

CORRECT!V

The burned out remains of flight MH17 - months after the downing with 298 dead people in a field near the village of Hrabove - some 12 km north of the town of Tores (Oblast Donezk).

in Ukraine, which is the best way to find a reliable freelancer in the country. He knows a lot of people there.

Bensmann also found himself a driver who took him to the disputed areas. Timing was absolutely essential for this on-site research. We waited for the elections in the separatist areas. During this period, the fighters welcomed international journalists, hoping that they would testify that the elections were free and fair. We used this loophole to travel around the villages and interview people at the potential rocket launch sites.

Bensmann speaks Russian and was able to move around freely. He recorded every single conversation so that we would be able to analyze them later on. Every evening, he sent his photographs, videos and audio clips to Berlin using an encrypted Internet connection. Bensmann talked to hundreds of people. Crawford interviewed hundreds more across the whole of Europe.

All of these efforts reaped rewards. We found numerous people who had witnessed the rocket being launched at MH17. And we have recorded their statements.

Then we contacted our partners: the German publication Spiegel and the Dutch paper Algemeen Dagblad.

We joined forces with our experienced and competent partners at these publications to tie together the loose ends of the stories. We researched the biographies of the victims. Our partners checked our findings and were able to corroborate key points with new sources.

And we published our findings (bit.ly/1Gej7xL).

While we were in the crisis areas, someone once asked us if we were spies. Because in a conflict like the one raging in Eastern Ukraine, too many people think that reporters are propagandists controlled by the secret services.

We aren't spies. We are journalists investigating for the good of society. We are searching for the truth.

It is necessary that the people in Germany and in the rest of the world know as much as possible about the truth about who is behind this crime and why MH17 was shot down. The answers to these questions may define the future of freedom on our continent. And freedom itself is in the core of our nonprofit newsroom.

David Schraven leads the investigative newsroom CORRECT!V. Previously, he was in charge of the research department at the Content Desk of Funke Mediengruppe from 2010 to 2014. The founder of the political blog Ruhrbarone, he received the Wächterpreis der Tagespresse award for his investigation of the PFT-poison scandal at the Ruhr and the Research Prize of the Swiss Wolfgang-Fichtner-Foundation for his work on fraud allegations against former state secretary Zülfiye Kaykin. "Kriegszeiten," his graphic report on the German military's Afghanistan mission, was nominated for the German Youth Literature Award.

BEYOND NARCO TUNNELS AND BORDER SECURITY

Tips and techniques for investigating stories along the U.S.–Mexico border

BY CELESTE GONZÁLEZ DE BUSTAMANTE » BORDER JOURNALISM NETWORK

Geopolitical borders and the communities that thrive among them are unique places where cultures can be both connected and contested at the same time. Borderlanders, those who live on both sides of the U.S.-Mexico border region, share hybrid histories irrespective of what is happening in their political centers. The borderlands also are a place of innumerable untold stories waiting to be written, captured on video or produced for the Web. With America's heightened focus on the U.S.-Mexico border and politicians' calls to "secure it," it might be time to ask, how can journalists get better stories about the border, and why should they improve their coverage of it? Here are 10 tips:

THINK TRANSNATIONALLY

The first thing journalists can do is to recognize that all border stories are transnational.

The economies and cultures of the border straddle both sides. If you write a story about a cross-national drug tunnel, it is at first glance a cross-border story, but there are a myriad of other issues and stories that might not be so obvious.

The borderlands are a cultural laboratory where people learn to coexist and adapt. A recent report by Dallas Morning News reporter Alfredo Corchado about African-American expats living in Ciudad Juárez, Mexico, (bit.ly/1E7g83z) illustrated another side of the border — one that does not fit neatly into the trope of "people who head north for a better life." Sometimes, as Corchado's story points out, people travel south, and for a variety of reasons.

Economically speaking, cross-border communities are inextricably linked. According to a 2013 report by University of Arizona economists, the Nogales, Arizona, fresh produce industry, which links Mexican produce to U.S. consumers, had contributed a three-year annual average of $436.7 million to the Santa Cruz County, Arizona, economy (bit.ly/1wwlkk4). In Los Angeles Times reporter Richard Marosi's recent series, "Product of Mexico," Marosi made public the contrast between deplorable living conditions of Mexican farm workers and their workplaces, which were described as "immaculate greenhouses" where "laborers are ordered to use hand sanitizers and schooled in how to pamper the produce" (bit.ly/1yY15sY).

KNOW THE HISTORY OF THE BORDER

Reporters won't get far if they step onto the border and begin to interview its inhabitants without considering that the north side was originally part of the Spanish empire. Also, reporters should also know that prior to 1848, the north side of the border was still a part of Mexico, except in the case of Arizona and New Mexico, which were acquired by the U.S. a few years later as part of the Gadsden Purchase in 1854.

"Ringside Seat to a Revolution," David Dorado Romo's microhistory of El Paso, Texas, and Juárez (bit.ly/1GtWz8c), is a fascinating cultural examination of the turn-of-the-19th-century border community, and it provides deep background and an important backdrop to many relevant and contemporary issues.

PUT STORIES INTO HISTORICAL CONTEXT

Journalists can go beyond knowing about the general history of the borderlands and include history in their work, and in so doing can increase the quality of their reporting. They can visit and consult local historical societies and university archives along the U.S.-Mexico border.

University of Arizona Special Collections

The photo above of Yaqui Indians during the Mexican Revolution is an example of the types of photos that can be used as sources to put reports in historical context.

Many of these resources are now online. One such resource is an online digital archive based at the University of Arizona, which houses Mexican and Mexican-American newspapers published from the mid-1800s to the 1970s (bit.ly/1Mtbwtf).

There are numerous indigenous nations whose tribal lands straddle both sides of the border. Each native people has their own rich history, which if included, could add a valuable dimension to reporting projects. The photo above of members of the Yaqui Indian Nation was acquired at the University of Arizona Special Collections, home to numerous online photo collections.

The historian's craft is similar to the journalist's, though the former has the luxury of time to investigate projects. Nevertheless, studying the work of scholars, such as Elaine Carey's "Women Drug Traffickers: Mules, Bosses, and Organized Crime" (bit.ly/1t0hLAz), might be useful in finding leads for stories and for triggering ideas about what to report.

DON'T TREAT THE BORDER AS A MONOLITH

No two border cities are the same: What happens in San Diego, California/Tijuana, Baja California, is different from Nogales, Arizona/Nogales, Sonora (Ambos Nogales), and those places are distinct from El Paso/Juárez, and so on. Each trans-border community has its own culture and history. The diversity of the U.S.-Mexico border lends itself to excellent cross-border and border-wide projects. Journalists can embrace the diversity and look for projects that examine and compare everything from environmental issues, such as water and climate change, to political and economic issues.

KNOW THE SECURITY SITUATION

InSight Crime reported that as many as 2,000 guns per day are trafficked into Mexico from the U.S. (bit.ly/1HGPX7F). With that many weapons crossing the border, there's bound to be some violence. But violence, like migration patterns, changes frequently. Currently, the situation in parts of Tamaulipas, for example, is much more dangerous than the situation in the cities of Baja California or Sonora. Checking sites such as InSight Crime can be useful in determining whether it's worth crossing the border at a given time.

BEWARE OF THE "DANGEROUS BORDER" STEREOTYPE

Speaking of dangers along the border, journalists should recognize that what they report helps to shape public perceptions about places and people. If reporters only cover crime and violence, then that is what the public thinks about when a reference is made to the U.S.-Mexico border. Media scholars have found that network television news coverage of the U.S.-Mexico border increasingly paints the region as a more dangerous place. While this is true in parts of the south side of the border, many cities on the north side, including El Paso and San Diego, represent some of the safest places in the country.

GO BEYOND MIGRATION AND THE DRUG WAR

While narco tunnels and border security are interesting and important stories to cover, they hardly define the complexity of the U.S.-Mexico borderlands. Erin Siegal McIntyre's reporting on educational challenges of young children whose parents have been deported to Tijuana serves as an illustrative example of how to report the border in a distinct and powerful way. This is an issue that runs border-wide, and across borders, and lends itself to a comparative reporting project. Another issue that's bound to make headlines and loads of money for U.S. investors for years to come: Mexico's energy reforms, which will allow foreign investment in energy. A recent Congressional Research Service report indicates that potential binational collaborations involving natural gas and oil production has implications for communities all along the U.S.-Mexico border (bit.ly/18CbamH).

Journalists should recognize that what they report helps to shape public perceptions about places and people.

DELVE INTO OPEN DATA ALONG AND ACROSS THE BORDER

Look for open data to drive your stories. Editors don't have to be convinced to buy expensive databases when much data is now available online. Last summer in Sonora, Mexico, when a leaching pond owned by Grupo Mexico spilled millions of gallons of contaminated water into an important river in the region, Sonorans and Arizonans were reminded that mining interests remain important. For data on mines, journalists can consult an investigative piece recently published by Mexico City newspaper El Universal, in conjunction with Cartográfica, in which the daily reported that mining concessions sit on one-fifth of the country's land (eluni.mx/1qRe5hH). For stories about migration, reporters can consult the Institute for Justice and Journalism's Open Data Library (bit.ly/1wYQIby). IRE also has a hefty database library that members can access.

CONSULT LOCAL, REGIONAL, NATIONAL AND INTERNATIONAL NGOS

Human rights organizations and academic think tanks frequently have a very good pulse on circumstances on both sides of the border. They can be a great starting point for story ideas, as well provide good data that can add weight to reporting. One of the best national sources in the U.S. for open data on the border and Latin America is the Washington Office on Latin America (WOLA).

Celeste González de Bustamante

North side of the Nogales, Arizona — Nogales, Sonora border wall.

On the national level in Mexico, the Mexican Commission for the Defense and Promotion of Human Rights (CMDPDH) monitors human rights violations on the border and throughout the country. The civil society organization posts daily reports on a listserv titled "Hoy en DH" (Today in Human Rights). Locally and regionally, all along the border there are dozens of organizations that can provide rich data and information.

LOOK FOR CROSS-BORDER COLLABORATIONS

Let's face it: Some stories along the border are simply too big and too expensive for one individual to tackle. That's when cross-border relationships and projects can pay off.

Given Project Word's recent report about freelancers around the world having to give up on stories because of scarce resources (http://projectword.org/survey), it seems clear that collaborations are the wave and necessity of the present and future. Some of the best reporting can result from cross-border reporting teams. In 2013, U.S.-based reporter David Barstow and Mexico City-based reporter Alejandra Xanic von Bertrab won a Pulitzer and an IRE award for their coverage of Walmart's use of bribery to get its way in Mexico. Recently, several organizations have emerged offering a host of benefits from up-to-date information about the U.S.-Mexico border to training and opportunities for collaboration in cross-national/cross-border reporting projects and investigations. Many of them are listed here alphabetically.

List of cross-border organizations

- Border Center for Journalists and Bloggers: journalistsandbloggers.com
- Border Journalism Network: borderjnetwork.com
- Borderzine: borderzine.com
- Center for Border and Global Journalism: borderjournalism.org
- Frontera List: fronteralist.org
- Fundación MEPI: fundacionmepi.org

Dr. Celeste González de Bustamante is an associate professor in the School of Journalism at the University of Arizona and affiliated faculty member of the university's Center for Latin American Studies. She is the author of "Muy buenas noches," Mexico, Television and the Cold War; co-editor of Arizona Firestorm: Global Immigration Realities, National Media, and Provincial Politics; and current co-head of the Border Journalism Network/La red de periodistas de la frontera. She was also past head of the International Communication Division of the Association for Education in Journalism and Mass Communication. Prior to entering academia, she reported and produced commercial and public television for 16 years, covering politics and the U.S.-Mexico border.

IRE RESOURCES

The IRE Resource Center is a major research library containing more than 26,000 investigative stories – both print and broadcast – and more than 4,200 tipsheets available at ire.org/resource-center or by contacting the Resource Center directly, 573-882-3364 or rescntr@ire.org.

STORIES

No. 26228: "Over the Line." Fatal shootings by U.S. Border Patrol agents were once a rarity. Only a handful were recorded before 2009. Unheard of were incidents of Border Patrol agents shooting Mexicans on their own side of the border. But a joint investigation by the Washington Monthly, The Investigative Fund at The Nation Institute, and the television network Fusion has found that over the past five years U.S. border agents have shot across the border at least ten times, killing a total of six Mexicans on Mexican soil. A former Clinton administration official who worked on border security issues couldn't recall a single cross-border shooting during his tenure. "Agents would go out of their way not to harm anyone and certainly not shoot across the border," he said. But following a near doubling of the number of Border Patrol agents between 2006 and 2009, a disturbing pattern of excessive use of force emerged. For "Over the Line," the journalists traveled to several Mexican border towns, tracking down family members of victims, eye-witnesses to the shootings, amateur video recordings, Mexican police reports, audiotapes and autopsies to recreate the circumstances surrounding these cross-border killings. Although Border Patrol protocols and international treaties between Mexico and the United States appear to have been violated by these cross-border shootings, none of the agents involved had been prosecuted. If any agents have been relieved of their duties for their role in the incidents, that information had not been made available to the public, and queries to Customs and Border Protection on this issue have been denied. (2013)

No. 25799: "Thai Shrimp Industry Exploits Workers to Whet Global Appetite for Cheap Shrimp." PBS Newshour reporters Steve Sapienza and Jason Motlagh investigate exploitative labor practices at the lower levels of the shrimp supply chain. Shrimp is big business in Thailand, thanks to an appetite in the United States that continues to grow. Breakthroughs in aquaculture have helped Thai producers keep up with the rising demand, but there's a catch to their success: an invisible underclass of Burmese migrant workers, thousands of whom labor in subhuman conditions to keep costs down. Of the estimated 200,000 Burmese migrants working in Samut Sakhon province, the heartland of the Thai shrimp industry, about a third are unregistered and subject to rights abuses. Independent monitors say that thousands desperate to escape the poverty and dictatorship of their homeland cross the border only to find themselves trapped in bonded labor that's tantamount to slavery. Sold by brokers to crooked factory owners, they are forced to endure long hours for pitiful wages, physical abuse and intimidation. Many are children who do not meet Thai working age requirements. Their plight is made worse, critics say, by the profit-induced apathy of Thai authorities who turn a blind eye or are complicit in abuses. (2012)

TIPSHEETS

No. 3992: "U.S. data-international information." IRE Senior Training Director Jaimi Dowdell put together a list of U.S. websites that may be helpful when investigating international businesses. The list includes sites for FDA import refusals and federal contracts. (2013)

No. 3642: "Mining Around the Data Globe." Investigative reporters Helena Bengtsson, Andy Lehren and Nils Mulvad share their tips on how to locate data worldwide. This tipsheet using screenshots shows how to navigate multiple websites from different countries.

EXTRA! EXTRA!

IRE members work to boost transparency, cooperation in Kenya Land Quest (landquest.internewskenya.org) is an experiment in cross-border investigative journalism by two European, two Kenyan and one American journalist that seeks to redefine both the focus and the audience of development reporting.

The data featured on the site reveals Kenya as the battlefield between two competing financial interests: the flow of aid money from Europe to Kenya, and multinational profits from Kenya to Europe. Aid money flows into Kenya to help strengthen institutions and private companies, from agro-industrialists to oil barons.

The project, funded by a grant from the European Journalism Centre, was designed to raise awareness about the need for developed and developing countries to become partners that work together through open data.

Land Quest launched in January 2014 and IRE members Eva Constantaras and Eduard Martín-Borregón contributed to the project. (2014)

IRE RADIO

"Secrecy for Sale." The International Consortium of Investigative Journalists (ICIJ) "Secrecy for Sale: Inside the Global Offshore Money Maze" is one of the largest and most complex cross-border investigative projects in journalism history.

In this podcast, Mar Cabra of ICIJ explains some of the ways the 110 journalists in about 60 countries communicated in order to comb through the offshore tax haven database compiled from a leaked hard drive.

Cabra walks through how to use ICIJ's Offshore Leaks Database hosted on the ICIJ website. They also produced a short video tutorial. Listen here: bit.ly/1GSTWQN

"Product of Mexico." IRE's Shawn Shinneman talked with Los Angeles Times reporter Richard Marosi about his 18-month investigation into the working conditions of Mexican agribusinesses supplying produce to major U.S. supermarkets and restaurants. Tune in to hear Marosi discuss the reporting challenges he faced on the ground in Mexico. Listen here: bit.ly/18T6qJI

BEHIND THE STORY

In 2012, Tim Steller, a reporter for the Arizona Daily Star, reported on the increasing number of shootings occurring between Border Patrol and illegal immigrants along the U.S.-Mexico border. The victims in some cases appear to have been unarmed. This fact and the lack of transparency in the investigations have cast doubt on the nature of the shootings, especially for victims' families. Steller's investigation shows that in some incidents, the families' concerns might be justified. Read the Q & A with Stellar: bit.ly/1CkftRk

Empathize in life and reporting

Nicole Vap
KUSA-Denver

I'm late. Again. I'm late and driving home after yet another 11-hour day.

I blame the PR flack. In order to short-circuit an upcoming story on his employer, he distributed to all local media a preemptive denial of our reporting. As a result, we were forced to rush two weeks of work into two days to get the story on the air.

The very next day, that same flack, after all of the denials, interview refusals, personal insults and endless stonewalling, sent us an email finally admitting that the facts of the story he had vehemently denied for months were, in point of fact, all true.

The crazy thing is that, for me, that's a typical day, and just another chapter in the life I have chosen for myself and, though they never made the same choice, my family. While pondering all of this on that drive home, I realized I was missing a deadline to write this article for IRE.

To be honest with you, my family (two daughters, a husband, a dog and two fish) are pretty used to this chaotic life. They know all too well about all the late nights, the missed moments and missed meals (for the fish, not the dog or children).

Why am I lamenting all of this to you? I do have a point. Doing so reminds me of the one lesson I wish the entire world could learn right now: employ more empathy in your life and it will come out in your reporting.

I remember sitting in restaurants and planes as a parentless, carefree 20-something, scoffing at the appalling behavior of a screaming child and their parents' disinterest.

"I will never allow MY children to throw peas at the table," I would righteously think. "If those were MY kids, I would explain to them the right way to behave."

I could never understand why the tantrums were allowed to continue, why the parents seemed so blithely unaware of the scene playing out before me.

The further I age away from my 20s, the more I understand we can live an entire lifetime and never be as learned about things with which we have no experience, or as certain of things of which we have no knowledge, as we were at age 22. The hubris of youth, I suppose.

All you have to do is watch cable news to see what a world devoid of empathy looks like. Isn't it boring (and lazy and predictable) to watch the usual opposing talking heads make the same tired arguments on the same divisive issues while never really "listening" to each other?

Aren't stories more interesting and useful to us and to those who watch us when there is more context, more feeling and more simple understanding?

Aren't stories more interesting and useful to us and to those who watch us when there is more context, more feeling and more simple understanding?

Far too often, reporters make snap judgments about those on whom they report before they've gathered all the facts or even bothered to talk to those involved.

The list of adjectives used to marginalize the subjects of our stories is never ending: racist, sexist, misogynistic, radical, conservative, liberal, naïve. Is she stupid for falling victim to a scam, evil for committing a heinous crime or naïve for committing herself to a philandering politician?

It's true, having empathy or showing genuine compassion in our reporting makes our jobs much harder. It requires us to make that extra phone call, to ask for one more document, to consider things that may make our stories that much harder to tell.

When we think of the subjects of our stories as human beings, people not just worthy of our efforts but of simple decency, we can come to a truth more interesting and revealing than the limits of our preconceptions.

Consider this from one of my literary heroes: "You never really understand a person until you consider things from his point of view … until you climb into his skin and walk around in it," Atticus Finch tells his curious daughter, Scout.

If she hadn't learned this lesson about compassion, Boo Radley would have remained the mysterious bogeyman down the street. He may never have made the transformation from anonymous friend to silent protector, a person who chose to reveal his true self the day he saved two children's lives.

Sometimes the hardest stories to tell, the ones where we get deep in the weeds, drowning in weeks or months of research, paper and videotape, are the ones that reveal the most about the nature of humanity. At least, these are the kinds of stories I like to tell.

The same thing can be said about parenting. You could shove an iPad into the hands of that screaming child, or you could take a moment to figure out what's really going on with her. What does she need? Why is she frustrated? How can I help?

Sticking a pacifier in their mouths may shut them up, but you'd miss knowing, nurturing and helping them grow into the incredibly interesting people they will become on their own.

Your stories should be given the same room to breathe. Can it be messy and exasperating and disorganized at times? Of course! But is it fun? Oh, yes it is, even when you're running late and the fish are hungry.

Nicole Vap is executive producer of the 9Wants to Know unit at KUSA-Denver and an IRE board member. She has been a finalist for the IRE Freedom of Information award, won a 2011 DuPont Silver Baton for excellence in broadcast journalism, a Casey Medal for Meritorious Journalism, a regional Edward R. Murrow award and six regional Emmy awards.

American clunker: U.S. FOIA falling behind other countries

David Cuillier
University of Arizona School of Journalism

When it comes to freedom of information, the United States can learn a lot from other countries.

Now, 103 countries have freedom of information laws, most of those passed in the last 15 years. Many were modeled after the 1966 U.S. Freedom of Information Act (FOIA), but have since leapt far ahead.

In ranking the strength of FOI laws, Access Info Europe and the Centre for Law and Democracy place the United States at No. 44 in the world. That's behind such countries as Uganda, Russia and Kyrgyzstan. Mexico's law ranks seventh.

Sure, there is more to accessing public records than just the law. A state or nation can have a strong law but weak implementation. Or, a country can have a weak law but the culture and political leadership might foster openness.

The fact is, though, laws do matter, and the U.S. is falling behind. We are driving a 1966 Ford Mustang of a law. A classic car, no doubt, but with worse reliability, horse power, sound system, AC, safety and comfort than a new Jaguar SE (the United Kingdom's FOI law, passed in 2000, ranks 29th).

So what can we learn from our global neighbors — even those with some pretty sketchy records on press freedom? A lot.

Broadly applied

- In many nations, such as Liberia, the right to access public records is explicitly stated in their constitution, or has been acknowledged by their high courts as a constitutional right. Not in the United States.
- The FOI laws of South Korea and Uganda apply to all three branches of government, including the courts and legislative branches. In the U.S., Congress exempted itself and the courts from FOIA.
- South Africa makes "private bodies," such as companies that serve as government contractors, subject to its federal FOI law. In Brazil, Estonia and Macedonia, if a private company is delivering public services with public funds, then it must follow FOI.

Ease of request

- China's FOI regulations provide reduced or waived fees for those who demonstrate financial hardship, and officials are required to assist the illiterate and disabled in making requests.

In ranking the strength of FOI laws, Access Info Europe and the Centre for Law and Democracy place the United States at No. 44 in the world.

- In the United Kingdom, a public records request posted in a Twitter message could require agency response.
- Armenia requires agencies to respond to a request within five business days. In the United States, it's 20 days.
- Serbia law specifically says the government can't give preference to any one journalist over other journalists in handling requests. No favorites.

Enforcement power

- Mexico FOI provides for an independent agency to enforce the law.
- Many countries, such as India, assess monetary penalties against agencies that don't comply with the law.
- Ethiopia provides a public records ombudsman who can force an agency to cough up records. The U.S. Office of Government Information Services serves as a mediator, but does not have the power to require disclosure.

Public education

- The state of Sinaloa in Mexico requires FOI to be taught in the schools.
- In Russia, the law requires government agencies to provide lists of all their records and databases online.
- A Colombian law enacted in January requires agencies to provide public records in different languages.

Of course, just as there are some good FOI laws in the world, there are a lot of bad ones. In Bangladesh and Ghana you have to hand deliver your request. The United Kingdom FOI gives the Royal Family a broad exemption. Many nations still have no laws requiring government to provide records.

The reality is there is a lot of good and bad in all FOI laws, particularly at the state level. It's easy to get complacent and accustomed to our laws — to accept them as they are, shrug and move on.

We should not. We should look around the world, identify the best practices internationally and craft a more powerful FOIA that will better serve journalists, citizens and democracy in the 21st century.

It's time we park that Mustang in the garage. It's time to trade up.

David Cuillier is director of the University of Arizona School of Journalism and Freedom of Information Committee chair for the Society of Professional Journalists. He is co-author, with Charles Davis, of "The Art of Access: Strategies for Acquiring Public Records."

Investigative books 2014

Multiple military books published last year

Steve Weinberg
University of Missouri

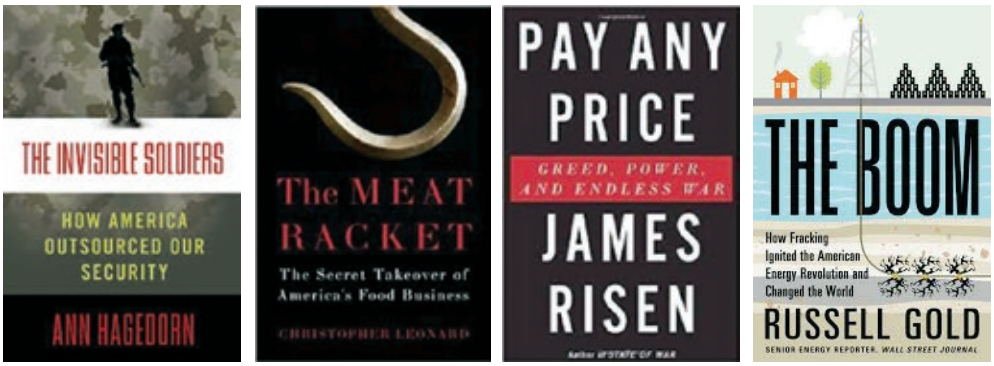
If a journalist writing an investigative book wants vast free publicity, maybe it is best to hope for an attempt at government censorship. Even without a clumsy, journalist-hating Obama administration nipping at his heels, James Risen, long of The New York Times, would have received lots of attention for his book "Pay Any Price: Greed, Power, and Endless War," published during 2014 by Houghton Mifflin Harcourt. The government's intervention qualified as evil and provided Risen with plenty of uncomfortable moments. But he and his publisher prevailed, and the book surely sold better than it would have otherwise.

Unsurprisingly, the year 2014 yielded multiple books by American journalists about U.S. military interventions around the globe.

Risen's book had its genesis in a 2003 piece he composed for The New York Times about the CIA's plan to covertly sabotage a nuclear weapons program in Iran. When editors at The New York Times spiked the exposé after intervention from then-President George W. Bush's team, who were hiding behind trumped-up "national security" claims, Risen gained a measure of satisfaction by publishing his 2006 book, "State of War: The Secret History of the CIA and the Bush Administration." The path from that book to the 2014 book is convoluted. Thank goodness for the integrity of journalism that Risen stayed the course.

Another endless-war-waged-around-the-globe-by-the-U.S.-military-and-civilian-commanders book from 2014 that has stayed with me is "The Invisible Soldiers: How America Outsourced Our Security." The author is Ann Hagedorn, a former reporter for The Wall Street Journal. The publisher is Simon & Schuster, perhaps the largest of all remaining in the United States, and rare in that its president is a former investigative journalist (Jonathan Karp).

The specific genesis of Hagedorn's reporting for the book came in 2008, when she realized the casualty totals being announced for U.S. invasions of Afghanistan and Iraq excluded private contractors to the U.S. military. That statistical sleight of hand meant the full impact of the invasions was being understated — another government lie, by omission.



Unsurprisingly, the year 2014 yielded multiple books by American journalists about U.S. military interventions around the globe.

The longer-term genesis for Hagedorn's book demonstrates the importance of big-picture thinking by journalists. That big-picture thinking can be likened to understanding how individual trees eventually might constitute a dense forest. Here is Hagedorn, speaking for herself, as she refers to an earlier book she wrote about international kidnappings:

"Private firms were providing on-call hostage negotiators for companies and individuals who bought K&R (kidnap and ransom) insurance and for governments that asked for [hostage negotiations]. What I realized at the time was that soldiers, bureaucrats and spies displaced by the end of the Cold War were starting and joining companies that were indeed offering inherently governmental services."

Other subjects yielding multiple skilled and shocking investigative books during 2014:

- **Environmental degradation caused by global warming and fracking, among other phenomena.** No mortal could have read all the worthy books by journalists on those topics. Two that have stuck with me are "The Boom: How Fracking Ignited the American Energy Revolution and Changed the World" (Simon & Schuster) by Russell Gold of The Wall Street Journal; and "Windfall: The Booming Business of Global Warming" (Penguin Press) by McKenzie Funk, a freelancer based in Seattle.
- **Food.** Books about the food supply and demand that continue to resonate with me include: "American Catch: The Fight for Our Local Seafood" (Penguin Press) by Paul Greenberg, a freelancer; "The Meat Racket: The Secret Takeover of America's Food Business" (Simon & Schuster) by Christopher Leonard, a freelancer; and "The Big Fat Surprise: Why Butter, Meat and Cheese Belong in a Healthy Diet" (Simon & Schuster) by Nina Teicholz, a freelancer.
- **Failures by journalists to recognize and expose major problems in society.** Two books in the realm of investigating journalism itself will not give me peace, even months after reading those books. One is "The Watchdog That Didn't Bark: The Financial Crisis and the Disappearance of Investigative Journalism" (Columbia University Press) by veteran reporter Dean Starkman. The other is "935 Lies: The Future of Truth and the Decline of America's Moral Integrity" (PublicAffairs) by Charles Lewis, founder of the Center for Public Integrity, and later, founding executive editor of the Investigative Reporting Workshop. Lewis' findings from the book have been featured in the Fall 2014 issue of The IRE Journal.

Steve Weinberg served as IRE executive director from 1983-1990. Now he writes books, magazine articles and newspaper features as a full-time freelancer.

Snapshots from our blogs

Free upgraded CartoDB accounts for IRE members

IRE has partnered with CartoDB to provide upgraded accounts free to IRE members, who can use CartoDB to analyze data and tell stories with interactive maps.

Upgraded accounts include features from CartoDB's paid accounts:

- More space (about 100MB)
- Private data tables and sync tables (for syncing external data sources that are updated at regular/irregular intervals)
- 30 percent discount for any account upgrades

Nominate a secret government agency

Investigative Reporters and Editors is now welcoming nominations for its third annual Golden Padlock award recognizing the most secretive government agency in the United States.

"Governments have elevated secrecy into a form of high art," said Robert Cribb, chair of the Golden Padlock committee. "We seek to honor those who have excelled in the practice of undermining the public's right to know."

Nominations should be emailed to goldenpadlock@ire.org including the name of the government department or individual along with reasons and/or media coverage detailing the intransigence. Entries must be submitted to IRE by May 1.

Last year's Golden Padlock winners were the U.S. Navy FOIA office for its commitment to keep documents and images from a navy yard massacre from public view and the governors of Oklahoma and Missouri for their dedication to secrecy around execution records. The U.S. Border Patrol won the inaugural Golden Padlock award in 2013 for refusing to make public the details of use-of-force incidents involving its agents.

OMB to release largest index of government data in the world

BY MATT RUMSEY, SUNLIGHT FOUNDATION

On Feb. 6, the Office of Management and Budget sent a letter to the Sunlight Foundation explaining how it planned to comply with our FOIA request for Enterprise Data Inventories (EDI). These inventories are compiled by 24 federal agencies as part of President Barack Obama's 2013 open data executive order.

If the EDIs look how we expect, they should not only list large numbers of government data sets, but also include information that will make this data easier to understand and access. Public data sets will be linked to, and any data that the government chooses to withhold will come with an explanation as to why. In addition, all data will have a human contact point for questions and feedback.

Read the full announcement here: bit.ly/1BSd12w

IRE members honored with Polk awards

The winners of the 2014 George Polk Awards in Journalism, announced in February by Long Island University, included several IRE members. The awards honor special achievement in journalism, particularly in the areas of investigative and enterprise reporting. The following IRE members were honored:

- Rania Abouzeid, an independent journalist writing for Politico Magazine, received the foreign reporting award for "The Jihad Next Door."
- Dennis Wagner of The Arizona Republic was recognized in the military reporting category for his coverage of allegations of misconduct in the Phoenix Veterans Administration Health Care System.
- Doug Pardue, Glenn Smith and Natalie Caula Hauff of The Post and Courier in Charleston, South Carolina, received the state reporting award for "Till Death Do Us Part." Colleague Jennifer Berry Hawes also was named on the award. The five-part series examines the domestic abuse deaths of 300 women in the past decade.
- John Carlos Frey of The Investigative Fund was part of a group of journalists to receive the television reporting award for "Muriendo por Cruzar (Dying to Cross)" (bit.ly/18OrjG5) and "The Real Death Valley" (bit.ly/1AQGFkT). Telemundo, The Weather Channel and The Investigative Fund worked together to produce the investigations, which looked at the plight of migrants in Brooks County, Texas. Watch "Muriendo por Cruzar" and "The Real Death Valley."

IRE members also contributed to the following Polk award winners:

- The International Consortium of Investigative Journalists, a project of The Center for Public Integrity, received the business reporting award for "Offshore Secrets," a series based on the work of 120 journalists from 58 countries and 42 news organizations. The three-year investigation looked at ways wealthy companies and individuals avoid taxes.
- The Seattle Times won in the environmental reporting category for uncovering evidence that the 43 deaths linked to a mudslide in Oso, Washington, were the result of state legislators cutting corners and ignoring warnings.

Read the press release (bit.ly/18EYQT5) for the entire list of winners.

The death of baby Ada Mae and the tragic effects of veteran addiction

BY SHAWN SHINNEMAN

A U.S. Department of Veterans Affairs hospital's penchant for over-prescribing painkillers did more than spread addiction. It was the root of dozens of tragedies that scarred the region around Tomah, Wisconsin.

Reveal, a project of The Center for Investigative Reporting, dug into the death of 6-week-old Ada Mae. The horse

and buggy that carried Ada Mae and her family was struck in 2009 by a Dodge Caravan, the driver of which was a Marine Corps veteran high on painkillers and tranquilizers from the Tomah VA.

The investigation unraveled the widespread addiction problem among veterans and detailed the collateral damage.

Read the full story here: bit.ly/1ABWNGH

My code-free adventure designing an interactive game

BY TIERRA SMITH

As a first-timer to the CAR Conference and someone previously unfamiliar with data journalism, I was feeling pretty overwhelmed by Saturday of NICAR15.

I was dropped into a whole new world where everyone was speaking a totally different language. I felt myself constantly clutching my notepad and scribbling down new words like "D3." I was determined to figure out what everything meant.

Then I found "Create your own interactive newsgame without coding." The hands-on class was prefect for someone interested in data journalism, but who doesn't know a lot of HTML or other programming languages.

Rebekah Monson, cofounder of The New Tropic, walked us through how to create text-based Web games, similar to the choose-your-own-adventure books we read as kids. Text-based games are about narrative and choice. The games usually present a problem and, based on players' responses, it walks them through an adventure.

Read the full post here: bit.ly/1MEOtO0

3 tips for quick-turn broadcast investigations

BY BIANCA BROWN

One day. Sometimes that's all the time you have to sift through data and turn around an accurate story.

During the "Broadcast: Viz, quick hits and the data you need" panel, Jamie Grey, an assistant professor of radio and television journalism at the University of Missouri School of Journalism; Andy Pierrotti, an investigative reporter with KVUE News in Austin; and Tisha Thompson, an investigative reporter at WRC-TV NBC4 in Washington, offered some easy ways to turn spreadsheets of data into a 90-second package.

Have a stockpile of data

There are some spreadsheets we should all have on hand. Keep a folder with all of the salaries of government officials in your area. That way, the next time your local official misuses taxpayer dollars, you can show the difference between how much he is making and how much he is spending. Have the National Transportation Safety Board (NTSB) and the Federal Aviation Administration (FAA) websites bookmarked on your computer. If there is ever a plane crash in your area, the sites have easy search tools that allow you to see plane crashes that have happened in your state in the past.

Read the entire post here: bit.ly/1wXQcuh

INVESTIGATIVE REPORTERS & EDITORS, INC. is a nonprofit organization dedicated to improving the quality of investigative reporting within the field of journalism. IRE was formed in 1975 with the intent of creating a networking tool and a forum in which journalists from across the country could raise questions and exchange ideas. IRE provides educational services to reporters, editors and others interested in investigative reporting and works to maintain high professional standards.

PROGRAMS AND SERVICES:

IRE RESOURCE CENTER – A rich reserve of print and broadcast stories, tipsheets and guides to help you start and complete the best work of your career. This unique library is the starting point of any piece you're working on. You can search through abstracts of more than 25,500 investigative-reporting stories through our website.

Contact: Lauren Grandestaff, lauren@ire.org, 573-882-3364

IRE AND NICAR DATABASE LIBRARY – Administered by IRE and the National Institute for Computer-Assisted Reporting. The library has copies of many government databases, and makes them available to news organizations at or below actual cost. Analysis services are available on these databases, as is help in deciphering records you obtain yourself.

Contact: Elizabeth Lucas, liz@ire.org. To order data, call 573-884-7711.

ON-THE-ROAD TRAINING – As a top promoter of journalism education, IRE offers loads of training opportunities throughout the year. Possibilities range from national conference and regional workshops to weeklong boot camps and on-site newsroom training. Costs are on a sliding scale and fellowships are available to many of the events.

Contact: Jaimi Dowdell, jaimi@ire.org, 314-402-3281 or Megan Luther, megan@ire.org, 605-996-3967

PUBLICATIONS:

THE IRE JOURNAL – Published four times a year. Contains journalist profiles, how-to stories, reviews, investigative ideas and backgrounding tips. The Journal also provides members with the latest news on upcoming events and training opportunities from IRE and NICAR.

Contact: Megan Luther, megan@ire.org, 605-996-3967

UPLINK – An online publication by IRE and NICAR on computer-assisted reporting. Uplink stories are written after reporters have had particular success using data to investigate stories. The columns include valuable information on advanced database techniques as well as success stories written by newly trained CAR reporters.

Contact: David Herzog, dherzog@ire.org, 573-882-2127

FOR INFORMATION ON:

ADVERTISING – Stephanie Sinn, stephanie@ire.org, 901-286-7549

CONFERENCES – Stephanie Sinn, stephanie@ire.org, 901-286-7549

DONATIONS – Mark Horvit, mark@ire.org, 573-882-1984

LISTSERVS, BOOT CAMPS AND EVENT REGISTRATIONS – Amy Johnston, amy@ire.org, 573-884-1444

MEMBERSHIP AND SUBSCRIPTIONS – Amy Johnston, amy@ire.org, 573-884-1444

MAILING ADDRESS:

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

Investigative Reporters & Editors, Inc.
Missouri School of Journalism
141 Neff Annex
Columbia, MO 65211
www.ire.org

SAVE THE DATE FOR THE UPCOMING IRE CONFERENCE
PHILADELPHIA, JUNE 4-7, 2015

The best in the business will gather for more than 150 panels, hands-on classes and special presentations about covering business, public safety, government, health care, education, the military, the environment and other key beats. Speakers will share strategies for locating documents, gaining access to public records, finding the best stories and managing investigations. Join the discussion about how to practice investigative journalism in print, broadcast, Web and alternative newsroom models.

More details about the conference can be found at ire.org.

Can't afford to attend IRE training? Apply for a fellowship or scholarship! www.ire.org/events-and-training/fellowships-and-scholarships/