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 Megan Luther

ART DIRECTOR
 Roselyn Adams

CONTRIBUTING LEGAL EDITOR
 Sam Terilli

EDITORIAL ASSOCIATE
 Haley Pitto

IRE

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Mantra for troubled times

BY DOUG HADDIX

It's *the economy, stupid.* — mantra of James Carville, political strategist for Bill Clinton in 1992. For journalists covering the Trump Administration, I suggest this north star for news: *It's the governing, stupid.*

Any shift of power in Washington — and this one will be stunning — brings about change that affects everyday people in communities large and small across the United States and around the globe.

Given Donald Trump's colorful nature, the temptation will be great to obsess about his provocative comments. What the president says is newsworthy, of course, but not at the expense of what he does.

Journalists on all platforms face a test with a new presidential administration. In the jockeying for access and influence and exclusives, journalists should recommit to their core mission of seeking the truth, holding the powerful accountable and giving voice to the voiceless. The public — and frankly, most journalists — are exhausted by the relentless horse-race coverage that focuses on politics rather than actions. Can we vow to avoid speculating about the 2020 presidential campaign until at least 2018? Or, dare I dream, 2019?

Let's focus, instead, on how people in our community are affected by decisions in Washington. Real people, not the usual suspects. Real consequences, not rhetoric.

Coverage of a new presidential administration cannot be relegated solely to journalists in Washington. Actions by the president, Congress and the Supreme Court play out in every community. Whether you're in Portland, Maine, or Portland, Oregon — or any place in between — you have a duty to show the consequences of decisions made in the capital.

If Congress and President Trump move to dismantle the Affordable Care Act, show the real consequences for families, doctors, hospitals, employers and others in your community. For any changes in federal tax laws, follow the money to show winners and losers close to home. Showcase how changes in immigration laws and enforcement play out in neighborhoods, schools and businesses in your city.

It sounds like Journalism 101, right? So why aren't we producing more stories like this? Staffing cuts? The news business model? Ratings? All of those are factors, to be sure. But I contend it's something else, too: priorities.

Remember that one smart journalist can make a huge difference. Consider the impact of David Fahrenthold at The Washington Post. His dogged, shoe-leather reporting about the Trump Foundation shows what's possible with a phone, a legal pad, IRS 990 documents and a zeal to learn more about an unfamiliar topic. It also shows what's possible when a supervisor gives a talented reporter time and support to pursue a story — and to stick with it. Priorities.

A smart reporter supported by a smart editor or producer — that's the winning combination for quality watchdog work.

As always, IRE can help support and strengthen those watchdog partnerships:

- **Training:** Take advantage of our online training modules, sign up for a data or mapping boot camp, and join us for a regional workshop or national conference. Check out training options at bit.ly/iretraining.
- **Data analysis:** Explore how the National Institute for Computer-Assisted Reporting (NICAR) can help you build and sharpen data skills, follow the money, and hold powerful people and institutions accountable. You can search our databases or even hire our experts to crunch data for your newsroom. Details are online at bit.ly/nicartools.
- **Listserve:** Engage with IRE members around the world on our listserve. You'll find a true community of journalists who can help with advice, sources, tips and tools. Ask questions. Give answers. Bond together to support watchdog reporting. Explore your options at bit.ly/irelists.

• **Thousands of resources:** Our collections include books, tipsheets in English and Spanish, downloadable audio from national conferences and regional workshops, and story packs that cover topics such as immigration, the Freedom of Information Act, healthcare, the environment and more. Browse them online at bit.ly/ireresources.

Since its founding in 1975, with a mere \$300 in its bank account, IRE has nurtured wave after wave of watchdogs. Our budget this year tops \$2.3 million, thanks to decades of work and commitment by IRE's members, board of directors and staff — along with donors and foundations that support our mission. Our membership, too, has grown from a few hundred in the early days to an army of more than 5,500 passionate journalists, educators and students around the world.

When I think about IRE's mission, I'm reminded of the motto at the University of Rochester, where my son graduated last year: *Meliora*. It's a Latin word that roughly translates as Ever Better. That's been IRE's mission for more than four decades — helping journalists become ever better, helping produce stories that are ever better, helping make our communities ever better. As IRE's new executive director, I pledge to do all that I can to help all of you produce stories with impact and to help defend our noble profession against unmerited attacks.

In these uncertain and troubled times for journalists, may we all double down on reporting that matters.

Doug Haddix is executive director of IRE and NICAR. You may reach him at doug@ire.org, 573-882-1984 or @DougHaddix on Twitter.

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Former IRE national training director David Donald passes

David Donald passed away Dec. 12 at Reston Hospital Center in Virginia after a yearlong battle with cancer. He was 64.

David leaves a remarkable legacy: award-winning investigations, plus thousands of



journalists across the United States and around the world who benefited from his training, advice and friendship.

As an IRE training director, David traveled

the country and visited overseas regularly to help journalists, educators and students sharpen their watchdog reporting and computer-assisted reporting skills.

Most recently, David served as a data editor at the Investigative Reporting Workshop and as data journalist in residence at American University's School of Communication. Previously, he worked as data editor at the Center for Public Integrity and as research and project editor at the Savannah Morning News.

David's work in journalism tackled a wide range of topics, including subprime lending, campus sexual assault and Medicare payment irregularities. His extensive list of journalism awards include: the Philip Meyer Award for the best journalism using social-science methods; the James K. Batten Award; a Peabody Award; an IRE Award; the Dart Award; and the Robert F. Kennedy Journalism Award. He has taught as an adjunct professor at Northwestern's Medill School of Journalism Washington program and at Savannah State University in Georgia.

David earned a master's degree in journalism from Kent State University and a bachelor's degree in English from Miami University in Ohio.

Funeral services are not being planned. Instead, his family will gather in upcoming months to remember David.

Mrs. Donald asked that donations in David's memory should be sent to IRE, where a special fund will be established in his name to further data journalism.

Donations can be made online (ire.org/donate). Note "David Donald Fund" as the specific fund. Checks can be mailed to Investigative Reporters and Editors with "David Donald Fund" in the note line (141 Neff Annex, Missouri School of Journalism, Columbia, Missouri 65211).

IRE names Doug Haddix as new executive director

Doug Haddix has joined IRE as its new executive director.

Haddix was director of the Kiplinger Program in Public Affairs Journalism and previously worked as a training director for IRE and as an investigative editor at The Columbus Dispatch in Ohio.

Haddix will oversee all of IRE's programs, including the National Institute for Computer-Assisted Reporting and DocumentCloud. IRE has an annual budget of about \$2.3 million, which includes professional training programs, online training tools, a resource center and data library

"I'm thrilled and honored to lead IRE during such a pivotal time in our news industry and society as a whole," Haddix said. "The need for high-impact watchdog reporting has never been greater. IRE is positioned well to strengthen its global role in training and equipping journalists with the knowledge, strategy and tools to hold those in power accountable for their actions"



Haddix ran the Kiplinger program, based at Ohio State University, since October 2011. He has a master's degree in journalism from Indiana University, and is married to Margaret, a best-selling author of novels for teens and children.

IRE conducted a national search for the executive director position.

Haddix took over the job on Oct. 24 from Mark Horvit, who served as executive director for almost nine years and who left to head the state government reporting program at the University of Missouri School of Journalism.

Charles Minshew joins IRE as data services director

Charles Minshew of the Orlando Sentinel joined IRE as director of data services on Jan. 23.

During the past three years, Charles has done impressive data and visual storytelling work at the Sentinel. He created and maintained data sets for daily and investigative stories; built interactive graphics, maps and charts; and trained reporters on using data. He secured a \$35,000 grant from the Knight Foundation for the newspaper to build a legislative data tool, Tabs on Tallahassee.

As an interactive producer intern at the Denver Post in 2012, Charles shared in the staff Pulitzer Prize for Breaking News Reporting for coverage of the Aurora theater shootings. His work that

summer also was cited by the Pulitzer jurists in the newspaper's finalist designation in breaking news for "imaginative use of digital tools" in coverage of devastating Colorado wildfires.

As data services director, Charles will lead IRE's efforts on data analysis and training. He will supervise three University of Missouri journalism graduate students who work in the database library at the National Institute for Computer-Assisted Reporting, a joint project of IRE and the University of Missouri.

Charles earned a master's in journalism at the University of Missouri and a bachelor's in political science from Georgia Southern University.

He succeeds Liz Lucas, who served as IRE's database library director for four years. She now works as a correspondent for Kaiser Health News.

NICAR, ProPublica partner to sell data to non-members

ProPublica recently relaunched its data store (bit.ly/2f1upuy). As part of the relaunch, ProPublica also announced a partnership with IRE to manage sales of data sets maintained by NICAR. ProPublica will begin marketing five of IRE's most popular data sets to its broad range of commercial, academic and journalism customers. IRE members will still be able to access all data at the member rate through the IRE and NICAR data store (bit.ly/2eVgM2v).

Data sets available to non-members in the ProPublica store include: Small Business Loans (SBA 7a), Home Mortgage Disclosure Act, the National Inventory of Dams, the National Crime Inventory and FBI Uniform Crime Reports.

ProPublica will also work with IRE/NICAR to provide custom analysis to premium data customers. NICAR will still offer custom data analysis services (bit.ly/2fjrqD) to IRE members and news organizations. If you have questions about buying data, please contact datalib@ire.org.

Corrections

An article published in the Third Quarter 2016 issue about ProPublica's Habitat for Humanity investigation incorrectly described how key documents were obtained. The reporter was passed the documents by a colleague. An updated version of the article can be viewed in the electronic version of the Journal here: bit.ly/1RRtQL.

In an article in the Third Quarter 2016 issue about measuring the impact of investigative journalism, the Wisconsin Center for Investigative Journalism was incorrectly identified. We apologize for the error.

THE GODMOTHER OF IRE

Jan Colbert is remembered as hard-working, helpful

Ginger Hervey
IRE

Ask any of her friends or former colleagues to describe Jan Colbert, and you'll hear some common themes: Appreciation of her humor. Respect for her unfailing positivity. Amazement at her willingness to help. The phrase 'she worked her butt off' will come up often.

And inevitably, they will mention how important she was to IRE, and how important IRE was to her.

"In the history of large organizations like IRE, there are countless people who make a contribution to success," John Ullmann, the organization's first director, said. "But there are only a handful whose contributions were so important at the time they made them that the organization really owes them that success."

Jan, who passed away Nov. 5 after a decades-long battle with cancer, was one in that handful.

"She knew everybody," Brant Houston, IRE executive director in the 2000s and NICAR managing director in the '90s, said. "She was, in many ways, the godmother of IRE."

IRE moved into its first office at the University of Missouri in 1978, three years after its founding. In a crowded room on the third floor of Walter Williams, filled with newspapers and books and Ullmann and two part-time student assistants and not much else, the grassroots organization had more work than it could handle. Jan, a journalism school graduate who was working in public relations for the College of Agriculture, showed up to volunteer.

She helped organize the first single-topic IRE conference in 1981, which focused on investigating agriculture. When Ullmann left IRE in 1983 to become assistant managing editor at The Minneapolis Star Tribune, Jan took a year's leave of absence from the College of Agriculture to help Steve Weinberg, the new director.

"She would just unfailingly help people," Myrta Pulliam, one of IRE's founders and a close friend of Jan's, said. "I can't remember her specifically helping someone across the road, but it was like that. Anything at all that someone needed."

She never returned to the College of Agriculture. Over the next 15 years, she would take over the production of the IRE Journal and



From left, Jan Colbert, Mary Kay Blakely, Gloria Steinem and Stephen Jorgensen take a photo together at a celebration for Ms. Magazine in New York City.

other print publications, act as the organization's official and unofficial liaison to the University of Missouri, and help organize and orient the many students, volunteers and employees who came through IRE. Her relationship with Weinberg extended beyond the colleague realm, into the territories of friend and neighbor.

"When she decided to switch from renter to homeowner, she purchased a house about 100 yards away from where I resided with my wife and children," Weinberg wrote in a tribute to his friend. "I could walk page proofs of the IRE Journal to her front door on weekends, and she could deliver work materials to me at home just as conveniently."

George Kennedy, a colleague of both Jan and Weinberg at the journalism school, described their dynamic like this. "Steve was, and remains, an idea guy," Kennedy wrote in an email. "Jan had ideas, of course, but she was the one who got done what had to be done in order to make

the organization thrive and the partnership with the J-school flourish."

Directors, board members and even IRE offices came and went as the organization expanded, but Jan was a constant. When Weinberg retired in 1990, Jan acted as executive director until a permanent replacement was found. Rick Tulsy, who was board president at the time, remembers that Jan played an important role in helping the organization expand from its early days as a "grassroots, ragtag kind of organization" to the international network of more than 5,500 journalists that it is today.

"While I was president, for better or for worse, they took the organization to a whole new level," Tulsy said. "And Jan came in and took all the steps that started to professionalize the group in a way that made it sustainable."

That included creating a budget, continuing to act as the go-between for the organization and the University of Missouri, and helping to set up

Photo courtesy Mary Kay Blakely

REMEMBERING AN IRE LEADER: JAN COLBERT

Steve Weinberg

One of the most important individuals to IRE's history never published an investigative project. Nor was she a newsroom editor, or a big-money donor.

Jan Colbert died Nov. 5, 2016, after struggling for two decades with cancer.

From 1983-1990, Jan served as IRE's associate director, then briefly as executive director before shifting over to the magazine faculty at the University of Missouri School of Journalism.

Here is the (truncated) saga of how Jan became so vital to IRE:

I attended the initial IRE conference in 1976, while employed as an investigative reporter at the Des Moines Register. As IRE grew and in 1978 became located at the University of Missouri School of Journalism (my alma mater), I became increasingly involved as a volunteer. During 1983, I departed my life in Washington, D.C., to relocate to Columbia, Missouri. John Ullmann, who had never planned to serve as IRE's first executive director, was moving on. I agreed to replace him.

During Ullmann's tenure — while simultaneously trying to earn a Ph.D. in journalism — he had planned an IRE conference about investigating agriculture. Ullmann had received assistance from the University of Missouri College of Agriculture, where Jan Colbert was employed. Jan had earned journalism degrees from MU, had labored on a small daily newspaper, then had settled into a public relations job at MU's agriculture college. She had enjoyed collaborating with the brainy, charismatic Ullmann on the agriculture conference.

As I undertook the task of directing IRE day to day, I received help from volunteer members around the U.S., but had no professional staff, and often little clue how to accomplish some of the tasks before me. So imagine my pleasure when Jan, who I had never met, ambled over to the IRE office, introduced herself, and asked if I needed assistance. She proposed taking a year's leave from the agriculture college to work at IRE; she wanted a change of pace, a change of scenery.

We liked each other immediately. Naturally, I accepted Jan's offer.

When her leave of absence expired, she never returned to the agriculture college.

What a break for me — and for thousands of IRE members. In a generation preceding the internet and even affordable fax machines,

I spent much of my time every day answering phone calls from IRE members wanting advice on their projects, lining up content for *The IRE Journal*, inviting speakers to appear at IRE conferences, and often traveling to distant newsrooms to conduct workshops.

Jan, on the other hand, undertook tasks that covered my glaring shortcomings — handling the production details for *The IRE Journal* and all other print publications, dealing with the regulations of the journalism school, training staff when we finally accumulated enough money in the budget to hire help, dealing with distant hotel personnel as we planned conferences in various cities, and so much more.

Jan and I sometimes disagreed about details, but we never fought. She was easy to like — love — with countless “best” friends inside and outside of IRE. Perhaps I should not single out anyone, but I will here: Jan's friendship with IRE founder Myrta Pulliam qualified as truly special (and might have helped keep the exacting Myrta at bay when I would screw up). Jan and I developed a friendship transcending the workplace — I swear we sometimes finished each other's sentences. When she decided to switch from renter to homeowner, she purchased a house about 100 yards away from where I resided with my wife and children. I could walk page proofs of *The IRE Journal* to her front door on weekends, and she could deliver work materials to me at home just as conveniently.

Those of you who knew Jan through IRE could surely sense her innate goodness. The eldest of five children in a close-knit Catholic family, Jan was a “mother hen” in all the positive ways. She cared about everyone sincerely — not just talk, but plenty of actions. Color her selfless. Outside of IRE, Jan served as a foster parent for the state's child-welfare agency, accepting emergency placements, sometimes at midnight. One of those emergency placements, an infant girl, eventually became Jan's adopted daughter Emily. Jan, who never married and never gave birth, became a caring mother.

Self-effacing to a fault, Jan rarely accepted credit for her accomplishments at IRE or in the broader world. Maybe she will accept praise posthumously.

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

the workshops and conferences for which IRE is known.

Ed DeLaney, now a state representative in Indiana, worked as a lawyer with IRE from its founding through the next 25 years. He remembers that the group was often in crisis mode in the early days as a result of legal worries, financial stresses, and the — ahem — *unique* nature of investigative journalists.

“Journalists can be very rigid, especially about anything that slightly involved ethics, and get fastidious and impractical,” DeLaney said. “This woman knew how to calm the troubled waters and keep us focused on what we were getting done.”

“She literally made the organization work.”

Of the many crises Jan helped IRE through, one

of the most personal came in 1995, when there was a serious debate among the board of directors about moving the organization's headquarters to the University of Maryland.

Jan felt strongly about maintaining the partnership between IRE and Missouri. So she called in reinforcements.

“She found me at *The Star Tribune*, and told me what was happening,” Ullmann, the organization's first director, said.

“This is wrong,” Ullmann remembers Jan telling him “There wouldn't be an IRE without Missouri.”

So he replied: “I agree. What do you want me to do?”

Ullmann made phone calls. When the board voted on whether or not to move, Jan and Ullmann sat side by side. When the decision was

made to stay in Missouri, they hugged.

“And then she said ‘thank you,’” Ullmann remembers. “And I said, ‘You don't have to thank me for things that you did.’”

That was how Jan was. ‘Humble,’ even ‘self-effacing,’ is another theme that comes up when friends and former colleagues remember her.

“Jan didn't claim to be an investigative reporter. In fact, she made very few claims of any sort,” Kennedy wrote. “Jan played a largely behind-the-scenes but really important role.”

DeLaney summed up her role simply.

“Without her, there would be no IRE,” he said.

Ginger Hervey works in the IRE Resource Center and as a freelance journalist. She has reported stories from Wyoming, Mississippi, Texas, Missouri and Belgium.

HEATING UP

A \$27 million Oregon solar energy project is built on falsehoods

Ted Sickinger and Jeff Manning
The Oregonian

State tax credits are strange creatures. They're inherently political. They're complex. And they can involve lots of public money. In other words, they're fertile ground for investigative reporting.

In 2007, Oregon lawmakers introduced the mother of all renewable energy credits, supersizing one of the state's long-running incentive programs to create the most generous subsidy for renewable energy projects in the country. It's called the Business Energy Tax Credit, or as most people here refer to it, the BETC. In the following eight years, the state issued 14,500 such credits that could eventually offset more than \$1 billion in state tax revenues. And as the developers flooded in and the state liability exploded, so did our reporting on the program.

By 2015, it seemed like the BETC story was over. Lawmakers, reacting in part to our stories, had killed the program altogether. They were done with this boondoggle and ready to move on. But they wanted to do so without ever taking stock of the program in a systemic way.

So we forced the issue, undertaking an investigation of a large solar project that was one of the BETC program's crowning achievements.

As it turns out, the \$27 million project was based on a foundation of falsehoods and false hopes. There were applicants that weren't eligible for state tax credits and had relied on forged documents to fool state regulators. The promised jobs and economic development were largely a fiction, too.

The story led to swift calls for investigations, reforms, and ultimately a criminal indictment.

We think we finally drove a stake into the heart of the program.

And here's the potential good news for you: Virtually every state offers tax credits in one form or another. Find yours. Learn everything you can about it. If Oregon is any guide, you will tap into a rich vein of outrageous giveaways and overmatched bureaucrats handing over the public's money.

Here are some tips and questions that might help, and some background on how this story played out.



The 53rd Street project is one of the solar arrays built on Oregon State University's campus in Corvallis as part of Oregon's Solar by Degrees program.

Know the rules, the process

Process stories bore readers. And the administrative rules for any government program make for mind-numbing reporting. To evaluate state incentives, it is critical to understand the application and approval process in detail. What are the threshold requirements? The types of facilities that are eligible? The allowed costs? The required documentation? The deadlines?

This story began when an Oregonian reporter got a tip to look into what had been billed as Oregon's signature solar project.

We were immediately puzzled. Lawmakers had set up cutoff dates to bring the scandalized BETC program to a close. The primary deadline for completing construction — January 2013 — had passed nearly two years prior. But the project's backers had qualified for an 18-month extension by demonstrating that they had been under construction before April 15, 2011.

What was the holdup? Commercial solar arrays typically take a few months to build. Did the developers actually start construction that early?

So we filed a request for the project

file from the state Department of Energy. And amid the haystack of applications, correspondence and project updates we got back, we knew what to look for: the permits, invoices, and project updates required to prove the project met the deadline and was eligible for the extension.

There was a single-page invoice for \$14,200 from a company called Solar Foundation Systems, itemizing the installation of foundations and fittings at multiple sites on each of Oregon's seven university campuses. It was stamped "PAID" on March 10, 2011, authorized by R. Davies, and paid with check number 1091.

Fair enough. But this was only one-twentieth of one percent of the total project costs. Was that really adequate? And would the installation of solar racking and foundations on seven campuses come so cheap?

We began doing rudimentary checks on the invoice, figuring the state would have done the same before handing out \$12 million.

But neither Utah nor Oregon had any record of Solar Foundations Systems. The Utah address on the receipt simply didn't exist, and

the phone number was disconnected. Utah state officials had no record of an engineering firm with the state licensing number shown on the invoice.

Also in the file: A December 2011 letter from the initial developer, Utah-based Redco, to a university official. It claimed the project had been delayed because of tedious construction problems in the first and second quarter of 2011, and that the company had spent more than \$210,000 on engineering, permitting, racking and foundation work at each of the solar sites.

We checked. There were no building permits in place at any of the project sites during that period. Redco didn't even have an agreement with the university to access the sites until June 2011. And the golden shovel ribbon cutting, with the governor in attendance, didn't happen until two months later.

We delved into Redco's bankruptcy records in Utah. They showed no payments on construction, permitting or other expenses for the project. And there was check 1091, the one supposedly written to pay the \$14,200 invoice. According to the bankruptcy files, that check was written to Capital One, paying a personal debt of Redco's then-chief executive.

We were ready for the confrontational interview. We sent the executive the documents, then called him, ready for the brushoff and denials.

He told us he'd never heard of Solar Foundation Systems. He'd resigned from Redco before the letter bearing his signature was sent and it wasn't his.

"This is obviously some fraudulent behavior on somebody's part," he told us.

Where is the info?

One of the beauties of this project was that there were multiple sources of records. In addition to the energy department, the Oregon University System was also intimately involved as the chief sponsor.

To our good fortune, then-Gov. John Kitzhaber also had taken a personal interest in the solar farm.

We filed comprehensive public records requests with all three.

We ran into the usual snags: Bureaucrats dragging their feet, records gone missing, sky-high copying and processing costs.

There was also a more daunting issue — the Oregon University System was being disbanded. By the time we started seeking records, most of the OUS employees, including the top managers, had moved on to other jobs. The rest were looking at imminent unemployment and were not exactly motivated to help us out.

University officials wanted to charge the paper \$519 for the first big dump of records. We objected and got nowhere. We paid up.

The documents gave us an invaluable roadmap. But there were also gaping holes. There was no hint in the documents that any state official suspected that the project should never have qualified for the tax credit in the first place.

What about the jobs?

In most cases, tax credits are about spurring economic development and generating jobs. It's worthwhile watchdogging those claims.

The university solar project was supposed to be an "all-Oregon" project. Solar panels made in Oregon, installed by Oregon contractors, supplying cheap renewable power to Oregon colleges.

Kitzhaber trumpeted the win-win nature of the solar installation — it would be as good for the economy as it was for the environment, he pledged at the time. The governor even commissioned a study — costing taxpayers another \$60,000 — which laid out a lovely story about big returns on the state's investment in the project.

But Manning's detailed examination of the actual jobs and the project's economic impact took us in an entirely unexpected direction and opened up one of the central findings of the story. What he initially discovered was that the new developer on the project, SolarCity, was locked in a bitter international trade dispute with the local supplier of the solar panels, SolarWorld, over cheap Chinese solar panels that were flooding the U.S. market.

SolarWorld accused the Chinese of dumping solar panels in the U.S. market in an effort to put U.S. competitors — namely SolarWorld — out of business. SolarCity, meanwhile, was thriving in part because of its use of those dirt-cheap Chinese products.

Not long after SolarCity took over the project, it fired SolarWorld. In records requested from university officials, we found emails in which SolarWorld begged state officials to intervene. State officials didn't lift a finger to help.

But it got even better. Manning found that after firing SolarWorld, SolarCity found another ultra-cheap, out-of-state supplier of solar components. And to maintain the pretense of an all-Oregon project, that company had used inmates at a federal prison in Sheridan, Oregon, making 93 cents an hour, to assemble them.

What should you do?

Identify your state and local tax credit programs. Then, follow the money. Get the database naming the recipients of the tax credits and how much they got. It's a public record. And it's a potential treasure trove of stories.

Then ask yourself: Are these subsidies working? What's actually being subsidized? What are the state and the citizens getting in return?

Keep in mind that tax credits aren't free. Every dollar awarded essentially means the taxing authority will have one less dollar in its treasury. So it's worth asking whether the credit is necessary. What other state and federal subsidies is the project getting?

Here in Oregon, there's a secondary market for these tax credits. If the original recipient can't use them or needs cash, they can sell them at a discount to a third party. The tax credit transfer process has been another subject of considerable controversy, and extensive coverage for us.

For the university solar project, the credit was critical — a \$12 million piece of the financing pie. So the universities, the consultant they hired to run the project, and the developers hired to build the arrays were desperate to nail it down.

They were under deadline pressure to do so. The consultant's payday on the project — \$2.4 million, or nearly 10 percent of the total project costs — was dependent on his ability to secure the state money. It was a make-or-break proposition for the developer too. And university and energy department officials did little to hold them accountable for Oregon taxpayers.

The reaction was swift. The state justice department and FBI started an investigation. The new governor asked for all the energy department's incentive programs to be moved. Lawmakers put together an oversight committee to consider restructuring or dissolving the energy department. The secretary of state hired an independent auditor to investigate the program. And this fall, a grand jury indicted the consultant hired by the state on two counts of forgery. The consultant's attorney acknowledges the documents were fraudulent, but says that his client did not create them or deliver them to the Department of Energy. The audit showed more than a quarter of the large business energy tax credits issued by the Oregon Department of Energy over eight years "seemed improper, violated statutes or rules, or exhibited suspicious activity."

The story goes on.

Ted Sickinger is a business investigative reporter at The Oregonian whose coverage focuses on the energy industry, economic development and follow-the-money yarns at the intersection of the public and private sectors. He previously worked for The Kansas City Star, as well as in banking and management consulting.

Jeff Manning is a senior business reporter for The Oregonian/OregonLive. He specializes in stories of corporate accountability, white-collar crime and the nexus of corporate money and state politics. He's a 1981 graduate of the University of Washington. He worked for a number of small Oregon papers before joining The Oregonian in 1994.

THE 'BLACK BOX'

Medicare Advantage billing
practices kept under wraps

Fred Schulte

Private health insurance plans called Medicare Advantage now care for some 18 million elderly and disabled people. That's nearly one of every three Americans on Medicare at an annual cost to taxpayers that tops \$150 billion.

Yet, there's been minimal scrutiny of Medicare Advantage from lawmakers or the media despite soaring enrollment and mounting concerns that some plans have overcharged the government for years.

While federal health officials have recently posted detailed Medicare payment data for doctors, hospitals and medical gear suppliers, the insurers who dominate Medicare Advantage have managed to keep their billing practices largely under wraps. One government official described the program's finances as a "black box."

We tried to change that at the Center for Public Integrity through more than three years of reporting and a Freedom of Information Act lawsuit that has forced government officials to disgorge thousands of pages of records revealing how they failed to clamp down on the industry amid growing evidence of widespread billing abuses.

In June 2014, we published (bit.ly/1Cunpe0) a three-part series that traced tens of billions of dollars in "improper" payments to Medicare Advantage plans, mostly due to flaws in an obscure billing formula known as a "risk score."

Medicare pays the health plans more for sicker patients and less for those in good health based on these scores. But there's been little effort to prevent health plans from overstating how sick their patients are to run up patient risk scores and collect money they don't deserve, a practice known in the industry as "upcoding."

Since 2014, we have published about two dozen articles mostly based on Centers for Medicare and Medicaid Services special audits and other agency documents made public for the first time through a court order in our FOIA lawsuit. These articles are available at publicintegrity.org. Many

of our key findings were confirmed by the Government Accountability Office in early 2016.

We filed the lawsuit after a FOIA request I sent to CMS officials in May 2013 asking for a wide range of billing and enrollment data, including audits and policy papers, brought no response for a year.

Fortunately, there are ways around government stonewalling. There were already a ton of documents online. And with so much money at stake, disputes over payments and policy decisions often wind up in litigation that opens them up, at least partly, to public view.

Here are some of our prime sources, which can be helpful for planning just about any deep-dive into the health care industry, or other big business for that matter.

Federal court records

All you need is a PACER account to start searching in federal court dockets. Check for civil and criminal cases that allege billing fraud as well as qui tam "whistleblower" suits that may expose systematic problems with regulation. For instance, one civil suit filed by the Department of Justice in 2009 accused a small Medicare Advantage plan in Florida of manipulating patient risk scores to rip off the government, an early hint of problems to come. Since then, several whistleblower cases have alleged chronic weaknesses in oversight of Medicare Advantage. One whistleblower, a Florida doctor, alleged that inflating risks scores not only wastes taxpayer dollars but can also cause a patient to be harmed by improper medical treatment.

These cases often remain under court seal for years, then suddenly pop up on the court docket. So, you need to keep checking, even though at 10 cents a page to download or copy pleadings, PACER costs can mount up fast.

Securities and Exchange Commission filings

Many major health care companies are publicly traded and are required to disclose regulatory problems and other issues that could impact their stock price. These online

records will help you understand both how a business works and where the trouble spots are. For instance, I saw repeated mentions in SEC filings about something called Risk Adjustment Data Validation (RADV), audits faced by major Medicare Advantage insurers. These obscure audits became a major focus of our coverage and the FOIA lawsuit. RADV audits are the only real check on Medicare Advantage billing, which has essentially operated for more than a decade as an honor system. Though industry insiders have fretted over the potential losses to their companies from these audits, CMS has kept the RADV audit findings secret until our lawsuit brought them to light.

In these audits, medical records are selected from a sample of 201 patients enrolled in a health plan. Auditors review the medical files to confirm that the diseases billed for, and their severity, are properly documented. When they are not, CMS cuts or reduces the payment. Some plans have disputed nearly every pay cut while others didn't contest most of the findings. Still, the industry contends that the RADV audit process is not valid and has worked to stall the process or minimize repayments.

The CMS records released through our FOIA case revealed that it took officials many years to get the RADV program off the ground. In August 2016, we disclosed that CMS had only completed about three dozen RADV audits in more than a decade, even though these audits revealed widespread payment errors. Some health plans had overcharged the government for the majority of elderly patients they treated, often by overstating the severity of medical conditions like diabetes and depression, according to the RADV audit spreadsheets.

Health policy data experts

While researchers and other academics have been able to purchase fee-for-service Medicare billing data for years, similar data from Medicare Advantage plans has been hard to come by. That's largely because health insurers maintain that their bids and other finances are trade secrets and releasing



Medicare Advantage private health insurance plans now care for nearly 18 million elderly and disabled people. Oversight from lawmakers and the media has been minimal and enrollment has soared. Concerns have mounted that some plans have overcharged the government for years.

them to the public would damage their business. I contacted George Washington University Professor Brian Biles after discovering through federal court searches that he had sued CMS several times under FOIA to get access to limited Medicare Advantage enrollment and bid data. Biles helped our data team analyze the available data, which we eventually presented in an interactive showing how risk scores had grown over time. Academics are continuing to pressure CMS to release more Medicare Advantage data, and some are willing to help reporters dig into complex medical data sets. Their help can be invaluable.

Regulation.gov

You can search the text of government proposals as well as some public comments filed in response, which tells you what the industry and others think about the proposal. Look to see if there are differences between draft proposals and final regulations and ask if things changed because of industry pressure and lobbying.

That's repeatedly happened with proposed Medicare Advantage regulations that might have saved taxpayers billions of dollars. Consider the outcome of CMS' attempts to crack down on health plans that conducted thousands of in-home patient health assessments. Federal officials contended that these house calls inflate costs needlessly by

running up risk scores without offering patients any more treatment. CMS officials proposed restricting the home visits but backed off after Medicare Advantage groups argued they would lose as much as \$3 billion a year as a result.

Health care law experts

Many law firms, some in Washington and some not, help health plans stay on the right side of the law. Many of these firms post articles on their websites, which can help explain the significance of technically complex regulations, such as RADV, or the bottom line. Some will talk to reporters.

The Medicare billing cottage industry

Just by scrolling the web, you can quickly identify companies that assist Medicare Advantage plans in raising risk scores and getting higher payments from the government. Most drum up business by promising higher revenues. Watch for buzzwords such as "ROI" (return on investment). Some of these consultants are chatty. In addition, experts in medical coding and billing often conduct seminars and frequently post their presentations online, including contact information.

Venture capital

Big-time investors flock to areas where they see a potential for profit. So keep an eye on health care companies that are attracting these investors. And don't be shy about contacting analysts who cover the health care industry, or reading transcripts of earnings calls in which health care executives may discuss everything

from their plans for expansion to regulatory troubles.

Other good sources include industry and Medicare advocacy groups. Medicare Advantage enjoys broad support in Congress which has helped the industry fight back against rate cuts. Social media campaigns, including testimonials from members of Congress, clarify how advocates gain influence.

Finally, there's a lot to be said for simply googling buzzwords, such as "risk score" or "RADV," to see what pops up over time.

Whether CMS will open up Medicare Advantage to more scrutiny remains to be seen. A new round of RADV audits is nearing completion, but CMS officials have not said when the results would be announced, or how much detail they will make public.

One thing's for sure. Questions over the accuracy of risk scores are not likely to go away. The Affordable Care Act, or Obamacare, relies on a similar system of "risk"-based payments.

Fred Schulte, a senior correspondent on the new enterprise and investigative reporting team at Kaiser Health News, was a reporter at the Center for Public Integrity for five years. Schulte is a four-time Pulitzer Prize finalist, most recently in 2007 for a series on Baltimore's arcane ground rent system. He is the author of FleeceD!, an exposé of telemarketing scams. Schulte can be reached at fschulte@kif.org or 202-654-1356.

ONE PERSON, ONE VOTE?

Absentee votes determine
election in Missouri

By Stephen Deere and Doug Moore
St. Louis Post-Dispatch

The July email that led to one of the more noteworthy St. Louis Post-Dispatch investigations of 2016 was first met with a collective shrug.

An attorney representing a few unknown candidates in the state's Aug. 2 Democratic primary was alleging anomalies in the use of absentee ballots, particularly in races in which a "member of the Hubbard family has been on the ballot."

Allegations about misuse of absentee voting abound during election season. Missouri doesn't allow early voting, but residents can vote "absentee" six weeks before an election if they can't get to the polls.

Some candidates provide absentee ballot applications to voters while canvassing neighborhoods. There's nothing illegal about that. But every so often, you hear about a person on the ballot sending in multiple applications themselves, or that a number of the applications came from the same address.

Those allegations are hard to prove and often involve small cities.

But lawyer David Roland had amassed years' worth of election data that suggested that the Hubbards, a well-known political family in the impoverished neighborhoods of North St. Louis, might be gaming the system. It wasn't proof, but it was interesting. It became more interesting when the St. Louis Election Board refused to allow Roland to review the applications for absentee ballots and the envelopes in which voters had returned their ballots.

Roland sued, arguing the board had violated the state's open records law. We wrote a couple of short stories that ran inside the paper.

Then came the election. In the race for the 78th District state House seat, Bruce Franks, a 31-year-old tattooed battle rapper and Ferguson protester, lost by only 90 votes to incumbent Penny Hubbard. More than 4,300 people cast ballots. Absentee votes were a major factor in the race.

Roland filed another lawsuit, urging that the election results be tossed out.

Rasheen Aldridge, 22, another Ferguson protester, lost to Rodney Hubbard Sr., Penny Hubbard's husband, by 55 votes. A large number

of absentee ballots determined the outcome in that Aug. 2 race for Fifth Ward committeeman.

After the election, a source called us and suggested that there were documents to support Franks' allegations that Hubbard had unfairly used absentee voting to win the election. Those documents were soon leaked to the newspaper. The documents included duplicate and triplicate applications for absentee ballots — indicating someone, other than the voter, might have filled them out.

In the two years since the Ferguson unrest touched off a national movement, several Ferguson activists had unsuccessfully run for office. Now, two of them, who had never run for office before, had challenged the city's political machine and nearly won, save for absentee ballots.

We agreed that we needed to pursue the same records over which Roland had sued. If he won, we would get them too, so we filed our own request.

At the Aug. 22 trial over the open records violation, the board's attorneys focused on a provision of the state's election law that makes ballots and "ballot materials" closed records.

The law does not define what constitutes ballot materials, and the Election Board's attorney seemed to stumble in front of the judge. Given the statute, the lawyer said, that's the best he could do.

That admission told us that we were on to something. Missouri's Sunshine Law presumes records to be open unless explicitly closed. If the lawyer knew he didn't have a good case for closing the records, why not release them?

TIP 1: When a governmental body erects barriers to information, there's usually newsworthy information behind them. Keep trying to access it.

In a ruling on Aug. 23, St. Louis Circuit Judge Julian Bush said there is nothing in state law that addresses keeping absentee ballot applications confidential. The phrase "ballot materials," Bush said, "is awkward at best and gobbledygook at worse, and it is certainly not self-evident that absentee ballot envelopes are such things."

Two days later, election workers unsealed boxes of absentee ballot applications and envelopes in front of Roland. To more quickly access the records, the Post-Dispatch asked to review the records simultaneously.



Bruce Franks Jr. celebrates his victory in the Missouri 78th District House seat special election as he stands on a bar at Yaquis on Cherokee Street in St. Louis and thanks his supporters.

Photo by David Carson/ St. Louis Post-Dispatch

It became apparent that the Election Board had accepted ballots in envelopes that were incorrectly marked or should have been notarized but weren't. Franks would show the envelopes to an Election Board employee and ask why it was accepted.

"Human error," they repeatedly said.

There was also a separate box of applications for absentee ballots from people who voted in person at the Election Board before Election Day. These applications did not have corresponding envelopes. The in-person absentee voters had filled out paper ballots or used a touch screen. We didn't think anything of it.

We read through the state's election statutes to better understand the rules about accepting and rejecting ballots. In the minutiae of Missouri's absentee voting provisions, something stood out: The process for how absentee ballots are to be accepted, stored, opened and counted always involved sealed envelopes. Under the law, it did not seem possible to vote absentee without an envelope. But would a lawyer read the statutes the same way?

We posed the question to a few sources, including Election Board directors and Roland. The board said it had to provide access to touchscreens so visually impaired voters could use audio ballots.

To Roland, the line of inquiry was a legal windfall. He rushed off to court to amend the lawsuit he had filed requesting a new election for Franks.

We wrote an article titled "Could the failure to use envelopes doom an election?" that was published in the print edition on Sunday, Aug. 29.

TIP 2: Read the law that relates to whatever subject you are investigating. It may be tedious and confusing, but it will provide questions to ask and describe documents to request.

After writing the envelope story, we huddled with editors. The absentee ballot applications included cell phone numbers. We needed to make a lot of phone calls. But Franks' bench trial was scheduled for Aug. 31. Disclosures at the trial might make some of the reporting obsolete.

We had less than four days.

That Sunday, we followed an attorney and notary from Franks' campaign as they visited a public housing complex to collect affidavits from voters claiming they had unwittingly voted absentee. Within minutes, we met a man who said he provided his blank absentee ballot to a woman representing herself a member of Penny Hubbard's campaign. The man became the lead of the story.

As we drove back to the newspaper, a woman we had just interviewed called. Penny Hubbard's Toyota Camry was circling the block of the housing complex. The caller described the individualized license plates issued to each Missouri state representative. The occupants of the vehicle were taking pictures of people with whom we had spoken.



Attorneys David Roland (left), Mike Colona (center) and Jane Dueker discuss potential evidence before the start of a court hearing in St. Louis about possible absentee voting irregularities in the 78th District Missouri House seat primary election. Both Dueker and Colona were representing Missouri State Rep. Penny Hubbard in the case. Roland was representing Bruce Franks Jr., who lost the election by 90 votes to Hubbard and appealed the election.



Deirra Paster, 27, stands in the doorway of her home in St. Louis. Paster filed an affidavit saying she felt intimidated by people who claimed to be from State Rep. Penny Hubbard's campaign after she told them she planned to vote for Bruce Franks Jr.

Now we had our kicker.

The Aug. 2 election data also revealed that hundreds of applications for absentee ballots had come from just a handful of senior apartment complexes. The Hubbards aggressively campaigned in those buildings. But we noticed that one of those applications came from a woman who voted in person at the Election Board instead of mailing in her ballot. Why would anyone do that? In an interview, the woman

said she feared the candidates could manipulate the process. She had also once worked for the Election Board and claimed she had witnessed Rodney Hubbard routinely delivering stacks of absentee ballots, a violation of state law which states only a second-degree relative, such as a parent or sibling, can deliver ballots for a voter.

Earlier, we found another former employee who told us the same thing. Election officials dispute that this practice takes place, but we now had two

former employees contacted independently from one another providing identical details.

TIP 3: Pay attention to people behaving differently from those around them. Their motivations can be revealing.

On the applications for absentee ballots, we noticed that many people under the age of 50 had claimed to be “incapacitated” and could not get to the polls. Incapacity is the one reason for voting absentee that does not require the ballot envelope to be notarized. More than a dozen of those younger voters told us that they never claimed to be incapacitated as their applications to vote absentee showed. Some said they didn’t even remember applying.

On Aug. 31, the day of the trial, the Post-Dispatch published a story based on hundreds of documents and dozens of interviews. The vast majority of the reporting occurred over a three-day period.

During the trial for a new election, we noticed that Hubbard’s attorney, Jane Dueker, a well-known figure in the state’s Democratic Party, repeatedly looked over her shoulder at the Election Board. It was curious since she didn’t represent the board, only Hubbard, who was not in the courtroom.

We filed an open records request for any record of communication, including “voicemails, emails, text messages, phone logs, handwritten notes, recordings and letters,” between Dueker and Election Board officials. We made the same request for communication between board officials and anyone with the last name Hubbard.

We learned that Rodney Hubbard had parked his Mercedes a few feet away from the entrance of a polling site and watched voters enter a building at a low-income housing complex he manages. The documents and interviews resulted in another front-page story about allegations of voter intimidation.

TIP 4: Don’t be afraid of fishing expeditions, especially those that don’t take much time. They can be fruitful.

During the trial, Roland focused almost exclusively on the Election Board’s failure to use envelopes for the 140-plus in-person absentee voters. Since Franks lost by only 90 votes, Roland argued that those improperly cast ballots were sufficient to call into question the election results.

On Sept. 2, St. Louis Circuit Judge Rex Burlison released a 22-page decision that said the Election Board violated the law by accepting ballots not contained in sealed envelopes and ordered a new election.

Shortly after the trial, Missouri Gov. Jay Nixon replaced the top two members of the Election Board, saying the board “was not doing its job.”

In the do-over election on Sept. 16, Franks won 76 percent of the vote.

A couple of weeks later, Judge Bush granted Rasheen Aldridge a new election, also because of the envelope issue. Aldridge defeated



Rasheen Aldridge, 22, (left) and Bruce Franks Jr., 32, acknowledge a friend driving by the Civil Courts building while they wait for a ruling by Judge Julian Bush, who eventually ruled that a new election should be held.



Mary Wheeler-Jones (left), the Democratic Director of the St. Louis Board of Elections, takes a formal complaint about absentee ballots in the 78th District State Representative race from Michael Berg at the Board of Election headquarters. Bruce Franks Jr. lost the Aug. 2 primary for the 78th District to incumbent Penny Hubbard by 90 votes. In his challenge, Franks contends absentee ballots were “obtained illegally, were tampered with, or both.” Edward Berg, 4, is on his father’s shoulders.

Rodney Hubbard Sr. in the results of that Nov. 8 do-over election for Fifth Ward Democratic committeeman.

Throughout the course of our reporting, we tried repeatedly to reach the Hubbards for comment. They never commented to the Post-Dispatch on the allegations or the outcome of the election.

The fallout from the stories went beyond St. Louis. We found that four of the state’s largest election authorities also allowed absentee voters to vote without envelopes. Now they had to change that.

Stephen Deere has been a general assignment reporter for the Post-Dispatch since 2006. His profile of an Indian doctor took first

place honors for feature writing in the 2015 Great Plains Journalism Awards contest. He was part of a three-reporter team that took first place in the same contest for investigative reporting in 2016 for coverage of St. Louis County’s municipal court system.

Doug Moore has been a reporter for the Post-Dispatch since 2000. His current beat is diversity and demographics, which includes covering issues involving race, gay rights, Census trends, refugee resettlement and immigration reform. Recognition of his work includes a first place feature writing award in 2014 from the Missouri Press Foundation for a look at the region’s Bosnian population 20 years after they began arriving in St. Louis.

BROKEN HOMES

Minnesota is putting more American Indian children into foster care than any other state

By Brandon Stahl
Minneapolis Star Tribune

6 of 1,000
white children
in Minnesota
are in foster care

96 of 1,000
American Indian children
in Minnesota
are in foster care

I've never worked so hard to interview someone than I did with Denise Robinson. I first saw the 28-year-old when she was pleading with a judge to let her keep her newborn child, despite her history of abusing drugs and alcohol. It seemed like she could be a key figure in a story I was working on about Minnesota having the highest disparity of any state in the country in putting American Indian children into foster care.

I knew this story was incredibly important to tell, but at the outset, I didn't realize how incredibly difficult it would end up being.

Like many other investigative stories, our two-part series, "Fractured families: Indian kids in crisis," published in the Minneapolis Star Tribune in August 2016, probably appears nearly effortless to the reader. In reality, the months of reporting that led to those stories were filled with roadblocks and hurdles that are all too common, particularly in investigative stories that delve into sensitive subjects like this.

Getting parents like Robinson to talk was just one of those hurdles.

The beginning

The reporting began in the summer of 2015 when I was at a local American Indian casino, sitting in the front row of a packed conference room as the then-head of the Federal Bureau of Indian Affairs told a crowd that something was wrong in the state of Minnesota. Too many Indian children here were being placed into foster care.

Nearly everyone in the crowd of close to 100 applauded and agreed with him, sharing horror stories about Indian children being ripped from

their families, about parents who had lost their kids to child protection and never got them back, about cultures and identities lost because of what was going on.

It was there that I heard the statistic that caught my ear about Minnesota having the highest disparity of Indian children in foster care than any other state.

I wrote a daily story on the event and, later, tracked down the data where that statistic originated. It came from a massive data file kept by the federal Children's Bureau, known as the Adoption and Foster Care Analysis and Reporting System, or AFCARS (bit.ly/2iOaGiv).

We focused on the AFCARS files with data on children who had been in foster care (another has data on children who were adopted). Just a single year of data contains more than 650,000 records, each representing a child spending time in foster care somewhere in the United States.

The data is quite easy to obtain because it's archived (bit.ly/2ePoWKc) by Cornell University. However, the files are designed for use with statistical software, such as SAS or SPSS (there are some open-source alternatives, such as R and PSPP).

That's where I brought in our data editor MaryJo Webster to help analyze it. We sat in a conference room for a couple days asking questions of the data.

The data did confirm the statistic I heard at the conference: American Indian children make up less than 2 percent of children in Minnesota, but they make up nearly a quarter of the state's foster care population. That disparity is more

than double the next highest state.

But we wanted to know why this was happening. We threw question after question at the database — was there a financial incentive to putting native children into foster care? Were these children more likely to have behavioral troubles? Were there any clues in the data suggesting children were being removed for no reason?

The data gave us nothing. The reasons children were being removed from homes in Minnesota were no different than those in other states. The reimbursements to foster families were the same. As is often the case, the data did a good job of giving us the "who, what, when, where" part of the story, but not the crucial "why."

This analysis — combined with my many previous years covering child welfare and reviewing hundreds of petitions filed by social workers asking for a child to be put into foster care — confirmed my suspicion that there was not a pattern of children wrongly being removed from their families. In other words, there wasn't an epidemic of racist, out-of-control child protection workers.

Instead, I found broken families struggling with drug and alcohol abuse, resulting in severely abused and neglected children. From other data, we could see that drug and alcohol problems, poverty, unemployment and low educational attainment were all problems that exist throughout the country, not just in Minnesota. And it didn't appear to be worse here than elsewhere.

So we were left with describing this foster



Denise Robinson's son was born addicted to methadone. After a judge put him in foster care, she has gradually won more time with him.

care disparity — Minnesota being a significant outlier compared to other states — but no single reason to explain it.

How to tell the story

We decided that the best way to tell these stories was through examining the experiences of the people affected by the crisis each day.

In particular, I had to find families that had been through child protection and would be willing to share their story.

I knew that being an outsider to the American Indian community would be an issue. I reached out to dozens of people, hoping they could open some doors.

Minneapolis has a long history of having a large urban American Indian population, and many leaders in that community welcomed me. They helped me open doors with other leaders — suddenly I was in a support group for mothers dealing with addiction. That led to time shadowing a grandmother trying to raise her three grandchildren.

I also remembered the meeting at the casino when I first heard about this issue. A couple had given a speech about how their children had been taken away from them, and they didn't expect to get them back. But in the months since that meeting, they had gotten their kids back.

And when I contacted them, they agreed to let me shadow them and their three children

in their Duluth home, while they were still adjusting to being reunited.

Despite their willingness to open their door, it was still tough to get them to talk about the years they spent without their children. They had sobered up and fought to get their children back, but they didn't want to talk about the past.

This family's struggle and eventual reunification became a great second-day story, but we still needed something that would show the bigger issue.

I turned my attention to other people who were part of the crisis. A source suggested I reach out to Hennepin County Judge Luis Bartolomei, who reviews hundreds of these cases each year and decides whether or not to put children into foster care.

I called him up out of the blue, told him who referred me to him, who I was and what I was working on. Then I brought up the concept of shadowing him. He wanted some time to think about it. Later, we met in his chambers with two public relations flacks to make sure we were all set on the details. He agreed to let me spend a couple of days with him in his chambers as he reviewed cases and in his courtroom as he presided over them.

As for restrictions, he was concerned that I would quote him in a way that made it seem like he was commenting or passing judgment

on a case before its conclusion. So, I told him I'd work with him on that, and agreed to review any quote and the context of the quote with him before publication.

I sat through about 10 Indian foster cases in all, many of them intensely sad and disturbing. In one case, a mother of a young child admitted to shooting heroin eight times a day. Children were subjected to the most unimaginable neglect and abuse.

While these cases were tragic, I was reluctant to write in depth about them because I felt like they didn't represent the issue. I also feared it would completely turn off readers.

And then Denise Robinson had a hearing. Hers was different from the others.

Robinson hadn't been accused of physically hurting or neglecting her newborn son, but instead he was born addicted to the methadone she was using to treat her own addiction.

By that point, she had been sober for several months, but her past drug use forced child protection to suspend her parental rights to another child previously. Because of that, under Minnesota law, child protection was required to terminate her parental rights to the newborn.

Robinson believed that because she had been sober she should be able to keep her son. She all but begged the court to keep him. She broke down in tears when Bartolomei ruled otherwise,



Judge Luis Bartolomei must balance children's safety and a desire to reduce the number of American Indian children in foster care.

citing recommendations from Robinson's own tribe.

This, I knew, was the case to build the story around. Except, Robinson really didn't want to talk with me.

Getting her to talk

After getting approval from her attorney, Robinson agreed to an interview at her drug treatment center. But she didn't show up. She answered a few texts, then stopped responding.

After a few weeks, I gave up hope.

Then, I happened to run into her at the courthouse as she was attending another hearing. She didn't remember me, but seemed receptive to talking.

And then, again, she didn't respond to my calls.

I was able to access her child protection records. Minnesota is unusual in that the public has access to court juvenile protection records. Petitions and reports from social workers and child guardians are all public and, as you might imagine, the information is vital in understanding a court child protection case. They are not, however, easy to access. You have to go to a courthouse terminal to search cases, where you can view files from the summer of 2015 to the present. If you want to view case files before that, you'll have to visit the individual county court house in the state (there

are 80+ of those).

I tried one more time to interview Robinson. Months after I first saw her in Bartolomei's courtroom and a few weeks before the story was supposed to run, I went to one of her child protection hearings, which is open to the public. She agreed to talk with me. I got about a half hour of her time and learned a lot about her that the documents didn't tell me.

I was able to speak with a family member at length before Robinson spoke with me. She grew up in a stable home and had a bright future, but then her life was cast into turmoil when her stepfather died. Her mother started abusing drugs. Her family became homeless. Child protection took Robinson's first child from her. A great deal of that story is also verified in police reports and child protection records on Robinson's mother.

"I went off the deep end," she told me. Her addiction led to committing 18 petty crimes to support her habit. When she was committed to treatment, she began to turn her life around. When child protection took her newborn away, she felt as if being Indian made her a target.

"There's a system where they just want to take our kids," Robinson told me. "I don't know why it is."

After writing up drafts of the stories, I wanted to check with her to make sure I had written

her story accurately. We also wanted photos of her and her son, who she was gradually gaining more time with as she continued her sobriety.

But again, she was difficult to reach. Finally, a few days before the stories were published, I waited for her after another court hearing, and she agreed to meet with me. A photographer, Robinson and I got in a cab to go meet an aunt who was caring for her son. She reviewed the quotes; we got photos, and we were able to tell the story of how one mother struggled not only with her own addictions but also with the child protection system.

MaryJo Webster contributed to this article.

Brandon Stahl covers courts and criminal justice for the Star Tribune, where he was previously a watchdog and data reporter. He has been a journalist for 15 years, and his work has been honored by the Scripps Howard Foundation, the Association of Health Care Journalists, the Society of Professional Journalists and the Communication Workers of America.

MaryJo Webster is the data editor at the Minneapolis Star Tribune and an adjunct instructor at the University of Minnesota. During her nearly 20 years as a data journalist, she has also had stints with USA TODAY, Digital First Media, the St. Paul Pioneer Press, The Center for Public Integrity and Investigative Reporters and Editors.

MAKING A MOCKERY OF THE SYSTEM

Investigating the special treatment of a police lieutenant arrested for DUI

Wendy Halloran
KPNX/NBC12 Phoenix

“ I’ll tell you when you first approached us with the information you had at your disposal at the time, we were very surprised ... Our knee-jerk reaction was there was no way this could be true.”

That was the response from Scottsdale Police Chief Alan Rodbell after I brought him evidence of an orchestrated sham inside his jail. What started as a Mesa lieutenant who was pulled over for driving under the influence ended with a police commander, detention manager and three detention sergeants disciplined for misconduct. The investigation also revealed that there was a concerted effort by top jail commanders to prevent me from finding out they had no intention of locking up the lieutenant to begin with. But I would get in their way, forcing them to alter the plan they hatched because he was a cop.

How it started

Like any good enterprise investigation, it all started with tips from sources inside and outside the Mesa Police Department about the lieutenant’s arrest. I had a great deal of experience investigating misconduct at this particular agency and considered myself well-sourced. For years, I’d been submitting public records requests and cataloging internal affairs investigations and disciplinary actions. Those records seemingly indicated the agency had a pervasive problem: It did not always hold its employees accountable. The now-former police chief encouraged members of the force to “purge” their disciplinary files in accordance with retention policy to avoid attention in the media.

Among the documents I requested, which went back to 1999, I discovered countless examples of officers who behaved inappropriately but kept their jobs or were allowed to retire with full benefits, or officers with similar violations who suffered very different consequences. The incidents included an officer posing for pictures as a Nazi stormtrooper and a sergeant charged with nine felony counts for misuse of public funds.

One of my sources wasn’t as fortunate as the officers who seemingly received a slap on the wrist. My source had been fired on the recommendation of then-Sgt. Rick Van Galder, who was the primary internal affairs investigator



Lieutenant Rick Van Galder is seen moments after his arrest for super extreme DUI.



Police reports included a toxicology report that showed Lieutenant Rick Van Galder’s blood alcohol level was 0.306, 46 minutes after he’d been pulled over — nearly four times Arizona’s legal limit.

on my source’s case. My source learned Van Galder, who was now a lieutenant, had been arrested in nearby Gilbert, Arizona, for Super Extreme DUI — a DUI given when the person’s blood alcohol content is 0.20 or above. My source was worried Van Galder would be allowed to keep his career and reputation intact, getting little or no jail time.

Seeking the body camera footage

My initial investigation hinged on obtaining visual evidence. Concerned the Gilbert Police Department would alert the Mesa police that I was sniffing around, I had our assignment desk submit the public records request. While the Gilbert police did alert Mesa’s public information officer, it didn’t hamper my efforts. I was told it was a matter of professional courtesy, a running

theme in this storyline.

I sought information on Van Galder’s arrest: reports, radio transmissions, dash cam video and most importantly, body camera video, if it existed. It did — three officers who responded were wearing them. We obtained all of the body camera videos, police reports and one 911 call.

The Gilbert police decided not to comment on camera regarding this case, but agreed to answer questions via email or over the phone.

Analysis of the video

As soon as I watched the body camera footage, I knew I had damning evidence of an officer who tried relentlessly to get special treatment because of his job, and a department — Gilbert — that did the right thing by enforcing the law.

As I put my story together, I sought out experts in policing to review the video, ensuring nothing was misinterpreted or taken out of context. I’ve long kept a list of police experts as I have a bachelor’s degree in criminal justice administration/criminal law and often seek out experts in policing and justice studies.

A toxicology report showed Van Galder’s blood alcohol level was 0.306. I used the time stamp on the videos and time of the blood draw to put those numbers in perspective. Forty-six minutes after he’d been pulled over, the lieutenant’s intoxication level was 0.306, almost four times Arizona’s legal limit. Given that, I sought out

a forensic pathologist who reviewed the police reports, toxicology reports and more. She provided us with standardized blood alcohol content charts, which showed he was off the charts.

Continuing to dig

As a next step, I requested Van Galder's personnel file. I also requested data going back five years, of all Mesa police officers arrested and or disciplined for DUI-related offenses. The department launched an internal affairs investigation that would run concurrently with the criminal case. No records would be available to me until it was finished.

I pulled court records, reached out to the prosecutor and got a tutorial on Arizona's Super Extreme DUI law. The potential consequences and standardized plea offers seemed consequential for the misdemeanor crime.

I found the 911 caller through the Gilbert police report and witness list in court records. I wanted her insight about crossing paths with a suspected drunk driver she thought "was going to kill someone." Unbeknownst to her, he was a cop. She clammed up, fearing retaliation. Fortunately, she still provided details to help me write the story.

There was no dash cam video and the officer's body cameras were turned on only after they had already pulled over Van Galder, so we didn't get footage of his driving. But the caller's memory was vivid, and she helped us envision the incident when we went to the site of the traffic stop months after it happened.

After the conviction

I found out through the PIO when Van Galder was going to surrender to the Scottsdale City Jail. Because the town of Gilbert only has a holding facility, an out-of-jurisdiction confinement was prearranged with the Scottsdale Police Department, which operates the jail. My news manager thought we should get video of Van Galder surrendering.

I had a different opinion. I said, "I don't want to dig the knife in deeper. He's pleaded guilty, he's going to be on probation for five years. There are significant consequences for his actions, and I think he's going to get fired because he set a record. No Mesa police officer has ever gotten a Super Extreme DUI, so I'd rather not."

In retrospect, I'm glad we didn't go. That would have alerted the jail and department that I was watching, and the rest of the story may not have unfolded as it did.

Justifying secrecy

So how did I find out about the jail stunt? I noticed a few people on Facebook — with whom I wasn't friends — had liked my report. I scoured their Facebook pages and discovered their ties to Scottsdale. I added them as friends. I immediately received a few messages: "Call, it's urgent."

Upon talking to these sources, I learned the lieutenant did not fully serve his jail sentence. He had been allowed out of his cell, put up in the detention manager's office and given free rein. They encouraged me to request the video to see



Wendy Halloran interviews Scottsdale Police Chief Alan Rodbell, who didn't know that Lieutenant Rick Van Galder received preferential treatment from his jail staff.

for myself.

I immediately had all of them unfriend me on Facebook so they wouldn't be identified by anyone looking for leaks. I made sure this was done well before I submitted the public records request for the jail video and the visitor logs.

My request for the video and logs was met with a blanket denial. I argued that jail videos are public records and that they needed to come into compliance with Arizona's Public Records Law. When that didn't work, I sent another email, including the police chief and our legal counsel, indicating I was wrongfully denied and would vigorously defend my right to obtain the videos. Still, they justified secrecy, ironically citing a 1995 court decision against 12 News — my workplace — related to jail security.

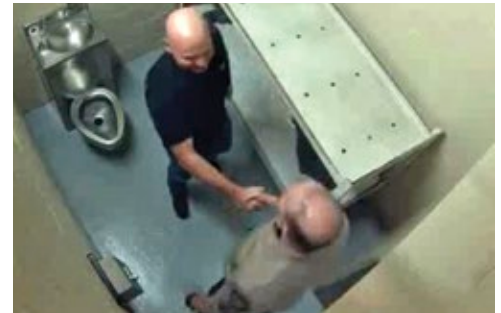
Public records dispute

I called our corporate counsel Chris Moeser and local counsel, First Amendment attorney David Bodney, and told them there was no way my sources could be wrong. Bodney took it from there.

Later that day, the senior assistant city attorney phoned Bodney to say that the city intended to produce "something" as soon as possible. The city's representative said they had a "new video system" at the jail and had "some problems trying to locate" footage. While the lawyer expressed some security concerns, he said they city wanted to comply with our public records request as soon as possible. And it did.

However, the videos produced by the city showed no images of Van Galder inside the jail after 2:30 p.m. on August 5 until his release.

Scottsdale's lawyer explained that the video recordings didn't show Van Galder inside the jail after 2:30 p.m. because he spent "the rest of his time outside the confines of the jail," mostly in the detention manager's office. He also explained that most of the security cameras weren't fully functioning — they displayed images in real time only but didn't record them. For that reason, a number of cameras didn't record, including the camera outside the entrance used by Van Galder's spouse when she brought him fast food and the



Lieutenant Rick Van Galder shakes the hand of a detention sergeant moments before he's freed from his cell.

one outside the detention manager's office.

The assistant city attorney also confirmed that images had been redacted to remove those of Van Galder sleeping during his first night at the jail. He confirmed that Van Galder served only "one day" in a cell, and that the last "two days" he wasn't there.

With this information in hand, along with photos of the jail officials involved, I was able to interview the Scottsdale police chief, who ultimately admitted he hadn't been aware of what happened in his jail.

I continue to work on this story. After our initial airings, Van Galder resigned and an internal affairs investigation was launched. One of the findings was that Van Galder appreciated his accommodations — so much, in fact, that he wrote thank you notes and gave gift cards to the top-ranking jail staff.

Executive Producer of Digital Content Strategy Elizabeth Wiley contributed to this report.

Wendy Halloran is the chief investigative reporter at KPNX-TV/Phoenix in Arizona. Her investigative work has been recognized nationally with the 2015 Alfred I. duPont Award, 2015 and 2016 National Headliner Awards, regional Edward R. Murrow Award, multiple Emmy awards, Associated Press awards, SPJ First Amendment Award, and Freedom of Information Award, among others. Halloran, a long-time IRE member, was a 2013 IRE finalist for her relentless probe into the once elite Phoenix Fire Department arson squad.



Tools to present your investigative stories



Ryan Thornburg
University of North Carolina at Chapel Hill

As I talk with reporters and editors around the country, I find that one of the most common barriers to producing meaningful and memorable presentations of investigative journalism is that they are overwhelmed with their choices of tools. Or, they find a particular tool they were high on for a while, but quickly discover that it didn't live up to their expectations.

Often, tools or techniques are pitched as Swiss Army knives but end up just being hammers — sometimes really great hammers for driving a particular kind of nail, but not useful for all the other reporting and production tasks needed in a modern investigative news organization. For example, you can scrape a webpage using OpenRefine or geocode using Tableau. But it's probably better to use tools made specifically for those jobs. For example, OutWit for scraping and the geocoder inside Google's Fusion Tables or the service run by Texas A&M University.

So, with all these tools in your toolbox, how do you choose the right one for the job?

First, start with the story and choose the tool it needs. Too often we try to go the other way — we start with the tool with which we're most familiar, then figure out how to use it regardless of what the story demands.

WHO

Investigative stories often revolve around the "who" — people who have abused their power and people who have been victimized. With stories that revolve around people, we often have the news values of prominence or emotional appeal. We want to see the human faces of the story and to hear their tone of voice on video. If your subjects are uncomfortable or unwilling to be interviewed on camera, audio can work well, too. If you use YouTube to publish video or SoundCloud to publish audio, remember that those pieces of the story need to live on their own — the captions and headlines you use with them must fairly represent the story and provide sufficient context. Ideally, they drive potential viewers back to the larger story.

Photos and videos are also often a great way to highlight the news value of oddity —

moments or scenes that you've got to see to believe. Video can be great for showing an acute process — the "how" news element.

But also remember that journalists no longer have the gatekeeping role they once did. Sources and the audience regularly bypass reporters and editors to speak directly with each other via social media. One way of re-asserting the value of that gatekeeping role is to host an online discussion or live event with key witnesses or experts in your story after you publish it. For example, when The Texas Tribune launched its Unholstered project in September, it also hosted an Ask-Me-Anything session on Reddit with former San Marcos Police Chief Howard Williams. The Tribune then turned that Q&A session on Reddit into a piece of content for the site (bit.ly/2iXiZsO). The online discussion also got picked up by other local media outlets.

Giving your audience a chance to probe the story further can extend your reporting and create an experience for the audience that lives much longer in their memories than the story itself will.

WHEN

But investigative stories often are interested not just in who knew, but when they knew it. When they do, timelines should play an important role in your story presentation. For many reporters, keeping a timeline of events is part of the reporting process that helps organize the story. If you keep that timeline in Google Sheets, you can quickly use the open-source TimelineJS tool developed by the Knight Lab at Northwestern University to turn your (cleaned-up and edited) reporting notes into an interactive and multimedia timeline. And in an era where many if not most of our online audiences are coming from mobile devices, the freely available Vertical Timeline from WNYC's John O'Keefe is a nice tool that also uses Google Sheets.

WHERE

As for the news element of "where," many of the pioneering computer-assisted reporting stories were driven by place. Today, mapping points and polygons help reporters better see

patterns but also share those patterns with the audience. For pure simplicity of map publishing, you can't beat Google Fusion Tables, which you can use to build a map of addresses in Google Maps easily.

The more geographic area and jurisdictions your story covers, the more important maps are to your final presentation. Maps allow the audience to amplify perhaps the most important of all news values — impact. What does this story mean to me?

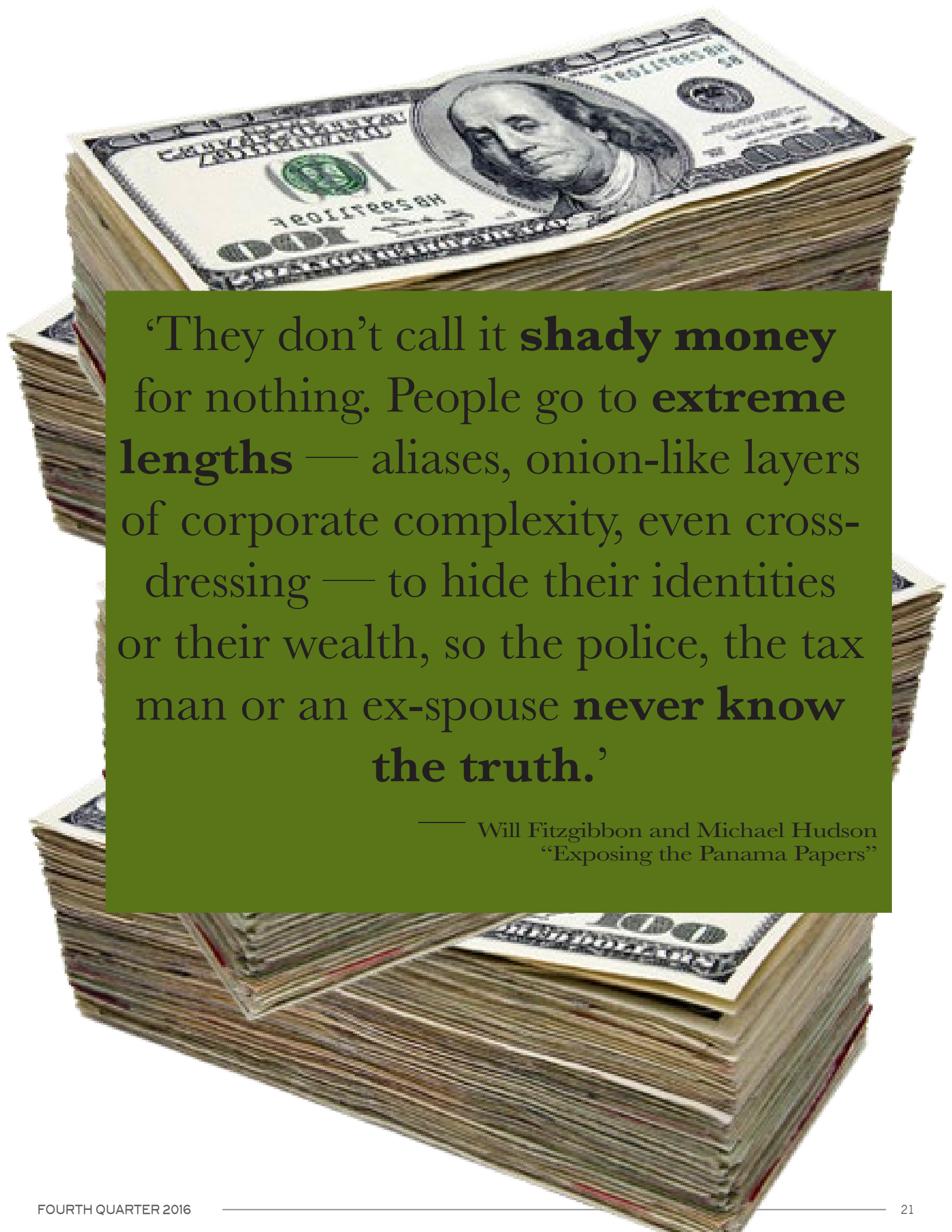
Stories often have an impact because of a news value that's being lost in an era of national and global media dominance — proximity.

With the growth of mobile news consumption and the (re)emergence of augmented reality heralded by the popularity of "Pokemon Go", being able to customize the presentation of stories based on the reader's location at a certain moment might yield some interesting and impactful innovations in investigative storytelling.

Elle magazine partnered with Huffington Post's RYOT creative agency to make the covers of the November print magazine come alive as video interviews when viewed through the Elle app on a mobile device. At the UNC School of Media & Journalism's Reese News Lab, we're beginning to experiment with Microsoft's HoloLens device to create background material that can be displayed during live news events.

But if you don't have an augmented reality development tool you like just yet, rest assured you're not alone. I'm completely clueless about AR. But I'm going to be watching this space to learn about how newsrooms are using augmented reality toolkits to immerse the audience in stories about places, or maybe even take them back through a timeline. Which news values and elements do you think AR might match best? Tweet me at @rtburg, where I'll be digging through my toolbox.

Ryan Thornburg is the director of the Reese News Lab at the University of North Carolina at Chapel Hill's School of Media and Journalism. He is the author of "Producing Online News" and a former online news editor at The Washington Post.



‘They don’t call it **shady money** for nothing. People go to **extreme lengths** — aliases, onion-like layers of corporate complexity, even cross-dressing — to hide their identities or their wealth, so the police, the tax man or an ex-spouse **never know the truth.**’

— Will Fitzgibbon and Michael Hudson
“Exposing the Panama Papers”

Exposing the Panama Papers

How 400 journalists pulled off the largest collaborative investigation in history

By Will Fitzgibbon and Michael Hudson
International Consortium of Investigative Journalists

They don't call it shady money for nothing. People go to extreme lengths — aliases, onion-like layers of corporate complexity, even cross-dressing — to hide their identities or their wealth, so the police, the tax man or an ex-spouse never know the truth.

These days, journalists who want to expose dirty money usually need to go beyond meeting sources in parking garages. Over the past four years, the International Consortium of Investigative Journalists and its media partners around the globe have exposed details of hundreds of questionable financial deals by unearthing a series of digital leaks revealing the secrets of the offshore financial system.

Tracing shady financial dealings often throws up barriers, but journalists have access to some easily-available resources to develop other parts of the story.

Documents from public corporate registries in tax havens can help with verification of leaked documents and can also offer some potential leads to explore. For example, at a cost of about \$25, a document from the British Virgin Islands registry will show the date an offshore company was created. If this date falls within a few weeks or months of the appointment of the offshore company's owner to a government ministry, as was the case in a few examples from the Panama Papers, there may be good reasons to explore further. Many of those seeking to hide their fortune know better than to do it under their own name; don't forget to include in your public database searches the names of that person's children, family members, close friends, personal attorneys, business partners and fellow yacht club members.

ICIJ's most recent project, the Panama Papers investigation, relied on a trove of 11.5 million files from Mossack Fonseca, a law firm based in



Mar Cabra, the head of ICIJ's data unit, leads a training session. "We had to deal with incremental information, and we also had to deal with a lot of images," Cabra said of the investigation.

Panama that had helped kings, prime ministers, fraudsters, drug barons and thousands of other clients set up offshore companies.

It was the biggest leak of financial data in history — and it spawned the largest journalism collaboration in history.

The project began when a confidential source leaked the digitized internal records of the law firm to Frederik Obermaier and Bastian Obermayer, reporters at German daily *Süddeutsche Zeitung*, a longtime ICIJ partner. Instead of hoarding the documents for themselves, the German journalists shared them with ICIJ so that the U.S.-based investigative reporting collective could put together a partnership that allowed ICIJ, *Süddeutsche*, McClatchy, Fusion and more than 100 other media outlets to team up to investigate the explosive documents.

In all, more than 370 journalists worked as part of the yearlong collaboration. Since the release of the first publications on April

3, ICIJ has continued to expand the stable of trusted reporting partners on the project to new countries, regions and media houses.

Wrangling data

The first challenge for ICIJ was turning a jumble of 2.6 terabytes of records into a secure online database that could be searched by hundreds of journalists in more than 80 countries.

"We didn't receive a 2.6TB hard drive," said Mar Cabra, the head of ICIJ's data and research unit, in an interview with journalism tech site Source. "We had to deal with incremental information, and we also had to deal with a lot of images." Millions of other documents, including PDFs, had to be made machine-readable.

Scratchy, barely legible .tiff documents — a type of image file designed in the 1980s and long-since fallen out of fashion — were the only way to find the offshore links of the current prime minister of Australia, for example. Faded



A Panama Papers team meeting in Munich. More than 100 media outlets teamed up to investigate the explosive documents.

.tiff files were also the key to documenting how in 1986, Jürgen Mossack, the law firm's co-founder, learned that one of the offshore companies his office had created might be linked to England's most famous gold heist (bit.ly/1RHetJB).

Reading every file would have taken one journalist decades, Cabra and her five-person data team estimated. Even uploading every file to a computer server through traditional means so that journalists could search through the Panama Papers documents would have taken a year. ICIJ's data team sped up the process by using 33 box-like servers to digitize the information as quickly as possible and allow journalists to start digging.

ICIJ's data team uploaded the 1,117,026 .tiff and other image files, along with 4,804,618 email messages, 2,154,264 PDF documents and even a handful of telephone voice recordings to a secure Panama Papers repository from where journalists could begin their research. All you needed was the URL (closely guarded, of course), a password and two-step verification.

ICIJ required every partner to use an encrypted email for discussions about the project. While many journalists use encrypted

communications routinely, it is by no means universal. We spent hours helping some of the newest members of ICIJ's reporting team to install and use secure email programs such as Mailvelope and Enigmail.

Digging through the papers

After addressing the technology hurdles, all of ICIJ's reporting partners – from journalists working at the BBC's 12-floor Art Deco headquarters in London to a reporter working from his living room in Bamako, Mali – had access to the same database containing the Panama Papers.

For all of us, getting started was a daunting task.

"Given the amount of documents, it was not easy at first to narrow the search," said Momar Niang, a Senegalese journalist who reported on the Panama Papers for the independent online platform Ouestaf.

Niang's sleuthing within the data took a turn when he discovered two secret contracts worth tens of millions of dollars signed by offshore companies tied to the friend of a former Senegalese government minister investigated for corruption. Niang was able to match the address and date of birth listed in the Panama Papers for the minister's associate

with information he found in court records. Although court documents cited the names of the two offshore companies, this was the first time anyone had exposed the contracts in question. Ouestaf's reporting on this and other findings made national headlines and led to calls for Senegal's government to open an investigation.

Team members around the world helped each other navigate the data via a secure online communications platform called i-Hub. ICIJ's data guru created the i-Hub by retooling software first developed for online dating and escort services into what was, in effect, a private Facebook for journalists. The platform allowed us to share files, send private messages, post announcements and motivate one another during the months of eye-numbing research.

In total, the Panama Papers journalists shared 11,816 findings, ideas, tips and questions about topics that ranged from coordinating reporting visits to Panama City to tracking alleged former associates of Zimbabwean President Robert Mugabe to offering suggestions on how to search for passport ID numbers within the Panama Papers database.

ICIJ operates on the principle that reporters

who live and work on the ground are central to exposing crucial public interest stories. They know the political and corporate players and the domestic scandals and cabals in ways that foreign journalists will never fathom.

It was only after an Algerian journalist, Lyas Hallas, joined the project that the Panama Papers team was able to discover the offshore connections of the daughter of the country's current prime minister. Her name appeared in connection with a company linked to people currently under investigation into an alleged bribery scheme worth \$275 million. Hundreds of reporters had searched the database for months without finding this detail. It took Hallas, a newspaper reporter experienced in navigating Algeria's difficult media environment, less than an hour.

Whenever someone found an apparent link to a newsworthy name, team members did a lot of traditional "shoe leather" reporting to verify the finding. Journalists shared the initial find with others on the team to see what information or advice they had, and to see if they, too, wanted to pitch in on the reporting.

Journalists often verified the information from within the Panama Papers by checking external sources such as U.S. State Department cables published by WikiLeaks and economic sanctions lists maintained by the U.S.

Department of Treasury. We cross-checked corporate annual reports, politicians' financial declarations, news articles and previous leaks of offshore records obtained by ICIJ and its partners, such as the Swiss Leaks files that revealed secret bank accounts maintained by HSBC's subsidiary in Switzerland.

Most of all, the team relied on the collective wisdom of hundreds of journalists who, between them, have spent thousands of years working as investigative reporters.

Intense collaboration

"Radical" sharing, ICIJ has found, is a powerful factor in amplifying the global exposure of public interest reporting. It requires trust on the part of everyone involved. ICIJ encourages partners to be open with their findings and to keep few tidbits of information to themselves. Knowing that everyone has agreed to publish together helps make normally competitive journalists feel better about sharing information with other news organizations.

Even the best investigative journalists can use support to strengthen their work. Nineteen journalists from Russia, Germany, the United States, the United Kingdom, Switzerland, Austria and Finland contributed to the secure online discussion forum regarding Sergey Roldugin, a family friend of Russian President Vladimir Putin who was linked to offshore finagling worth nearly \$2 billion.

Petra Blum, a German business journalist and a leading reporter on the details of President



Front pages from Panama Papers investigations around the world.

Putin's friend's overseas dealings, said she never doubted the authenticity of what she saw.

"I've read thousands of pages of those documents, and the thrill of seeing something which the creators clearly never had intended to be seen by journalists like me, or anybody except some selected insiders, never subsided," Blum said.

"The biggest difficulties were organizational ones," said Blum. "The pile of papers that had to be read, all stacked up, hit the ceiling of my office."

"Putting the puzzle together was a difficult task, and fortunately I was not alone," Blum said. "I was part of a terrific team of superb journalists from various countries and, if anything, this story was a team effort. Each of us showed some of the docs to experts we could trust." The team would then regroup, Blum said, spending "hours on the phone, racking our brains, trying to make sense of those documents."

If you are working on your own investigation into shady money, contact other journalists and ask for help. In this era of turbo-charged collaborative journalism, there is a growing likelihood that other reporters will be happy to help and keen to learn more about how your story of financial shadiness intersects with their country.

Telling the world

Coordinating the simultaneous release of all the media partners' stories was another

challenge. ICIJ consulted with Süddeutsche Zeitung and other partners before setting the global release for April 3 at precisely 2 p.m., U.S. Eastern Time.

"Please double and triple check the correct publication time for your time zone," ICIJ deputy director Marina Walker posted on the communal platform less than 48 hours before launch. "We can do this!"

The launch produced a media firestorm, with #PanamaPapers quickly becoming the No. 1 trending topic on Twitter and front-page news around the world. Citizens hit the streets in protest. Governments launched investigations. High profile figures – including Iceland's prime minister – were forced to resign. ICIJ's Panama Papers stories and data products received more than 80 million page views from countries all around the world. The network of more than 100 media partners reached an audience that numbered in the hundreds of millions across digital, print and broadcast.

It all happened because journalists decided to treat each other not as rivals but as allies. In a world where the tactics used to dodge taxes or hide ill-gotten wealth are becoming more global and more complex, collaboration is one of the tools that can take investigations of shady money to new levels of depth and impact.

Will Fitzgibbon is a reporter and Michael Hudson is a senior editor with the International Consortium of Investigative Journalists.

HUD on the hook

A yearlong investigation of federal loan guarantees gone bad

By Arthur Kane

When the federal government decides to guarantee loans for wineries and failed redevelopment projects, it leaves ample stories for watchdog reporters to pursue.

In 2008, owners of a 216-unit apartment complex in Colorado Springs, Colorado, convinced the county assessor that the property was worth \$3.8 million because it was in such disrepair.

Just eight months later, the federal government backed a loan to fix up the property for \$9.4 million — more than twice what the owners just told the county the collateral was worth.

In 2012, the owners defaulted on the loan, leaving the Department of Housing and Urban Development's Federal Housing Administration program on the hook.

And when HUD went to unwind the botched deal, it left more than \$1.2 million on the table. HUD sold the note on the property at an auction for \$5 million to an investor who turned around and flipped the property for \$6.2 million six months later.

The Apollo Village Apartment deal was just one of dozens of loan guarantees that went bad for HUD since 2010, according to a database I obtained under the Freedom of Information Act. I investigated and wrote stories about the largest defaults for Watchdog.org in October 2015 and February 2016.

The HUD defaults were just part of a yearlong investigation of various federal loan guarantees where different agencies back loans by private lenders and reimburse the lender if the borrower defaults.

I found instances of defaulted loans that exceeded the collateral, failed small business loans to two Lamborghini dealerships, and loans benefiting companies that sent jobs overseas or kept their profits from U.S. tax collectors.



HUD officials approved a \$9.4 million loan guarantee to fix up this property months after the then-owner convinced the county it was worth only \$3.8 million.

After I described the federal subsidies to the president of the National Taxpayers Union, a nonprofit focused on lower taxes and smaller government, he lamented that taxpayers are often left picking up the pieces after bad government decisions.

"Unfortunately, many government loan programs to individual business people aren't necessarily dictated by the best interests of taxpayers or the laws of the marketplace," Pete Sepp said. "It's a classic dilemma we see with the federal subsidies programs."

Despite a rebound in property values since the Great Recession, nine out of 10 of the projects responsible for HUD's largest defaults are still worth substantially less than the original loan guarantees, assessor records show.

More surprising is that none of the failed HUD-backed projects were earmarked to provide low-income housing or help indigent people. All the money went to help developers to renovate or build market-rate or even upscale apartment complexes that, if successful, would have benefited mainly the developers and the banks who issued the loans.

HUD officials said the program is necessary to increase housing stock in underserved areas.

Related investigations for Watchdog.org, which were also published by Forbes.com and in front-page Washington Times stories, focused on loan guarantees by the Small Business Administration and the Export-Import Bank. Ex-Im bank is a government agency that guarantees loans to foreign buyers who want to purchase products from U.S. companies with the goal of increasing jobs and exports.

In a database of loan charge-offs (determinations by lenders that they couldn't collect on the loans), I found the SBA backed defaulted loans to not one — but two — Lamborghini dealerships along with wineries, yacht and jewelry retailers and even golf courses and country clubs, raising questions about why taxpayers should subsidize such luxury businesses.

And matching a database of Ex-Im subsidies with Department of Labor data about jobs sent overseas, I found that 130 businesses — including giants like General Electric and Boeing — who benefited from nearly half the subsidies since 2006, eliminated or exported thousands of jobs to other countries while in the program. That is exactly the opposite of the intent of the program. And while getting government benefits, Ex-Im beneficiaries kept nearly \$458 billion in profits offshore, avoiding U.S. taxes.

Until the Great Recession, investigating federal loan guarantees didn't have much relevance for taxpayers because most of the programs were funded with fees on participants like lenders.

But digging deeper, I found that since 2008, SBA and HUD have gone to Congress for taxpayer subsidies. The FHA received \$1.7 billion and the SBA \$835 million as default rates on the loans they backed skyrocketed.

The key to investigating these questionable government subsidies is to FOIA defaults — preferably in the form of a database or spreadsheet — and then run down the details of the loans and projects using other public records like bankruptcy filings, assessor records and foreclosure documents. At times, a second round of FOIAs for specific projects in the databases yielded vital information that raised additional questions about the decision-making process.

HUD took months to release its default database, but once I received it, it detailed several failed loans of \$40 million or more, so I knew there was a good story.

Sorting by the top defaults, I went online or called local assessors to determine the market value of the property at the time the federal guarantees were issued and whether the owners protested the property's value before securing the HUD-backed loan.

Assessors' values are often lower than market values, but the records will tip you off if there was a major disparity between the loan amount and how much the property was worth.

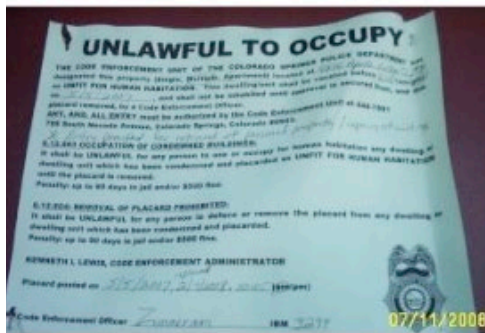
The information on the websites varies county by county with some posting what they believe is market value while other jurisdictions only disclose the portion of the value that is taxed. It's best to call the individual assessors to determine what the numbers signify.

I also filed FOIAs to obtain appraisals, internal reports and email discussions about the HUD loans. Surprisingly (or maybe not) some HUD districts readily sent all their records while others refused to provide any documentation.

For the Colorado Springs project, HUD officials balked at providing appraisals or staff recommendations, citing FOIA exemptions that protect trade information and deliberative discussions. A Florida HUD official said staff destroyed the documents of a 2012, nearly-\$50 million, default because HUD no longer had an interest in the property.

But New York HUD officials provided a four-inch-thick file folder that revealed key information about a \$46.5 million loan guarantee in 2009 that resulted in defaults, criminal charges against and bankruptcy of the developer, and a major loss to taxpayers.

The 26-acre, 185-unit Vineyard Commons apartment project in Lloyd, New York, was supposed to attract well-heeled seniors willing to pay \$2,000 a month or

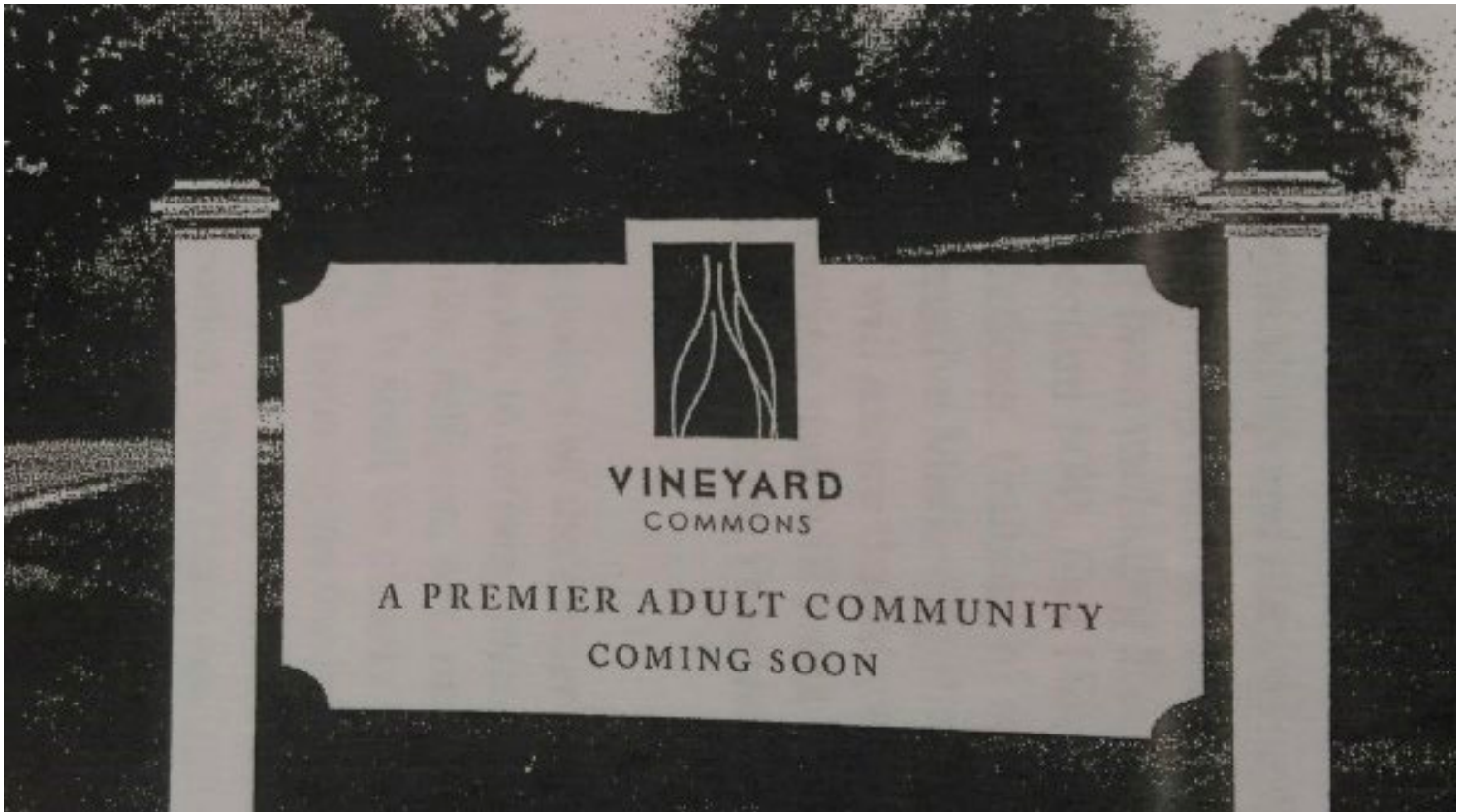


Photos in the El Paso County Assessors file in Colorado show problems with a property in 2008 when its value was slashed. County records showed 36 units were condemned that same year, and building permits for siding, roof and structural repairs were issued between 2009 and 2014.



The Stratus, formerly Apollo Village, has had nearly \$12 million worth of work done on it. Assessment records show the market value for the project at about \$8.4 million. HUD sold the note on Jan. 11, 2012, through the Multifamily Asset Loan Sale for \$5 million; on July, 9, 2012, a company that invests in distressed property closed on the property for \$6.2 million. The company then sold the complex to the current owners for \$8.99 million on October 31, 2013.

Photos Courtesy of El Paso County Assessor / Photo by Arthur Kane, Colorado Watchdog



The developer of Vineyard Commons defaulted on its loan after the project failed. HUD assumed the loan and sold the project, losing \$28 million. HUD backed a \$47 million loan for the upscale construction project in upstate New York that defaulted. The completed property is worth less than \$15 million.

more in rent for amenities like a clubhouse with a pool and fitness center, a chipping green and a restaurant with a wildlife observation deck, according to HUD records.

The documents and appraisal showed HUD staff had reservations about the upstate project's viability before the deal was signed.

"As currently structured, this proposal involves a significant underwriting risk," a HUD economist wrote his supervisor a month before the loan was approved. "The Ulster County economy is weakening."

HUD told me the project was modified to address staff concerns, but the economist was right because Vineyard Commons went bust in 2012.

The developer was indicted in a kickback scheme and pleaded guilty to conspiring to defraud lenders, records show. The government had to come up with more than \$47 million, including fees and interest. HUD auctioned off the property for \$18.6 million, and local tax officials currently value the project at less than \$15 million.

In a news release, a HUD inspector general agent blasted the developer but never discussed why HUD got into the deal. I contacted her to ask why she didn't look into HUD's culpability in guaranteeing the deal, and she emailed that she would not comment on the agency's role in the default. One of the major hurdles in

these investigations is getting federal agency personnel, bank officials or loan recipients to comment. Most wouldn't return calls, just hung up the phone, and said privacy prevents discussion of loans or issued statements that didn't get at the thought process of why anyone would back loans so much larger than the collateral.

The larger problem is that with loan guarantees, sometimes only the government and taxpayers get hurt. The lender is in a risk-free situation where banks will collect substantial interest if the project is successful and get a government bailout if it fails.

There is little evidence that HUD goes after the borrower, who nevertheless is usually protected by the formation of a limited liability corporation that can easily go into bankruptcy. Federal officials, then, just auction off the loan to investors.

Reporters love when their stories spark change, but in the case of loan subsidies, there is overwhelming political pressure to continue the subsidies. The subsidies are popular on both sides of the aisle. Republicans back them as they benefit businesses that create jobs. When some Republicans tried to block the Ex-Im reauthorization in 2015, their leadership joined with Democrats to get the program funded again. Unions support the subsidies as they create jobs for their works, so Democrats rarely

criticize the programs.

The businesses, whose Political Action Committees often contribute vast sums to political campaigns, love them because they receive a lower interest rate, better terms or their customers can afford to buy more goods. And for the banks, they're a mostly risk-free investment with significant upside potential and downside protection.

The taxpayers, who have much less pull in the halls of power, are often left holding the bag. NTU President Sepp said after I told him about the lux SBA loans, the failed HUD-backed projects and the actions of businesses that benefit from Ex-Im subsidies to sell their products.

"There is, of course, the question of why an average taxpayer, who could never afford many of these goods and services, should be forced to underwrite the businesses," he said.

Art Kane has been an investigative reporter, editor, producer and executive producer in print, television and online for more than two decades, including for major metro papers, a top-20 market television station and the nonprofit investigative news organization, Watchdog.org. His work has been honored with a Peabody, two duPont-Columbia awards and other national honors. Art is currently an investigative reporter at the Las Vegas Review-Journal.

To the bidders go the spoils

Politically connected bids win in Nassau County

By Paul LaRocco
Newsday

When New York's Senate majority leader was indicted last year on federal corruption charges, the indictment reverberated across the state. It proved particularly seismic in Nassau County on Long Island.

The lawmaker, Dean Skelos, was a popular 30-year representative of Nassau's suburban South Shore. The central charge against him: He used his considerable influence to steer the award of a lucrative county contract to a company employing his son.

That's where I saw opportunity.

While colleagues in Manhattan and Albany expertly tracked the criminal case and explored its larger political implications, I dove into thousands of pages of contract documents I'd amassed while covering the Nassau County government, looking to see if the circumstances of the Skelos-tied pact (county officials bypassing lower bidders to select a politically connected firm) had been an anomaly.

In fact, it was happening all the time — but my research didn't lead to just one story. The data took me in multiple directions, and each piece we published led to tips generating the next. I spent the better part of a year, beginning in April 2015, immersed in my county's contracting system, helping prompt significant reforms and a few more criminal probes.

But the investigation almost never got off the ground.

As I set out to review the hundreds of contracts Nassau had awarded in recent years, looking for cases similar to the one described in the Skelos indictment, I quickly found that there was no neat set of numbers ready to be analyzed. The county only publicly posted basic contract details: vendor, cost, date, purpose. Their system was almost wholly paper-based, and the critical details I needed — how the winning bidders' prices compared to others', the justification used to select them, and the names of company principals (to search for political ties) — were buried in the



A June 1, 2015 Newsday story by Paul LaRocco. Low bidders often lose when it comes to Nassau County specialty contracts. More than three quarters of those contracts are often awarded to politically connected companies that submit higher bids. An investigation found 35 out of 46 contracts were awarded to higher bidders.

thick stack of supporting memos attached to each contract.

And though I had PDFs of most contracts, they were scanned at such a low quality that there weren't any programs able to effectively convert them into a searchable form.

That meant my research would take a decidedly retro feel: printing and leafing through each contract to find relevant pages, then hand-entering the data into a spreadsheet. As I did this, I found Nassau County didn't even follow the same procedure from contract to contract. Sometimes the required memo that listed all bids was missing. Often, there were no bids at all, and the explanation required by county policy to bypass the competitive process was a sentence of stock language.

Some of these irregularities would find their way into future stories. But first, I had to figure out if my initial hunch could be supported.

I reviewed roughly 200 contracts that fit the general criteria of the Skelos case — those for work requiring “specialized skills,” making them exempt from sealed bidding requirements and giving the county leeway in choosing a winner. About 50 of those contracts, totaling \$80 million, had multiple bidders and disclosed the prices for each, allowing an apples-to-apples analysis.

The front-page headline for the first story declared, “Low Bid Often Loses,” previewing a finding that 80 percent of the relevant contracts were not awarded to the county's most cost-effective choice. In those cases, the bulk of winners were from a small group of politically connected companies that had given tens of thousands of dollars in campaign contributions to Nassau County's elected county executive in the preceding few years.

The process highlighted a lesson I hadn't always been willing to accept as a time-constrained beat reporter trying to do my own investigations: A public records officer won't typically hand to you your data, ready to sort and publish. By scrubbing reams of backup documents, I'd not only found what I was looking for, but I also filed away a few potential follows — including a realization that the county executive only needed to submit contracts over a certain dollar amount to the legislature for approval (more on that later).

By this point, the county's contracting process had been put under heightened scrutiny. Lawmakers had approved new lobbyist disclosure requirements, and the county's district attorney released a report calling the diffuse, paper-based system for contracts — which didn't allow easy internal searches for potential conflicts of interest — a “recipe for corruption.”

Still, top county officials largely tried to downplay the extent of the problem. A spokesman for the county executive proclaimed that Nassau County's way of awarding contracts was “the most transparent

NASSAU COUNTY CONTRACT

'They kept changing the rules'

Rewritten bid requirements gave one company the edge, records show

BY FRANK ROCCO
frankr@newsday.com



Paul LaRocco, a Nassau County contract holder, is seen in a photo. The photo shows him in a professional setting, possibly an office, looking at a computer monitor. The caption identifies him as the author of the article.

Records obtained by Newsday show that the low bidder made between the initial RFP and the second RFP. The second RFP was a "revised" RFP, which changed the rules of the game. The changes to the RFP included a requirement that the contractor have a minimum of five years of experience in the state of New York. The contractor that won the bid had more than five years of experience in the state of New York. The contractor that won the bid also had a significant amount of experience in the state of New York. The contractor that won the bid was a well-known local nonprofit that lobbied the county on environmental matters.

Nassau social services officials deny stating the contractor and they were not for it. However, one competitor of the contractor who submitted a lower bid for the revised RFP alleged that the District Attorney's office had a "back channel" to help the contractor win the bid. The contractor's attorney, who is a former Nassau County official, said he was not involved in the process. The contractor's attorney said he was not involved in the process. The contractor's attorney said he was not involved in the process. The contractor's attorney said he was not involved in the process.

An August 9, 2015 Newsday story by Paul LaRocco. A Nassau County contract holder was allowed to stay on a job, despite heavy competition, after officials rewrote bid requirements in their favor. This led to a criminal investigation into the bid process.

prosecutors, including one I'd highlighted earlier in 2015, before the Skelos case broke: a \$12 million hurricane recovery pact that went to a newly formed company over more experienced firms. I'd found that the winning company was comprised of members of a well-known local nonprofit that lobbied the county on environmental matters — and who would abandon their opposition to a sewer system privatization. The company had also made a large political contribution to a county official on the same day he'd executed the contract.

That story was built by finding the principal officer disclosure within the contract to connect the firm with the nonprofit, and by checking the date of the contract signature against state records of campaign contributions.

None of these pieces, however, generated the outrage factor that my investigation into "The \$25G Loophole" did (as the front-page headline put it.) This started with a seed planted during my research into the "low bidder loses" story, when I made note of a category of contracts, specialty agreements issued for dollar amounts below \$25,000, that didn't need to go through legislative approval. I put it aside for a bit, but then a colleague covering the county police department wrote about a controversial consultant's report that some said was plagiarized.

Questions of the report's quality led that story. But it also noted that the contract paying for the report was awarded for \$24,000.

Reminded of my initial curiosity of the legislative approval threshold, I entered all county contracts issued over a five-year period — nearly 4,500 — into a spreadsheet to determine just how many were being issued

in the narrow \$1,000 window just below \$25,000. I expected perhaps a few dozen.

I found nearly 400, totaling about \$10 million — all of which taxpayers would have no idea ever existed because they never came before lawmakers for public discussion and vote. To go beyond the sheer number of these contracts, I reviewed the aforementioned backup documents to identify company principals and determine their political connections and giving, and to see how many were competitively bid.

The published story, which found that the majority of these contracts went to politically connected companies without any competitive bidding, brought an outcry that forced county leaders to all-but eliminate the threshold and require every contract of at least \$1,000 to come before the legislature.

In the months that followed, the county executive also agreed, for the first time, to require recipients of county contracts to disclose political contributions and to hire new staff to investigate contracts and create the county's first public, searchable contract database.

My colleagues and I also embarked on a separate investigative thread into the county executive's alleged acceptance of gifts, including meals and trips, from a local businessman who had received a county contract. More criminal investigations were opened in response, and, at the end of 2015, our stories had revealed an apparent culture of public corruption in Nassau County that was much more pervasive than anybody had known only eight months prior, when the Skelos case broke.

Looking back, I'm struck at both how easy and difficult municipalities make it to do such reporting. It's easy because the data is there, oftentimes in forms that don't need to be obtained via slow-moving public records requests; I had most of the voluminous contracts on CDs sitting on my desk. But it's difficult, too, because municipalities rely on the fact that beat reporters often don't have the time to comb dense backup documents to manually pull the relevant details when they're not already put together.

In another way, having the time to do all of this at once doesn't always best serve the investigation. Being able to chip away at an issue, to roll out major findings one-by-one, alongside daily developments, can increase the impact and allow more time for the proper context — and for the most powerful follow-ups to rise above the noise.

Paul LaRocco covers Nassau County government and politics for Newsday. His 2015 investigations into how Nassau County awards public contracts received recognition in both state and national journalism contests.

Photo courtesy of Newsday

IRE Resources

The IRE Resource Center is a major research library containing more than 26,000 investigative stories – across all platforms – and thousands of tipsheets available at ire.org/resource-center or by contacting the Resource Center directly, 573-882-3364 or rescntr@ire.org.

STORIES

No. 27670: "Million Dollar Mistakes" — WXIA-TV (Atlanta, Georgia).

For 39 years, Tommy Craig held political office. Many in the small community of Newton County would say it was 39 years of absolute power for Craig, who was county attorney. Year after year, it seemed citizen's collective voices challenging Craig's leadership were ignored and the county board again reappointed him. When their voices reached WXIA, the news station began a yearlong investigation. (2015)

No. 27669: "The Shame of Sonoma County: Supervisors Refuse to Restore Library Funding" — The Sonoma Independent.

For a period of three months in 2015, reporter Jonathan Greenberg investigated and authored a three-part investigative series of articles about the cutback of Monday library hours in Sonoma County. The stories, published on the Sonoma Independent's website and read by thousands of concerned citizens, shed entirely new light on the budget priorities of the county during the four years since the county's woefully underfunded library system closed its doors on Mondays for the first time in a century. (2015)

No. 27661: "Landlords benefit from loose laws" —CU-CitizenAccess.org.

Champaign County landlords are reaping more than \$20 million in tax exemptions a year by taking advantage of a loosely written state law and an interpretation of that law by the county supervisor of assessments. (2015)

No. 27649: "Ghost Schools" — BuzzFeed News.

In America's long, bloody and frustrating war in Afghanistan, the U.S. government has consistently trumpeted one major victory: education. More than a billion dollars was poured into building schools and educating Afghan children, in part to prevent the Taliban from recruiting a new generation of soldiers. But a BuzzFeed News investigation found those claims to be massively exaggerated, riddled with ghost schools, teachers and students that exist only on paper. (2015)

No. 27639: "Unemployment Under Fire" — WXMI-Grand Rapids. When Darren Cunningham first questioned Michigan Gov. Rick Snyder about unemployment fraud allegations levied against citizens, he went on to learn how widespread an issue this was for potentially innocent citizens. Many had their tax returns intercepted and wages garnished without being given an opportunity to have a hearing. (2015)

No. 27603: "Profiting from Thrift" — InvestigateWest.

This investigation delves into how the privately held Savers chain of thrift stores — with hundreds of stores in 30 states, Canada and Australia — has profited from a charitable veneer, misleading consumers, drawing the ire of regulators and even drawing revenue away from public tax coffers. For years, the company has been the single largest player in the prosperous and growing industry of for-profit thrift stores, doing \$1.2

billion in business annually, but InvestigateWest's reporting found its claims about doing good for charities to be vastly overblown. (2015)

No. 27581: "Sole Voter Not Alone" — KBIA Radio (Columbia, Missouri).

Property owners in Columbia, Missouri, got together to create a tax district to generate money to beautify and enhance safety in the rundown, dated strip of the community that lines Business Loop 70. They gerrymandered the district border, cutting out all residential parcels of land and voters to give the property owners the power to levy a tax with no vote of the people. A KBIA investigation showed there were actually 14 registered voters living in the district. In turn, a vote on a sales tax had to be posed to 14 people. (2015)

TIPSHEETS

No. 4884 "Top 10 Uses of Offshores by Nefarious Characters"

Offshore companies are a key cog in the global economy, especially in developing countries. But how are offshores really used? It turns out the criminal services industry has been working hard to craft creative new ways of using them not only to avoid taxes, but also to steal money, pay bribes, launder ill-gotten gains, hide assets and a host of other audacious activities. (2016)

No. 4803 "Money, power, secrecy and complexity — a tipsheet on investigative 'triggers' "

Reporters and editors often work investigative stories off of tips. But some of the best stories come from recognizing opportunities within the information given — or withheld. Dan Kane calls them triggers. (2016)

No. 4794 "Follow the Money: Online resources"

Organized Crime and Corruption Reporting Project reporter Miranda Patrucic provides tons of great links to help you follow the money from Panama to Switzerland. (2016)

IRE AUDIO

"Revealing the cost of corporate welfare" — IRE Conference

Three panelists — Greg LeRoy, Hilary Russ and Sarita Nair — discuss an obscure new government accounting rule covering budgets from 2016 and beyond that will require states and most cities, counties and school districts to report how much revenue they lose to economic development tax breaks. Governmental Accounting Standards Board Statement No. 77 will enable big-picture and comparative analyses never before possible. From an activist who helped win the rule, a state official overseeing the rule's implementation, and veteran GASB reporter, learn how the Statement works, where the data will reside, who else is watching, and what the data could reveal. For reporters covering public budget issues, Statement No. 77 is likely to prove an investigative gold mine. (2016) Listen here: bit.ly/2eeL1NX

Digging into data: Lessons from 18 years on the job



Meghan Hoyer
The Associated Press

I started working with data because I wanted to quantify issues I suspected were happening in the communities I covered: Was a longtime Democratic stronghold county moving Republican as new subdivisions popped up? Had the city followed through on a promise to sell any of the decrepit properties it had pledged to clean up? Was the frequency of mass killings really increasing? I was lucky to get some IRE training, then I taught myself and used online resources: first spreadsheets, then mapping, then databases, then R, then a little programming – whatever skills were needed to get a project done.

I've been a journalist for more than 18 years, and here's what I've learned:

Pick up the freaking phone and make the call.

Always. No amount of computer work will replace actually talking to people.

At the Associated Press, my job title is data journalist, and I work with reporters to help them make sense of numbers and crunch large datasets. Before dealing exclusively with data, I covered cops and courts, then municipal government. Today, I'm a generalist — I partner with business reporters, health reporters, state government reporters, you name it — but **I always draw from that knowledge I learned as a beat reporter.**

Most numbers need a denominator. You never want to present people information without a sense of context or scale. Many times, the best way to frame a project is by asking, "Compared to what?"

The best way to really learn something — and to solidify your thinking about a subject — is to teach it.

The Associated Press produces national stories and spends all this time collecting, cleaning and analyzing data. But then, we give it away — this is data down to the super-local level, numbers detailing the performance of your local school or water company, or

your county's gun crime — to our members. In the past two years, we've covered data topics ranging from commuting trends, to the Affordable Care Act, to demographic shifts.

Is your news organization making use of this major resource? If not, please contact me.

My favorite part of my job: Distributing that localized data to reporters across the country. I end up talking to and working with people who closely cover their communities and understand the impact on their readers, viewers and listeners. Some have never even used a spreadsheet before, but they know the issues and get that there's value in the information we're providing. And sometimes the local stories are more compelling than the national outlook.

FOIA, particularly on a federal level, is seriously broken. And it doesn't seem like that's going to change anytime soon.

Surround yourself with a work team that's going to teach, support and encourage you. Teach, support and encourage others. It's a two-way street.

I'm probably proudest of reporting that a partner and I did on an ongoing large-scale mortgage fraud scam in Hampton Roads, Virginia. It ended up getting two men sent to federal prison. But more importantly, our stories immediately stopped predators who were destroying already troubled neighborhoods. We spent months recording financial transactions, bank loans and the status of more than 250 properties in seven cities. But I can point to thousands of people whose lives improved — neighbors who no longer had to live next to an abandoned and gutted home, folks whose property values stabilized, activists who no longer feared their neighborhood was being consumed. City officials and banks had no idea this scam was going on until we wrote about it.

Many of my most successful data projects didn't come from analyzing data that already

existed. Most have come from putting together data that didn't exist previously — whether that's an accounting of hundreds of vacant homes or a breakdown of all the mass killings in the past decade. Think about what's possible for you to create, and weigh whether the payoff will be worth the effort.

If you are going to create your own data, think hard about what things you're going to need to capture to do your project the way you want to. Talk about these ideas with editors, other reporters and experts. Do your homework. Create classification systems for your data — buckets where you can put certain types of incidents. But don't do it in a vacuum — academic research and a sounding board of other journalists can help. Plan. Plan some more.

Do you have some data? **You better understand — exactly — what every field you're using represents. If you don't?** Back to that phone.

In that same vein: **Always read the documentation.** Data dictionaries, methodologies — all those boring pages around your dataset? Read 'em all.

No data set is ever perfect. Most aren't close. That's the crux of your job: You better understand exactly how your data is flawed, and have some good methods to deal with those flaws.

It's getting harder to be heard through the fake news sites, the cable commentators and social media echo chamber. But journalists are needed now more than ever. I think this year and the next feel like an uphill battle to many, though. I hope enough talented folks stick with it.

Meghan Hoyer is a data journalist at the Associated Press, where she analyzes data and helps disseminate national data sets to reporters across the country, guiding them to find local stories in the numbers. She previously worked at USA TODAY and The Virginian-Pilot.

Pro se power: How to sue for public records on your own



David Cuillier
University of Arizona School of Journalism

The Federal Aviation Administration learned not to mess with Jorge Rojas.

Rojas, a 20-year-old senior air transportation management major at Arizona State University, was curious about the FAA's policies and practices in certifying air traffic controllers. So, in the summer of 2015 he submitted a Freedom of Information Act request. The FAA denied him.

So Rojas sued, on his own, and won on summary judgment. He has four more suits against the FAA pending, and his 180 FOIA requests during the past year have pried loose hundreds of records that have exposed problems at the FAA.

"My ultimate goal is to become an air traffic controller, and so I am fighting to find out how they operate and hold the agency accountable," Rojas told me. "If I am going to do anything with my life it is this."

Rojas demonstrates that anyone — even an Arizona State student — can sue for records on their own, and win.

Stacked against us

Time and time again we have seen journalists and citizens denied public records requests and left with no recourse other than to sue. Use of exemptions to keep records secret are on the rise, and agencies are getting better at gaming the system.

Yet, how many journalists — or journalism organizations — have the resources or confidence to file a lawsuit?

Unfortunately, very few, and studies indicate that many news organizations are less willing to sue for public records

today than they were just a few years ago. Not to mention the growing cadre of freelancers and independent online publishers without corporate support for litigation.

The intimidation factor itself is a barrier, and a lot of government agencies know that, following the unwritten policy of releasing sensitive records only when a suit is actually filed.

I will say that I am not an attorney, so I can't give legal advice. But I am an educator, so I can provide information. Also, the only thing worse than skulking away from an illegal FOIA denial is suing willy-nilly and creating bad case law for everyone else.

But it is time to push back and empower journalists and citizens to fight for their right to know. To sue on their own, pro se.

Suing step-by-step

1. Exhaust alternatives. FOI studies have shown that a free and quick appeal letter kicks records loose about 40 percent of the time, so try that first. Apply pressure tactics to pry the information loose, such as writing about the denial or going up the ladder.

2. Learn the law. Check out the legal guides at the Reporters Committee for Freedom of the Press (rcfp.org). Read guides by your state attorney general, press association, or open-government coalition. Consult with experts — call the Reporters Committee media hotline at 800-336-4243. Check to see if a media law attorney in your state will take the case on contingency or pro bono.

3. Learn the court. Check out the court rules online and visit the

courthouse to talk to a clerk. If it is a federal FOIA, you will likely want to file at your nearest U.S. District Court. If it is a state/local issue, check out your county superior court.

4. Write the complaint. Courts often provide online templates for complaints for pro se litigants. When Rojas was trying to figure out how to sue, he Googled "FOIA lawsuit" and found complaints that had been filed in previous cases. He copied and pasted the boilerplate lingo.

5. File the paperwork. Courts have fees, which can run about \$400 for a federal FOIA lawsuit. Consider applying for Knight FOI Litigation Fund money to cover your costs, through the National Freedom of Information Coalition (nfoic.org), or for Legal Defense Fund help through the Society of Professional Journalists (spj.org). If you prevail, you might be able to get your fees back.

6. Serve the agency. You must serve the agency to let it know it is being sued. You can do this by certified mail with return receipt, but someone else must serve the documents (can be a family member, neighbor, etc.). Include a proof of service form that they will return.

7. Wait for the answer. The agency might fold immediately upon being served — seeing that you are serious and that they have no case. Or, they might file an "answer" to deny your assertions. At the federal level, agencies have 30 days to file an answer. The Department of Justice might request an extension.

8. Haggle. There might be some back and forth communications, which could lead to resolution. The agency might file

a dispositive motion to get the judge to toss the case out. You might have to respond to it.

9. Oral arguments. The judge might schedule a hearing, or simply decide the case. Either way, read the judge's decision carefully, and if you lose the case, consider meeting with an attorney to discuss appeal options. If you win, it is possible you can recover costs if you substantially prevail, depending on the jurisdiction.

10. Plant that head on a pike. Finally, if you win, let everyone know about it. Make sure all agencies know that they must think twice before illegally denying you records. Submit a new records request asking for all agency communications pertaining to your initial request and lawsuit. Revel in your tenacity and knowing you protected democracy and the people's right to know. Huzzah!

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

Litigation Resources

Reporters Committee for Freedom of the Press.

- Legal hotline: 800-336-4243, www.rcfp.org/legal-hotline
- Federal Government Guide: www.rcfp.org/federal-open-government-guide
- Appeals guide: www.rcfp.org/federal-foia-appeals-guide
- Open Government Guide: An explanation of each state public records law. www.rcfp.org/open-government-guide

National Freedom of Information Coalition Knight Litigation Fund. Provides financial assistance to cover court fees and links to state coalitions/experts. www.nfoic.org/knight-foi-fund

Society of Professional Journalists Legal Defense Fund. Can provide an initial \$5,000 toward court costs and attorney

fees, and potentially more depending on the case. www.spj.org/ldf.asp

U.S. District Courts. Information about the locations of all U.S. District Courts, if suing over federal FOIA. bit.ly/2ePwYSc

Department of Justice Litigation Guide. bit.ly/25TDi0X

First Look Press Freedom Litigation Fund. A resource for funding press freedom cases: bit.ly/1SDuwsI

MuckRock. Experienced in pursuing public records, with contacts in every state: www.muckrock.com

FOIA Machine. A good online tool for submitting requests and tracking them: www.foiamachine.org



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Snapshots from our blogs

Three leaders share tips on how to build up your investigative unit

BY BLAKE NELSON

For newsrooms struggling to stay afloat, an easy way to cut costs is to spend less on investigative reporting. Yet it's often these watchdog stories that bring in (and keep) the biggest audience. We reached out to leaders at three news outlets to ask what they've learned expanding their investigative reach, and what they recommend for other newsrooms hoping to do the same.

1. Good investigations lead to good dailies — Paul McEnroe, Executive producer for investigations, KSTP-TV

For KSTP-TV in Minnesota, investigative journalism is the No. 1 priority. But making general assignment stories No. 2 doesn't mean their dailies have suffered.

Why? When reporters are given the freedom to spend more time on investigations, they also have the space to discover dailies they might never have come across.

They'll occasionally take a pass at a run-of-the-mill local breaking news story, or settle for shooting some B-Roll that a reporter can narrate later. Prioritizing investigations above all else means they have to plan their calendar weeks in advance.

The results can yield big changes. An example is KSTP-TV's investigation into a broken promise by the federal government (bit.ly/2fwcdNZ).

Bonus advice: Don't wall off your investigative team. McEnroe has found that keeping all of his reporters working together in an open newsroom encourages the flow of ideas and helps everyone feel like they have an equal shot when pitching stories.

2. Partner up — Sandra Svoboda, Special assignments manager, WDET

Just because your newsroom is small, doesn't mean you can't investigate big things.

When Detroit was facing bankruptcy in 2014, five local news organizations — including the NPR affiliate WDET — teamed up to form the Detroit Journalism Cooperative (bit.ly/2fbZKO8).

This increased the radio station's ability to dig into one of the biggest stories in the country and allowed reporters to take advantage of other media. It also allowed projects like the examination of Detroit's pension funds (bit.ly/2aWKbVU) to run in multiple outlets and reach multiple audiences.

3. Hire leaders who understand storytelling — Joanne

Lipman, Chief content officer, Gannett

There's only one Chris Davis, the Pulitzer-winning editor Joanne Lipman hired to oversee all investigations for the USA TODAY NETWORK. But the traits that Lipman found in Davis can be found elsewhere.

This doesn't just mean knowing when something smells fishy.

Lipman wanted to hire someone who could look past the data and see the people affected. Someone who knew how to file a FOIA, but who also knew where to find the drama, the characters, and the suspense found in any great narrative.

You also need someone who can see when there is, and is not, a national angle to a local story. When there is a national angle, you can end up with a documentary project like "Gone," (usat.ly/2a8rtJb) which combines investigative reporting with a heartbreaking narrative.

Read the full blog post here: bit.ly/2fbYRoD

Scores of employees, patients say America's largest psychiatric chain turns patients into profits

FROM EXTRA EXTRA

A BuzzFeed News investigation into Universal Health Services raised questions about America's largest psychiatric hospital chain.

BuzzFeed News talked to 175 current and former staff members, many of whom said that UHS prioritized filling beds over the safety of staff and the rights of patients.

Last year the chain admitted nearly 450,000 patients to its 200+ facilities across the country. UHS employees claimed they were under pressure to admit patients by any means necessary, including exaggerating suicidal symptoms. Once a patient was admitted, many staff members said they were encouraged to keep them until insurance payments ran out.

The company disputes BuzzFeed News' findings. Read more about their response: bit.ly/2gDI5k2

To read the full investigation visit bzfd.it/2gEqnNI.

Designed for fairness, Florida's sentencing system fails to account for prejudice

FROM EXTRA EXTRA

A yearlong investigation by the Sarasota Herald-Tribune found that judges across Florida sentence black defendants to longer punishments than whites, even when they committed the same crimes under almost identical circumstances.

The four-part series, "Bias on the Bench," shows that racial inequalities in criminal sentencing run rampant throughout Florida. Black residents are found guilty more often and spend more time behind bars.

The Herald-Tribune reviewed tens of millions of records in two state databases. Reporters examined more than 85,000 criminal appeals, read through boxes of court documents, and crossed the state to interview more than 100 legal experts, advocates and criminal defendants. To read the investigation in full, and access the paper's first-of-its-kind database of Florida's criminal judges, visit bit.ly/2gh2lal.

Allegiant Air planes are four times as likely to fail during flight as other major airlines

FROM EXTRA EXTRA

An investigation by the Tampa Bay Times has found that planes operated by Allegiant Air are four times as likely to fail during flight as those flown by other major U.S. carriers. Forty-two of the budget airline's 86 planes broke down in mid-flight at least once in 2015. While most other U.S. airlines reported about three unexpected landings due to mechanical problems for every 10,000 flights, Allegiant reported 12 per 10,000.

To compare airlines, the Times built a database of more than 65,000 records from the Federal Aviation Administration. They connected flight records with documents that showed mechanical problems at 11 of the largest carriers in the country, including Southwest, Delta and United.

You can read more about the investigation and access the data here: bit.ly/2fEll2f.

Only 30 percent of San Diego County wage theft complaints result in payments

FROM EXTRA EXTRA

In an investigation of wage theft in San Diego County, inewssource.org found that only 30 percent of cases filed with the state Labor Commissioner's Office over the past five years resulted in workers getting the wages they're owed.

Their analysis of wage complaint data also revealed that employers in San Diego County owe \$2 million in back pay for overtime and breaks in the same time period. Minimum wage violations account for more than \$184,000 in back pay.

Pilar de Haro reported this story during her internship at inewssource, part of the Dow Jones Data Journalism Program. As part of the program, she received training from IRE & NICAR.

You can read the full investigation here: bit.ly/2eovApE.

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.

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, as is help in deciphering records you obtain yourself.

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

DOCUMENTCLOUD – A platform to organize, research, annotate and publish the documents you gather while reporting. Collaborate on documents across your newsroom, extract entities from text, and use powerful visualization and search tools. Visit www.documentcloud.org.

Contact: Lauren Grandestaff, support@documentcloud.org, 202-505-1010

NICAR-LEARN: NICAR-Learn is an on-demand video gallery designed for journalists to learn and share computer-assisted reporting techniques. Videos are taught by IRE trainers as well as leading data journalists, allowing you to pick and choose the programs and skills you want to learn. NICAR-Learn also includes Uplink, our computer-assisted reporting blog.

Contact: Sarah Hutchins, learn@ire.org, 573-882-8969

PUBLICATIONS:

THE IRE JOURNAL – Published four times a year. Contains journalist profiles, how-to stories, reviews, investigative ideas and backgrounding tips.

Contact: Sarah Hutchins, sarah@ire.org, 573-882-8969.

PODCAST: Go behind the story with some of the country's best journalists on the IRE Radio Podcast. Sit in on conversations with award-winning reporters, editors and producers to hear how they broke some of the biggest stories of the year. Available on iTunes and SoundCloud.

Contact: Sarah Hutchins, sarah@ire.org, 573-882-8969

FOR INFORMATION ON:

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

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

CONFERENCE REGISTRATIONS – Amy Johnston, amy@ire.org, 573-884-1444

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MAILING ADDRESS:

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

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

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