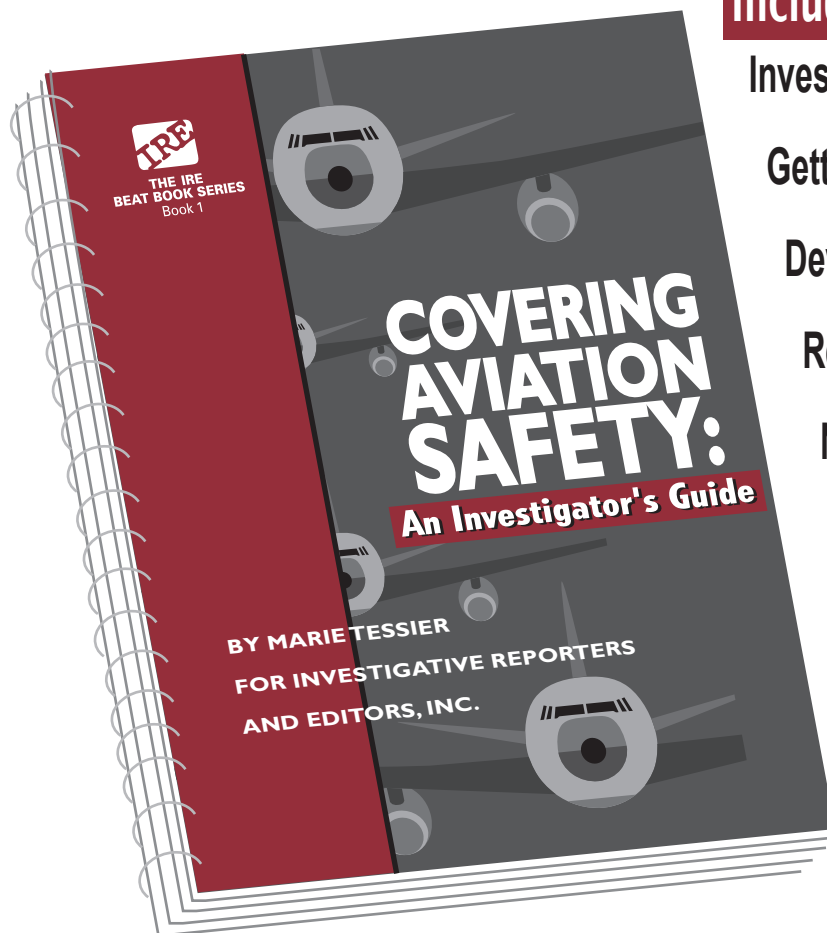


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**Cover photo by Bloomberg News**

IRE EXECUTIVE DIRECTOR  
Brant Houston

## THE IRE JOURNAL

VOLUME 23 | NUMBER 5

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The IRE Journal (ISSN0164-7016) is published six times a year by Investigative Reporters and Editors, Inc. 138 Neff Annex, Missouri School of Journalism, Columbia, MO 65211, 573-882-2042. E-mail: [journal@ire.org](mailto:journal@ire.org). Subscriptions are \$40 in the U.S., \$60 for institutions and those outside the U.S. Periodical postage paid at Columbia, MO. Postmaster: Please send address changes to IRE. USPS #4516708

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## FROM THE IRE OFFICES

# Endowment drive hits million-dollar mark



BRANT HOUSTON

**A**fter a strong start to our endowment drive, we are gearing up for the long haul to ensure that IRE has a solid financial base.

In the next few months, you will be hearing more about our five-year effort to raise \$5 million.

As you may recall, we received a tremendously generous gift in June of \$500,000 from the Pulliam family in Indianapolis to create and fund the Eugene S. Pulliam Research Directorship in the IRE resource center. The donation is intended to generate investment income that will pay for the directorship.

We also raised more than \$35,000 from media organizations through the endowment kick-off reception at our national conference in New York City and we have received more than \$25,000 in individual donations from IRE members. With \$520,000 already in our endowment fund, this means that we begin our five-year odyssey with nearly \$1.1 million.

We are under no illusions that raising the next \$4 million will be easy. We are approaching media organizations and foundations for major contributions, both for the endowment and operations. The money we receive for general operations takes some of the burden off the staff and board to meet our annual revenue needs of more than \$1 million. (Membership fees make up less than 15 percent of our budget.)

We believe that the endowment goal is attainable because of what IRE does and what it stands for. Time and again, we hear that we offer the best practical training in reporting and editing to journalists both in the U.S. and internationally. We also have an incredible network of 4,500 members who are willing to help each other at a moment's notice.

We will need all your help and support and we are eager to hear your suggestions. Board member Rose Ciotta of *The Philadelphia Inquirer* leads the board's endowment committee and ideas can be sent directly to her or through the IRE office.

### Other funding

While we are working on the endowment drive, we also are seeking support for several of our on-going programs. Among them:

- The Campaign Finance Information Center. The center provides story ideas, training and resources for reporting on campaign finance. We think some of the best work on campaign finance is done after the elections when you start to look for the quo of the quid pro quo. We hope to set up several workshops in the spring.
- The NICAR Database Library. The database library offers more than 40 federal government databases on many different topics and also does data analysis. We constantly need to upgrade our equipment in order to provide this discounted service and training.
- The Beat Book series. We have begun a series of short how-to books on different beats and topics. We want to offer these books at the lowest possible cost and are looking for help on publishing costs.
- The Web site. We run an extensive Web site for journalists in the U.S. and around the world and also provide services to many other nonprofit journalism organizations. We received

CONTINUED ON PAGE 35 >

*Brant Houston is executive director of IRE and the National Institute for Computer-Assisted Reporting. He can be reached through e-mail at [brant@ire.org](mailto:brant@ire.org) or by calling 573-882-2042.*

## Track campaign cash with workshop training

IRE is continuing its series of campaign finance workshops that combine expert tips on tracking money in politics with IRE's renowned computer-assisted reporting training.

These two-day jam packed sessions called "The Money Trail: Tracking Campaign Cash" are tailored to each locale. Reporters will train with local, state and federal (including presidential) data from their area. Reporters also will learn how to trace the flow of soft money from Washington, D.C., into their states and then how the state spends it.

Past attendees have called the seminar "the most useful session" they've attended. The next workshops will be held in the fall in Chicago and Minneapolis. Check out the session schedule at <http://www.campaignfinance.org/workshopschedule.html> on the IRE Web site.

## Get quarterly updates on Aircraft Registry data

The Aircraft Registry Database, which is maintained by the Federal Aviation Administration's Civil Aviation Registry, includes information on more than 320,000 registered aircraft in the United States as of June 2000.

This dataset also includes two separate databases: A listing of all aircraft dealers and a listing of all individuals/entities requesting particular N-numbers.

The registry data is extremely useful when a plane crashes (if you have the plane's tail number), because you can find the name and address of the plane's owner and its serial number. That number is then helpful in searching other aviation data, such as the FAA Service Difficulty Reports, for further information on that particular plane.

NICAR will be updating this data every three months. You can arrange to receive each of the four annual updates on a subscription basis or make a one-time purchase. Cost for a one-time purchase is \$20 for stations in the 50-200 market or circulation below 50,000; \$30 for 25-50 market or circulation 50,000 to 100,000; and \$40 for top 25 market or circulation above 100,000. The subscription prices are \$60, \$70 and \$80.

More information about this and other aviation data available from NICAR can be accessed at [www.ire.org/datalibrary/databases](http://www.ire.org/datalibrary/databases).

## IRE Conference tapes, tipsheets now available

In case you missed the 2000 IRE National Conference in New York, or couldn't attend all the panel sessions you wanted, the IRE Resource Center can provide a complete set of all the tipsheets from the NYC training events.

The package price is \$100 for members or \$175 for non-members, plus \$5 shipping and handling. Call 573-882-3364 or email [rescntr@nicar.org](mailto:rescntr@nicar.org) for further information.

Professionally recorded audio tapes are also available from the various sessions. The complete list can be found at [www.ire.org/training/audio.html](http://www.ire.org/training/audio.html) on the IRE Web site.

## Sign up now for IRE's upcoming training events

The following IRE and NICAR training events are open to all journalists, but have limited space available:

- National Computer-Assisted Reporting Conference, Sept. 14-17, 2000, in Lexington, Ky. – The top computer-assisted reporters from across the country will gather for this showcase of the latest and greatest in CAR techniques and stories. Dozens of panels will address topics ranging from suburban sprawl to tracking the criminal use of firearms. Attendees will learn how enterprising reporters have employed the Internet, spreadsheets, database managers, newsroom intranets and statistical and mapping software packages to stay on the cutting edge of investigative journalism. The conference also will feature dozens of hands-on training sessions, with something for everyone from beginners to pros.
- Census Workshop, Dec. 9-10, 2000, in College Park, Md. – Learn why the census matters, and discover the stories you can get from it. You will learn how to sift through census data, avoid potential problems, and learn how to convert your data into a compelling tale.
- University of Florida CAR workshop, Sept. 29-Oct. 1, 2000, in Gainesville – This workshop for Florida journalists will cover the basics: the Internet, spreadsheets and databases. Reporters and producers will learn how to find valuable information on the Internet; how to import data into spreadsheets and do simple calculations and sorting; and how to sift through large databases of public records to find the news.

## MEMBER NEWS

**E**ric Barton has moved from *The Stuart News* to *Sarasota Herald-Tribune* where he is a general assignment and special projects reporter. ■ **Consumer Report's Jeff Blyskal** won a Loeb Award for distinguished business and financial journalism in the magazine category for "Cheap Car Parts Can Cost You a Bundle." ■ **Jodi Cohen**, a reporter for *The Detroit News*, won Gannett's outstanding achievement award in writing for her story about a 15-year-old girl who died after receiving the date rape drug, GHB.

■ **Geoff S. Fein** has moved from the *Record-Herald* in Indianola, Iowa, as county government reporter to *Inside the Navy* in Washington, D.C., as associate editor. ■ **Brian Gaffney, Lea Thompson, Neal Shapiro** and the Dateline team won a Loeb Award for distinguished business and financial journalism in the network and large market TV category for their series on the business of national sweepstakes. ■ **Ashley Grant** has been named AP correspondent in St. Paul.

■ **Mark Greenblatt**, a reporter for KOAA-TV in Colorado Springs, Colo., won the Missouri Broadcasters Association Award for investigative reporting. The story on Missouri's crumbling bridges was completed while Greenblatt was still a student at the University of Missouri School of Journalism. ■ **Gary Hardee** was named associate publisher at the *Arlington (Texas) Star-Telegram* from executive editor. ■ **Michael Hoyt** has moved from senior editor to executive editor of *Columbia Journalism Review*.

■ **Steve Kaskovich** has moved to senior editor for business at the *Fort Worth Star-Telegram* from projects editor. ■ **Joe Kolman** is now a general assignment and CAR writer for the *Omaha World-Herald*, after four years

CONTINUED ON PAGE 34 >

Send Member News items to Len Bruzzese at [len@ire.org](mailto:len@ire.org) and include a phone number for verification.

# “GOTCHA JOURNALISM”

Credibility and depth or lack of restraint?

BY RALPH IZARD

OF THE FREEDOM FORUM ONLINE

In what one panelist called the “age of Lewinsky,” journalists – particularly those who conduct investigations – face credibility challenges they must battle every step of their journalistic way.

“If we aren’t willing to stand up to our readers and say here is how we got the story, here’s what our methods are, and to stand behind those methods, then we shouldn’t be doing a lot of the things we’re doing,” Mike McGraw of *The Kansas City Star* told an audience at June’s IRE National Conference in New York.

Moderated by Robert Snyder, editor of *The Media Studies Journal*, the discussion of “gotcha” journalism was co-sponsored by the First Amendment Center and IRE. It alternatively featured single-minded criticism, automatic journalistic defensiveness and thoughtful analysis of the relations between journalists and the publics they serve.

But while disagreement emerged about the degree to which journalists misuse some of their investigative methods – particularly the ambush interview – panelists, both the critics and the defenders, provided solid advice to

their colleagues in the business of journalistic investigation:

- Plan carefully well ahead of time; use such extreme techniques as the ambush interview only as a last resort and on very important stories.
- McGraw’s admonition: Reveal your methods as part of the story.
- Do not assume. Until you get the facts, an assumption is still an assumption.
- And in the background of this advice lay recognition that investigative journalists have these responsibilities as a result of the freedom granted by the First Amendment.

“While First Amendment issues are litigated in courts of law, I think they’re increasingly perceived and judged ... in the court of public opinion by how well we do, by the substance of what we do, the accuracy of what we do,” said Gene Policinski of the First Amendment Center in opening remarks.

“All of that comes around to creating and fostering an attitude within the public about whether we are worthy of the great privilege and great responsibilities that are implicit in

freedom of the press.”

Professor Christopher Pyle of Mount Holyoke College provided the criticism, provoked the defensiveness and set the stage for the discussion by taking a hard line. [Pyle first laid out his opinion in a January issue of *The Chronicle of Higher Education* with his piece titled: “Irresponsible Journalists Are Jeopardizing Serious Investigations by the Press.”]

“In the age of Lewinsky,” he said, “the media are known for their lack of restraint, their lack of proportionality and relevance, their insensitivity toward private persons caught up in public controversies. Now, of course, the media are not alone in these pursuits. They have their cousins in attack politics who are equally indifferent to the collateral damage that their ‘gotcha’ games wreak on private persons. And they have their cousins in the legal profession who exploit the overbroad law of sexual harassment to get at their political adversaries.

“If you’re going to use deception, do you think that people want to believe you?” he asked. “You say you tell the truth, but if you lie to get the truth, are people going to credit you with telling them the truth?”

If the news media do not police this process, Pyle warned, the courts will, and recent media experiences have demonstrated that “jurors despise you, folks. They do. They do not separate you from the entertainment business. And so they are happy to review your techniques, find them lacking and then whack you with very large, multimillion-dollar judgments.”

Neal Shapiro of Dateline NBC reacted quickly to Pyle’s charges.

“Really, the age of Lewinsky? I would say not,” he said, “if you look at what the press has covered during that time.

“Yes, indeed, there are some [hidden-camera stories] that are perhaps unimportant and trivial,” he said, “and yet I look at hidden-camera stories we did about flaws in airport security that caused the FAA to change regulations the next day, a hidden-camera story about the packaging of eggs, which resulted in an FDA inquiry the very next day, or a hidden-camera story about drug-seizure laws on an interstate highway in Louisiana, which caused a special session and later massive changes in the state’s forfeiture seizure law.”

Pam Zekman of WBBM in Chicago took a similar approach.

“I thought for a time that I was beginning to agree with some of the critics about ambush interviews, because I was seeing so many abuses

Photo: Frances Roberts | The New York Times



Mike McGraw of *The Kansas City Star*, Pam Zekman of WBBM in Chicago and Robert Rosenthal of *The Philadelphia Inquirer* address “gotcha journalism” at the IRE National Conference.

## LEGAL CORNER

## Reporters, lawyers and protective orders



DAVID SMALLMAN

of them," she said. "On the other hand, I have found in my own practice that when we do it, more often than not, people who wouldn't have talked with you, wouldn't have given you an answer on the phone, turn around and talk and talk ad nauseam. There is a place for it when it's done correctly."

"People that I come into contact with have come to expect it in situations where it's not just for the entertainment value but because it brings a credibility to stories and a depth to some of the things that you can say is going on in any given situation that you can't get in any other way," Zekman added.

Robert Rosenthal of *The Philadelphia Inquirer* termed the discussion "a real wakeup" and said it was important to talk and to think about these things "because the most precious thing all of us have is our credibility to the public. What's most important is how they perceive us, and all these issues are out there, and they're really dangerous ones."

At the same time, however, Rosenthal noted that solid investigative reporting is part of his newspaper's effort to achieve such credibility.

"At *The Philadelphia Inquirer*, one of the things that our community demands is more," he said. "They expect us to hold community government officials accountable, and we spend a tremendous amount of time and money letting [reporters] do that kind of thing."

Rosenthal admitted to situations in which he felt "breaking the rules" was necessary to get an important story.

"I think there are times when you might want to set up a sting because it's the only way you can get a story, and again it's really a decision on what's going to be the impact of the story and how important it is to your community or country."

But even though Shapiro warned that journalists should not be judged by the extremes among them, Pyle said, "You are known by how the media are perceived, and the media are tarred by the worst practices of its colleagues. I don't think you can escape that."

"I am concerned with the combination of undercover operations and hidden cameras when they're really not needed. I agree with Mike Wallace and others who say, after considerable experience, that these are probably a last resort rather than a first resort. But they are often used as a first resort, particularly for programs that will air during the sweeps," Pyle added.

McGraw continued to worry about the pos-

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Leaking information to the press is a game as old as the Republic itself. The Founding Fathers did it. Secretaries of State and independent prosecutors (or their minions) still do it. In fact, persons high and low in both the public and private sector do it all the time. Nobody endorses the phenomenon, but everyone acknowledges that the country has, on the whole, been better for it. Recently, a federal appeals court had occasion to comment on the process directly.

Roughly two and a half years ago, a federal district judge from North Carolina sentenced a *Wilmington Star-News* reporter to an indefinite term of imprisonment for refusing to divulge the identities of confidential sources. The reporter had been told the amount of a multimillion-dollar toxic tort lawsuit settlement. That figure then appeared in the newspaper only a month after the supposedly secret agreement was filed with the court. This displeased the company that paid the money. It also bothered the judge, who found the reporter in contempt for not snitching on his sources. But this summer, the U.S. Court of Appeals for the Fourth Circuit overturned the civil contempt citation against Cory Reiss.

The court found that the sealing order entered by the district court was invalid and therefore could not be the basis for a contempt citation. Game over.

The same analysis also resulted in a related decision issued the same day reversing contempt citations against reporter Kirsten Mitchell and the *Wilmington Star-News*. The sanctions against them flowed from a somewhat more unusual scenario. A clerk had mistakenly handed Mitchell a document confirming the settlement amount when she had gone to the courthouse to inspect the public record. The document was a settlement agreement between a large oil company, Conoco, and residents of a trailer park, who had alleged that

Conoco was responsible for contaminating their drinking water with gasoline. After a jury returned a verdict in favor of the trailer park residents, but before the jury finished deliberating about punitive damages, the parties reached a \$36 million settlement. They then jointly moved the court to file and maintain the settlement agreement and related documents "under seal." This meant not only that the documents were to be kept in a sealed envelope to be opened only by order of the court, but more generally made those documents forever unavailable to other lawyers, journalists, and, of course, the public.

For reasons that are fairly obvious, agreements to seal settlement agreements are about as plentiful as flies in a stable. One side wants to get its money and the other side wants things to seem like business as usual. Keeping settlements secret is supposed to encourage parties to settle. So, without much fanfare, judges have traditionally let parties padlock the settlement documents.

### "Good Cause" Standard

During the past decade, a not altogether boring debate has raged among legal scholars about whether it is better for society as a whole to close off public access to the dirty laundry aired in many lawsuits. Arthur Miller, the Harvard professor, wrote an influential law review article in 1991 that captured the essence of the anti-disclosure camp.

His argument seemed persuasive. A lawsuit shouldn't be an excuse to beat up an opponent by permitting automatic public disclosure of its most sensitive business or personal information. Surely some limits made sense. The judicial advisory committees that draft the rules of court agreed. For "good cause shown" and upon motion by a party or person from whom

CONTINUED ON PAGE 9 >

*David Smallman is general counsel of DocketWatch.com, a real-time online legal data provider. He has been pro bono counsel to IRE and NICAR since 1993, and is the Journal's contributing legal editor.*

Photo: Frances Roberts | The New York Times



Martha Mendoza of AP and author Sydney Schanberg discuss the difficulties of atrocity stories.

# UNCOVERING WAR ATROCITIES

Veterans Hersh, Schanberg:  
Stories have always  
been tough sells

BY CINDY EBERTING  
OF THE IRE JOURNAL

Uncovering U.S. war atrocities will always be a tough assignment for journalists and just as tough to get into print, said a panel of veteran reporters and those newer to the topic at the IRE National Conference in New York.

“If journalism is a first draft of history and those who don’t learn the lessons of history are doomed to repeat them, surely reporting the atrocities and the war crimes must be an imperative for any journalist,” said Bob Port, who edited a story about a massacre of South Korean civilians before leaving the Associated Press. “Yet what is it about the atrocity story that

challenges us so much? Why do we, with all the freedom and the responsibility of the First Amendment face such a struggle describing these moments when warfare goes awfully wrong?”

The June panel also discussed the tendency for such high-profile stories to be followed by “knock-down” stories by other journalists – stories looking for holes in the original reports.

Seymour Hersh, who was the first to reveal the My Lai massacre and recently wrote about the killing of Iraqis in the Gulf War, advised Associated Press reporters to stop defending

their story about No Gun Ri massacre.

“There is a certain time when you’ve got to stop being defensive about the stories you write. You just have to,” Hersh told reporter Martha Mendoza, who worked on the Pulitzer Prize winning piece. “You can’t go around explaining everything that people say ... There’s a point when you say ‘look, there’s a story there. If you don’t want to believe it, there’s not much I can do about it.’”

“There is a certain time when you’ve got to stop being defensive about the stories you write. You just have to,” Hersh told reporter Martha Mendoza, who worked on the Pulitzer Prize winning piece. “You can’t go around explaining everything that people say ... There’s a point when you say ‘look, there’s a story there. If you don’t want to believe it, there’s not much I can do about it.’”

Hersh, Mendoza and Port were joined on the panel by Sydney Schanberg, whose book about the Cambodian War was the basis for the movie “The Killing Fields.”

No one wants to hear about U.S. troops as “bad guys” too, said Hersh. He said he had to go so far as creating his own wire service before newspapers would print his My Lai story.

“Nobody wanted to take responsibility for publishing it, so we found a way to take away the responsibility,” Hersh said. “Once you get the onus off the individual newspaper, they feel like publishing it.”

Mendoza says she and her colleagues spent nearly a year pushing editors to publish the No Gun Ri story.

A spokesperson for AP interviewed after the panel wouldn’t talk about the time it took to print the story, but said: “The story of No Gun Ri was published and the AP remains proud of it. We’re particularly proud of the presentation in which we put it out over the Internet.”

The No Gun Ri story has been the subject of several follow-up stories scrutinizing AP’s work, including a lengthy piece by *U.S. News & World Report*.

Hersh felt these stories “reached new

heights” in what he called the “bitchiness of the press.” He questioned: “Why is the press eating the press in this case?”

U.S. News Executive Editor Brian Duffy responded later that his magazine didn’t write its No Gun Ri story to debunk the AP story.

“This is a matter of historical import,” said Duffy in a recent interview. “We simply came across information that we thought should be included in the historical record. This was not about attacking the AP. This was about trying to shed further light on an important historical incident.”

He added that the record at this point is not clear as to whether troops were ordered to kill Korean refugees and how many refugees were killed.

Most of the criticism of the AP story focused on the emotional quotes from Ed Daily, a Korean War veteran who now concedes he was not at No Gun Ri.

Shortly after the AP story ran, Daily became the centerpiece of several follows, including a trip back to the killing’s site with Tom Brokaw. Mendoza said journalists used Daily because he was one of the few quoted veterans willing to tell his story again. She reiterated that Daily was not their main source and didn’t appear until the 56th paragraph of the story.

“He was not the pillar of our story,” Mendoza said. “He was not our story at all. Our story again was about the killing of civilians by U.S. troops in South Korea and, again, nobody questions that.”

Duffy disagreed with Mendoza’s perception of the importance of Daily to the story.

“Any fair reading of the AP account of what happened at No Gun Ri would, I believe, leave a reader concluding that Daily was a principal source both for the fact that orders were given and that a large number of refugees were killed,” Duffy said.

The most “heartbreaking” part of the scrutiny for Mendoza, she said, is that the testimony from South Koreans who were there has been ignored.

After the nearly point-by-point dissection of the attacks on the AP story, Hersh again noted such “knock-down” stories are the “sad truth” of today’s journalists and cautioned the AP to “let it go.”

“I would not do what you’re doing right now,” Hersh told Mendoza. “I think it’s too defensive. I don’t think you need to go through this. I would say trust your story ... The (follow) stories have acknowledged that your story is

basically correct and that’s all there is to it.”

Hersh also has received criticism on his recent story in *The New Yorker* profiling Gen. Barry McCafferey and an attack on Iraqis after the cease-fire was issued. Four generals in the story denied what they are quoted as saying and McCafferey called Hersh’s version of the battle distorted.

Hersh said all the generals agreed their quotes were accurate, but were taken out of context.

“The only thing I say to people when it comes to McCafferey is that the amount of time he’s spent worrying about me as opposed to running his duties as a Cabinet member is really astonishing. I don’t know why some reporters don’t figure out that that office has done nothing in weeks.”

Hersh said it’s no surprise that military officials are circling wagons around McCafferey.

“Everybody at a senior level knows what he (McCafferey) did, who he is and that they’re all rallying around him says nothing about McCafferey but a lot about the need to draw a big mantle around the war,” Hersh said.

Following the defense of their stories, the panelists turned back to whether the No Gun Ri piece was a story too uncharacteristic for the AP, which has been traditionally thought of as a daybook and spot news wire service.

Mendoza, however, said this is exactly the kind of story the AP should be reporting.

“By having a big story like this on the AP wire,” Mendoza said, “it does get a lot of clout. It’s respected and it does get a lot of play. It’s a much more difficult battle within the AP, but it’s worth it. I’m still optimistic that the AP can learn from this experience and move forward.”

Mendoza said reporters can’t worry about what editors or the American media think about these kinds of stories that reveal the role of U.S. troops in the realities of wartime.

“We’re good reporters and we put our heads down and we write [these stories] and then we give them to [the editors] and then we make them publish them ...,” Mendoza said. “The range of years of reporters here who’ve been doing it shows it has always been hard. But the stories are so important, it makes it impossible in the end not to publish them.”

*Cindy Eberting, most recently project director of IRE’s Campaign Finance Information Center, was a reporter with The Kansas City Star.*

## Legal Corner

CONTINUED FROM PAGE 7

from whom discovery was sought, a court could enter “any order which justice requires to protect a party or person from annoyance, embarrassment, oppression or undue burden or expense.” The federal rules and most state rules specifically refer to the validity of limiting access to “a trade secret or other confidential research, development or commercial information.”

Trouble was, though, lower courts tended to pay more attention to the “upon motion by the party” aspect and not spend much time with the additional requirement of “good cause shown.” This created a nasty side effect. The traditional rule in our democracy was that “good cause” required weighing a strong presumption favoring public access to documents and court proceedings against other, competing interests, such as the need for confidentiality. Without that balancing test, the presumption favoring public access disappears like a diamond ring dropped into the ocean.

Worse still, litigants had been allowed free reign to decide what should be kept secret in the courts. That had an effect similar to allowing teenagers to use the house for a party on Saturday night while the folks were away for the weekend. Inevitably, things got out of hand. Then, unexpectedly, the parents arrived home. The appellate courts stepped in.

In a landmark ruling, Chief Judge Merritt on behalf of the majority, observed that the protective order issued by the court had allowed the parties to control public access to court papers “based upon their own self-interest.” For that reason, the Sixth Circuit held that the protective order under review should be vacated or substantially changed.

At the end of the day, then, it should be clear the rules governing the issuance of protective orders can provide both a shield and a sword to journalists. Trial courts have to follow the law before punishing reporters for disclosing information covered by a protective order. If the reporter’s lawyers can show that the protective order is invalid, then there’s a good chance that a court cannot hold the reporter in contempt for violating the order. It’s not a risk-free proposition though. It took Floyd Abrams three years of hard-fought litigation to obtain a favorable outcome for Cory Reiss, Kirsten Mitchell and the *Wilmington Star-News*.



# JUVENILE BOOT CAMPS

“Puff piece” turns into revelations about abuse

BY TODD RICHISSIN  
OF THE (BALTIMORE) SUN

Within days of reading “Charlie Squad,” a four-part series in *The (Baltimore) Sun*, Maryland Gov. Parris N. Glendening ordered the National Guard into the state’s boot camps for juvenile offenders, stripped the facilities of their military bent and ousted the secretary of the Department of Juvenile Justice and four of his top aides.

The series showed that guards at the camps were routinely assaulting juveniles in their care, kicking them, punching them and slamming them to the ground without provocation, often while the kids were handcuffed and shackled. Further, once the kids were released, they were easily able to ignore the terms of their probation without retribution from the juvenile justice agency.

That wasn’t the kind of press the Glendening Administration’s public relations people were trying to generate when they pitched a story on the camps.

Our reporting began toward the end of the summer of 1998. Glendening and Lt. Gov. Kathleen Kennedy Townsend were gearing up for an expected tough re-election campaign.

Hoping to portray the administration as tough on crime, their public relations people approached me to do a story on the boot camps, which are modeled after military boot camps.

Such camps began becoming popular about a decade ago, mostly because of their political appeal. They were, and are, portrayed as tough-love programs that both punish and rehabilitate delinquents. The fact that they don’t work is incidental to some politicians, who point to them as solutions for crime while doing little to address the common denominators shared by so many of the delinquents: drug-addicted mothers, missing fathers, inner-city economies built on the drug trade and wholly inadequate schools.

After receiving several phone calls and several pitches to come look at the camps, I agreed. Photographer Andre Chung and I drove the three hours from Baltimore to the hills of western Maryland. The kids at the camp we toured were about 10 weeks into a 20-week sentence. They addressed us as “sir.” When we watched them in the classroom they sat at attention. Nobody talked out of turn.

Almost immediately, Andre and I stepped

away from the public relations people and decided there was no daily story. But we both had the same questions: Is this for real? How did they ever get these kids to behave so well?

## More questions

We phoned our editors, told them we didn’t think we had much more than an out-of-context puff piece for a daily, but we did think there was an interesting story here. We wanted to follow a group of kids from their entry into the program until their release. Then we wanted to spend some time with them to see how they did on the streets.

The editors were willing to discuss it. We talked with the public relations people, explained to them what we hoped to do and further told them that in order to give a complete picture of the camps, we would need to know why the kids were there in the first place. Were these killers or graffiti artists?

The officials who actually ran the boot camps loved the idea. The governor’s and lieutenant governor’s people saw our approach as their loss – there was no way the story would be in the paper in time for the election. To our great fortune, they lost interest in what we were doing and left us to the mid-level bureaucrats who ran the camps. With the blessing of our editors, we found a group of 14 kids who would be entering one of the camps, as a class, in October 1998. At our request, the camp administrators secured waivers from the kids’ guardians and gave us full access to the kids’ records, including criminal and family histories, education records and psychological assessments. Fearful that the higher-ups in the administration would find out just how agreeable administrators were and halt

Photos: Andre F. Chung | The Baltimore Sun



Tactical officers yank Darryl Gross (left) and Derrick Horrey from the van that brought them to boot camp. The 14 kids in their squad have collected 121 charges and been locked up a total of 13 years. Their crimes involve 517 known victims.



Jeff Graham, who runs the state’s three boot camps for juvenile delinquents, lectures new cadets at Savage on the facility’s three main rules: Cadets will control themselves at all times. They will give 100 percent. Everything out of their mouths will have “ma’am” or “sir” attached to it.



Surrounded by black-hatted guards, Christopher Leight of Southeast Baltimore get his introduction to boot camp. A guard holds the key to the handcuffs. But before they are unlocked, Leight must declare that he is a criminal. He admits to using and selling drugs.

such access, we immediately photocopied every page of every file.

Truth be told, we were startled by our luck – but it was just beginning. I contacted several leading researchers who have studied boot camps and explained what we were doing. The purpose was to educate myself and to gather some hints on what issues we might want to look into. Our story, we still thought at the time, was how the camp would transform young thugs into rehabilitated kids and whether they would return to trouble.

The night before the kids were to arrive at the boot camp (the location of which gave us the apt dateline “Big Savage Mountain”), I drove to another youth facility where they were being held. Unknown to them, I was armed with their files. I interviewed them separately. While we planned to keep tabs on all 14 kids, we knew the story would be more manageable if we focused on only a handful, and one of the deciding factors in our selection was how honest we felt they would be with us.

The next morning, when the kids arrived at the boot camp, Chung and I were there waiting for them. To our surprise, the guards began roughing them up before they even exited the bus. While I took notes, Chung snapped pictures. (Why the guards did this in our presence is still a mystery to us. We surmised from documents obtained later in our reporting that the treatment of the kids we witnessed was toned down from

the treatment handed to other kids.) Our plan was to return to the camps every week or so, stay a couple days and monitor their progress. We decided to stay the full first week, hoping that becoming a fixture at the camp early on would make us less conspicuous and ease the temptation for the kids and the guards to alter their behavior for our benefit.

### Sources step forward

We never considered calling social workers or the governor’s office to report that guards were assaulting the kids. This was a state-sanctioned program, and for all we knew it could work. What was worse? A kid with a split lip or one pumping heroin into his veins? We felt it was important not to ask the guards or the administration about the violence at the camps until the story was close to being complete. We wanted to let the story unravel without influencing it. But eventually, of course, the boot camp administrators and the higher-ups had to be interviewed about the assaults. We waited as long as we could, about a year after the kids first arrived at the camp, to interview the secretary of the juvenile justice agency and the lieutenant governor, the governor’s point-person on criminal justice issues.

From the start, we involved John Carroll and Bill Marimow – at the time *The Sun’s* top two editors – in our discussions with our immediate editors, Bob Benjamin and Bob Hamilton. Not

only did that give us the benefit of their ideas, it helped ensure there would be no surprises when editing time rolled around.

Everyone was in agreement that we would not present “just another boot camp story.” The violence was jarring and would be presented for what it was. We agreed that the best way to present juvenile justice issues was to keep the focus on the kids, so following them after graduation would be vital.

Many of them did not have phones, but over the 20 weeks they were at the camp, we had gained their trust (mainly by sticking to our promise not to discuss anything they said to us with the guards while they were at the camp). When we found them on the streets – sometimes after days of searching – most were willing to let us tag along with them. We explained, both at the camps and on the streets, that we were writing a story on them and that their pictures and words would be in the newspaper. Still, many of them openly used drugs.

As our interviews progressed with officials, our sources began popping up like weeds.

Some of our sources were people who knew of the assaults but had been afraid to say anything about them. Some were motivated solely by trying to cover their own butts and thought slipping us documents pointing to others would save them. Before long, we had compiled enough paper to show that the violence we witnessed was not peculiar to the group of kids we followed and that officials at the highest level of state government knew about the beatings but did little or nothing to stop them.

When our four-part series was published in December 1999, the results were swift. The Maryland State Police, the FBI and the Department of Social Services began investigations within days. The governor appointed a task force that confirmed our reporting on the violence was accurate. Judges began ordering kids they had sent to the camps removed. The governor closed the camps and demanded the resignations of his juvenile justice secretary and the four aides. Fourteen guards were fired.

Beyond that, a task force was formed to recommend how to fix the juvenile justice system’s probation system, and the department received a record budget increase to follow through on those recommendations. For the first time in decades, advocates for children have hope for real reform.

*Todd Richissin is a state reporter for The (Baltimore) Sun.*



# AIRPORT HARASSMENT

Whistleblower reveals abusive passenger treatment by U.S. Customs

BY DALE RUSSELL  
AND MINDY LARCOM  
FOR WAGA-TV, ATLANTA

We met the whistleblower in a lawyer's office. She was a veteran U.S. Customs inspector with a story she was dying to tell. In fact, for more than a year, she had been telling her story to anyone who would listen. She had filed complaints inside Customs, written to a congressman and talked to other reporters and lawyers. She felt like no one was listening. By the time we turned on the camera, she was ready to explode, talking non-stop, barely taking time to breathe. She was hoping someone would finally take the time to listen. For more than two hours, we did.

She claimed that when searching for drug smugglers at Atlanta's Hartsfield International Airport, her fellow Customs inspectors were systematically singling out African-American passengers for intrusive body searches. She told us about pat downs and strip searches, even trips to a nearby hospital for X-rays. According to the tipster, passengers were treated like criminals, like they were guilty of smuggling drugs. The problem was, she said, the inspectors rarely, if ever, found drugs.

It was a compelling tale, but we were skeptical. How would we prove any of this? We were dealing with a federal agency operating in a secure area of the airport. We couldn't very well do surveillance. It would take months to get the records and we had no passengers complaining about mistreatment. Still, our gut instinct told us this was worth pursuing.

It turned into a six-month long investigation, nine stories, congressional hearings, and sweeping, nationwide changes at U.S. Customs.

And it all began with the pleas of an inspector (pictured at left) who insisted: "They are just plain and simply harassing black travelers. They treat the people as if they are guilty. They just treat them really abusive. I mean they treat them like they robbed the store or something. And the only thing they did was travel."

## Border searches

During our preliminary research, we found very little written on the issue of Customs and profiling, but we did see excellent stories done by a Chicago TV station, in which African-American women claimed they were strip searched by Customs inspectors solely because they were black. We wondered if the experiences of a handful of women in Chicago could be indicative of the entire system. We decided to try to answer that question statistically. We needed to see if our whistleblower's perceptions stood up to scrutiny. We needed to build a statistical case

so strong that Customs would have to respond to the allegations.

Before understanding the statistics, we needed to understand the rules Customs inspectors have to follow when they search for drug smugglers entering the country through international airports.

We learned inspectors have very broad powers that date back to the Tariff Act of 1930 and have been consistently backed up by court decisions. The Supreme Court (*United States v. Ramsey*) found “border searches ... have been considered to be ‘reasonable’ by the single fact that the person or item in question had entered into our country from outside.”

In short, border searches are an exception to the probable cause and warrant requirements of the Fourth Amendment. Though the courts have held that those searches must be reasonable, Customs inspectors have tremendous leeway in deciding who to stop, pat down or strip search. In fact, inspectors have the authority to handcuff passengers and take them to a hospital for X-rays or monitored bowel movements.

It is not an easy job. Inspectors, on the lookout for smuggled drugs, have a number of tools they can use to identify smugglers. They use law enforcement intelligence, study flight plans, check how tickets are paid for and look for any suspicious behavior of passengers as they travel through the international concourse.

So who do they target during these “needle-in-a-haystack” searches? We started by asking Atlanta’s port director for the number of searches broken down by sex and race. At first glance, it appeared we had no story. The raw numbers showed Customs stopped and searched far more white passengers than black or Latino.

## The documentation

We went back to our whistleblower and asked for an explanation. She said the numbers didn’t surprise her because drug dogs that are often used in Atlanta “hit” on far more white passengers than black and when they did the resulting arrest was usually a misdemeanor marijuana case. She insisted that when inspectors make decisions based on their own research, intuition, and questioning of passengers, they overwhelmingly selected blacks for body searches.

But in order to prove what she was saying, we needed to know how each passenger was selected and whether drug dogs were involved. We questioned the whistleblower about the types

of records that Customs inspectors produce during a search. Her answer led to an investigative gold mine, a paper trail. She told us that after every pat down, strip search, or trip to the hospital, Customs inspectors filled out what is called a TEC report. This report would tell us whether the passenger was selected by the inspector or by a drug dog and would also give the passenger’s race.

We filed an FOI request with Customs asking for all the TEC reports for the first six months of 1998 at the Atlanta airport.

We filed the request, then waited. And waited. Slowly reports began to come back in. We constantly had to go back to Customs and ask for more material. We had no way to really pursue the story until all the reports came in. The TEC reports would either make the case or shoot down the whistleblower’s theory and we’d walk away empty handed.

When the reports came in, a pattern began to emerge. The first thing we found was that, unlike Chicago, strip searches were not an issue in Atlanta. There were very few. But what we did find was that our whistleblower’s perceptions were amazingly accurate.

Just as our insider indicated, Customs drug dogs alerted on far more white passengers than African Americans. We tracked these cases to the Clayton County solicitor’s office and, just as our tipster said, nearly all those passengers were carrying a misdemeanor amount of marijuana.

We then turned our attention to cases where the inspectors selected the passenger. When we tallied it up, we found that two out of every three passengers searched for drugs were African American. And of those, 99 percent were innocent.

We also found that when inspectors chose to handcuff and haul a passenger off to a hospital, the statistics were even more dramatic. Ninety percent of all passengers taken to the hospital were black. And during these hospital trips, inspectors found drugs only 20 percent of the time.

We finally had what we needed: a statistical case that would support our whistleblower’s eyewitness accounts of airport searches. Now, we faced another hurdle. We had no victims or passengers who could personalize the trauma of being frisked, detained, left alone, unable to call relatives, or carried off to a hospital to await X-rays or a bowel movement.

It proved harder to track down the passengers than the numbers. Various sources had provided

us with the names of innocent passengers who had been searched. We called, knocked on doors, wrote letters, but many of the passengers we found didn’t live in Atlanta or even in the country. And many of the people feared repercussions from Customs if they agreed to be interviewed.

Finally, the footwork paid off with interviews with four passengers who told powerful stories of how they were singled out by inspectors, subjected to pat downs, and trips to the hospital only to be let go after no drugs were found.

## Visible aftermath

The local U.S. Customs port director responded to our story by saying he was surprised by the statistics. John Deegan, who has since retired, told us he didn’t think his inspectors were guilty of racial bias, but he said “it certainly doesn’t look good, when you look at the statistics, if these statistics are correct.”

Our story had an immediate and powerful impact at the Atlanta airport. The white supervisor of the Passenger Analysis Team, which conducts the personal searches, was transferred. An African-American inspector, Robert White, was brought in to take his place.

But even more dramatic changes occurred when Congressman John Lewis stepped in. After reviewing our findings and talking with Customs inspectors, Lewis called for congressional hearings. During those hearings, Customs Commissioner Raymond Kelly announced sweeping changes including more diversity training for inspectors, greater supervision, provisions for passengers to make a phone call if held for longer than two hours and alerting the U.S. attorney’s office if a passenger is kept more than four hours.

Two final notes: after our story aired, the General Accounting Office issued the results of an audit which found black and Hispanic women across the country were four to nine times more likely to be taken in for X-rays and no more likely to have drugs on them.

Also our whistleblower, Cathy Harris, who helped bring these issues to light, is now fighting for her job. U.S. Customs has notified her that it intends to fire her, claiming she leaked TEC reports to us during our investigation. Cathy Harris is fighting to keep her job. We continue to follow her story.

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*Dale Russell, Mindy Larcom, Travis Shields, Robert Carr and Michael Carlin won the 1999 George F. Peabody award for their investigation of U.S. Customs at the Atlanta airport.*

# EXPOSING THE PENTAGON'S SECRET BIOWAR

The long road  
to the truth

BY ERIC LONGABARDI

FOR THE IRE JOURNAL

**F**our Navy warships arrived in Pearl Harbor in early 1963. The sailors aboard had no idea they had been secretly ordered to become human test subjects in a classified biological warfare test run by the Pentagon. The same can be said for the crew of a Navy destroyer, which left its sunny Florida homeport on a mission to the cold Atlantic waters off Argentina, Newfoundland in 1965.

The sailors aboard all the ships had one thing in common: they were not informed and did not give their consent before being used as guinea pigs. Thousands more may be involved in similar tests yet to be revealed. More than three decades later, questions remain about how the compounds they were exposed to may have affected, or still could be affecting, their health. Even today, most of the men subjected to these

tests do not know they took place.

My interest began in mid-1994 with a tip, not from an “insider” who knew too much, but from a man who knew too little. The caller claimed his brother-in-law had been exposed to chemical testing while in the Navy.

I’m always skeptical. “Never believe it until you can prove it” is my journalistic motto. The caller sent me letters written by his brother-in-law to a local congresswoman, the Defense Department and the U.S. Army. The letters were looking for answers to a simple plea: “I have tried for many years to find out what chemicals I was subjected to during Operation Autumn Gold which occurred during my enlistment in the Navy.” Those answers never came.

The former sailor’s name was Robert Bates. He would tell me a story that sounded more like an “X-Files” episode, than an investigative

report. He claimed he saw some men in “chemical warfare suits,” and others with strange monitoring devices while serving aboard a ship in Hawaii more than 30 years ago. These men would not speak to the crew. Later, he would hear that his ship had been sprayed with a “harmless mist.”

He remembered his ship going out to sea every couple of days for drills, seemingly with no real purpose. He recalled how he was ordered to stay below decks where he worked and how unbearably hot it was because all air ventilation was shut off. He and his crewmates didn’t know what was going on. I told him I would look into it, and I did. His strange story would end up keeping my attention for the next six years.

## Smoking gun documents

My first step was to obtain the deck logs for his ship the USS Navarro. These records show where a Navy ship was at any given date and time, and provide some detail about what the ship is doing. They are available from the Naval Historical Center in Washington, D.C., and the National Archives. The deck logs showed his ship was in Hawaii in May 1963. More importantly, the logs had a couple of vague references to something called the “Autumn Gold Test.” I had my first nugget of fact to back up Bates’ story. Also in the logs was a number for the Navy operational order that sent the ship to Hawaii. This was my first major clue. I knew the operational order would say why the ship had been sent to Hawaii.

I requested the still-classified order from the Naval Historical Center. I asked the Navy to declassify it under the Freedom of Information Act (FOIA). They did, and it was in my hands about a month later. What the order showed was that five warships had been ordered to Hawaii to take part in what was dubbed “Operation Autumn Gold.” The order said nothing about the nature of Autumn Gold, but a huge clue jumped off the page. The order stated the ships were “under the direction of the commanding general of Deseret Test Center, Salt Lake City, Utah.” The Deseret Test Center was ground zero for the American secret biological and chemical warfare testing program.

My next step was to find the military documents that would explain Autumn Gold. I sent out the first of what would become dozens of FOIA requests spanning nearly six years. Three months later, one of my first responses would come in the mail – what turned out to be a rather fast response by U.S. Army standards.



Crewmen aboard the USS Power, an American destroyer, chip away ice on deck while tied up to the pier in Argentina, Newfoundland in 1965. The ship and its crew were a secret target during a test called Copper Head. The ship was sprayed with both chemical and biological compounds.



The USS Navarro, a Navy attack transport, was one of four target ships sprayed with a bacterium during secret biological warfare tests off the Hawaiian Islands called Autumn Gold.

The majority of my FOIA requests would take even longer; some dragged on for nearly a year. Most would garner little in the way of useful information. The Army and the Pentagon would claim documents did not exist or could not be found. They would also assert that other documents were properly classified and would refuse to release them.

One of my initial FOIA requests had located two classified Autumn Gold test reports. These reports had never been released before. Now I had my “smoking gun.” Despite heavy censoring of the documents by the Army, the reports revealed what really happened. The Navarro, along with three other ships, had been ordered to Hawaii, not for routine training, but as “targets” to be sprayed with bacteria in a secret biological warfare test.

### Targeting the Net

The Internet would be my main tool in tracking down the crew members who had been aboard the ships more than three decades ago. From military discussion groups to message boards to Web sites about Navy ships, and of course, the good old Internet white pages. One of the best Web sites for locating the whereabouts of Navy ships is called NVR (Naval Ship Registry). It told me one of the target ships, the USS Tioga County, was still afloat and in the custody of the U.S. government. Based on that information, I eventually went aboard the mothballed ship, videotaping

it for my story.

One by one, I started to find the men. Naval reunion Web sites told me two of the ships had periodic get-togethers. As I found and talked to the men, they told me their stories. Before I explained to them exactly what I knew, I would ask them to tell me what they remembered. Their stories all basically sounded the same. Most recalled being there, but few remembered anything out of the ordinary. A few sailors remembered more.

One sailor in particular made a startling admission. The first time I spoke to him he explained that he had always thought that one day someone might call him to ask about this. It always stuck with him that something was “strange” about that cruise to Hawaii. Months later, I would obtain the complete list of all the names of the crews aboard the target ships. These lists, known as “muster rolls,” are available on microfilm from the National Archives.

My requests for interviews and information were completely ignored. From the top to the bottom, the Defense Department, Army and Navy, just flat out refused to deal with me. Later I obtained some of their internal e-mail and other documents via FOIA regarding my reporting. In their internal discussions they claimed I was not connected to any legitimate media organization. As I had explained to them over and over again, I was an independent producer pursuing the story on my own. They continued to stonewall me.

I managed to question Secretary of Defense William Cohen on camera about the tests while he visited a ship in San Diego in September 1999. Although Cohen claimed ignorance of my story and the facts behind it, Pentagon spokesman Ken Bacon would finally acknowledge my reporting with a terse one-page written response shortly thereafter. These were the only official on-the-record comments the Pentagon has offered to date concerning this story.

### A visual medium

This was a tough TV investigative story to do. There is always the need for compelling pictures and, as far as I knew, there were none available. No known motion pictures of any classified American secret biological warfare test had ever been made public. But I had a clue in the original documents I obtained: a one-page appendix to the test report outlining the filming ordered of Autumn Gold. The problem was finding that footage – if it still existed. So I went looking for it by making calls and sending FOIA requests. The search took more than two years. The official answer from the Army and everyone else in the U.S. military was the same: It did not exist. I didn’t believe them; it was right there in the documents. One thing I knew for sure – the U.S. military never throws anything away!

I contacted a source who knew where this kind of film might be. He had never seen it himself and was not in an official film archive or anything close to it, but nonetheless went looking for it. Months later, he called to say he had stumbled upon an unlabeled box of 16mm film on the floor of a closet. When he put the film in a projector, a title card popped up in the silent raw footage: “Autumn Gold.”

On the same reel was additional footage – a fully edited, scripted and narrated briefing on something called “Copper Head.” He told me this was the “Part 2” to the Autumn Gold test. The only hitch was the film he had discovered had never been released and it was still classified. So he could not release it to me. I told him I would take care of that. I immediately sent off a specific FOIA to the Army requesting release of the film that had been located. I also cited Presidential Executive Order 12598 (signed by President Clinton in 1995, generally mandating the declassification of records 25 years or older). The Pentagon and Army could no longer claim it did not exist or could not be found. They were forced to release it to me.

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# MAKING THE WRITING GOLDEN

Stories should be more than notebook dumping

BY STEVE WEINBERG  
OF THE IRE JOURNAL

During the seven years I served as IRE’s executive director, I read at least one huge investigative project almost every day. They poured in each January because of the IRE Awards deadline. They trickled in the rest of the year. One of the enjoyable parts of my job was keeping up with all the ambitious investigations out there.

During the initial read-through of each project, I would be alert for reporting techniques: How did she learn that? Sometimes I could answer my own question from the text – the reporter had uncovered the revelation in an out-of-court deposition filed as part of a lawsuit or from a former accountant of the corporation under scrutiny. When I could not answer my own question, I frequently called the reporter to ask.

After mining a project for reporting lessons, I often returned to it, trying to figure out why it was compelling to read, or why it was not. This turned out to be a less enjoyable exercise than the reporting analysis, because lots of the projects were indeed turgid. Many people within IRE know why: Skilled information-gatherers are not always skilled stylists; even

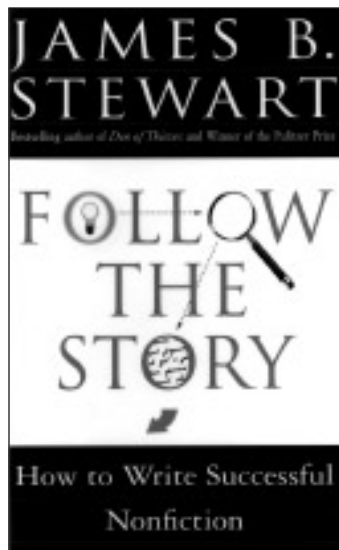
if they are, they often have to rush into print or on the air. The reporters frequently are paired with editors who have no special writing skills, or are too busy with daily tasks to devote sustained attention to projects.

Still, there are a number of superb writing coaches to offer advice, and some of the most valuable can be found in new books by James B. Stewart and Carl Sessions Stepp.

### Stewart’s “Story”

Stewart is one of the few full-time investigative reporters to compose a full-fledged writing book. Many of his examples are drawn from what by any definition would be called investigative reporting. Stewart learned his early writing lessons at *American Lawyer* magazine, largely from editors Jane Amsterdam and Steven Brill. Then he wrote for a variety of editors at *The Wall Street Journal*,

where he later became Page One editor. Alice Mayhew at Simon & Schuster edited his books, including “Den of Thieves” (about Wall Street crime), “Blood Sport” (about political scandal) and “Blind Eye” (about medical crime). “Follow the Story” came together after he left the *Journal* in 1992 to freelance



**Follow the Story: How to Write Successful Nonfiction, by James B. Stewart, Touchstone/Simon & Schuster, 381 pages**

and to teach journalism graduate students at Columbia University. I started learning from “Follow the Story” on page one, but Stewart really hooked me on page 72 with this passage:

“Investigative reporters are not known as prose stylists, in part because the fruits of an investigation are often written as a news story ... That need not be the case. Investigative work is often inherently dramatic, which should be captured in the resulting story ... The successful investigative story packs a double appeal to readers – it engages their curiosity and surprises them with the results.”

Like many other writing texts, Stewart’s follows a story more or less chronologically from inception to publication. The difference is to some extent in his thought processes, and even more in the examples he uses – as already noted, weighted toward the investigative project.

Here is a sampling of Stewart’s wisdom:

- Chapter One: Curiosity.

“The essence of thinking like a writer is the recognition that what’s most interesting is what’s unknown, not what is known. Thinking like a writer prizes the question more than the answer. It celebrates paradox, mystery and uncertainty, recognizing that all of them contain the seeds of a potential story.” Later in the book, Stewart makes a keen follow-up observation: “... a virtue of conceiving stories as questions is that the outcome of the story is unknown. It’s impossible to say ahead of time whether the piece will be favorable or unfavorable to its subjects.”

- Chapter Two: Ideas. Not all ideas make for compelling stories, especially when the ideas are actually topics.

“Topics are inherently boring, because they pose no questions and incite no curiosity. They are like encyclopedia entries – interesting only if that happens to be what you want to look up. ‘Women in law’ is a topic. ‘Welfare cheats’ is a topic. ‘South Africa’ is a topic. Reporters would come to me with the most earnest demeanors, and say something like ‘I want to do a story about how oil companies are causing explosions at natural gas facilities.’ When I stifled a yawn, their outrage would be apparent: ‘How can you not care about something so important?’ The answer was simple: Anytime someone had to use the word ‘about’ I knew we were discussing a topic, not a story. I would urge the reporter to come back with something more specific. What

company? What explosion? Some topics are more interesting than others, but they should never be mistaken for ideas.”

Later in the book, Stewart describes how thinking about the Midwestern floods of 1993 allowed him to turn a topic into an idea. His idea – tell the story of the struggle to save one levee, a story manageable in terms of the reporting, comprehensible to a reader and inherently suspenseful, since Stewart had no way of knowing whether the effort to save the levee would succeed or fail.

• Chapter Three: Proposals. Stewart says compelling in-depth stories tend to fall into one of six categories – the trend, the profile, explanatory, point-of-view, narrative, and investigative.

“...the investigative piece makes explicit what is usually implicit; it begins with a question. ‘What caused a cable-car crash?’ might trigger an investigative piece. So might ‘Who shot down Korean Air flight 007?’ or ‘Did President Clinton tell the truth in his Paula Jones deposition?’ The fruits of such inquiries form the substance of the investigative story.”

Stewart says if the question is unlikely to uncover wrongdoing, the piece probably will fall into the explanatory category. If wrongdoing seems like a possibility, “the reporter assumes something of the role of a prosecutor, bearing in mind that prosecutors may exonerate their suspects as well as bring charges.” Ideas for investigative stories are everywhere. Stewart looks for individuals and institutions with wealth, power and secretiveness. The questions should be obvious: “What have they done to generate such wealth? How did they gain their power, and how do they wield it? Do they have something to hide? If not, why are they so secretive?”

• Chapter Four: Gathering Information. Stewart stresses human sources over documents in this chapter, though that is not always the case in his reporting.

“Beginning reporters [I would add many experienced reporters, too] seem to have trouble being honest about their interest in a story, evidently because they fear they might alienate potential sources. Like most forms of dishonesty, this is invariably a mistake. At the very least, being misled can enrage a source or subject when the story appears. And, although I could be wrong, I believe candor enhances a subject’s respect for a writer and therefore makes him or her more likely to cooperate.”

The remaining chapters deal with specific writing techniques – leads, transitions, description, dialogue, anecdotes, humor, pathos and endings. Each contains first-rate advice and useful examples. But none is groundbreaking, except perhaps the one I have yet to mention, the chapter covering story structure.

On the first page of the chapter, Stewart identifies a big part of what makes so many in-depth projects so turgid – the lack of a well-thought-out structure. Structure is sometimes complicated, sometimes as simple as presenting information chronologically to build suspense. When handled skillfully, it is nearly invisible, but a discerning reader can sense its absence. Says Stewart: “It’s surprising how few writers ... give this important aspect of their stories much thought. Armed with a good lead and a nut graf, they simply proceed to empty their notebooks, moving from one source to the next, larding quotations directly into their text. When they run out of material, they simply stop.”

Building structured suspense requires figuring out what sources were thinking and doing days, months or years ago, rather than accepting their analysis after the fact. Stewart provides an example from his own work: “When I would ask people what they thought of Ivan Boesky, they almost always told me they thought he was a charlatan, a scoundrel and a criminal. I would have to ask again, urging them to share with me their thoughts when they first met Boesky, before he had admitted insider trading and pleaded guilty to securities fraud. So powerful is the effect of present impressions that many sources would insist that they immediately sensed something untrustworthy or shifty about Boesky, even though some of them had entrusted him with millions of dollars.”

### Stepp’s “Craft”

Carl Sessions Stepp is a journalism professor at the University of Maryland who contributes regularly to *American Journalism Review*. He used to work at *USA Today* and *The Charlotte Observer*. He is a fine writer himself, but has made his mark as a student of

others who write, with a sub-specialty in the usually ignored field of writer-editor relations. “Writing as Craft and Magic” is less oriented toward investigative journalism than Stewart’s book, but contains a great deal of value for those doing in-depth stories.

The craft in Stepp’s title refers to the hard work of outlining, finding the lead, working in transitions, rewriting and the like. The magic refers to Stepp’s realization that “every great piece of writing needs a breakthrough idea,” an idea that arrives in a moment of unexpected inspiration. Another term for that great idea is the storyline. With a storyline in mind, Stepp says, the reporter seeks out great material that will surprise readers, then expresses everything with great words, aka style.

Stepp suggests 10 ways to search for a story line:

- Find an editor with vision.
- Talk to an intelligent person about the idea to determine if the listener’s eyes glaze over or sparkle.
- Ask yourself what readers would remember about the story a month from now.
- Look for a symbol, phrase or action that exemplifies the truth at the core of the story.
- Complete this sentence aloud: “This story is about ...”
- Write a paragraph intended to convince a skeptical editor.
- After talking through the material, finish the sentence that starts “What I really mean is ...”
- Find the turning points.
- Write the subhead that builds

on, and sells, the headline.

- Visualize, letting the mind roam free to light on the most compelling way to tell the story.

For a long time, I have been trying to move my writing from clear to memorable. My goal is for readers to begin my in-depth pieces and at some point say, “That’s Weinberg’s compelling story” before they ever notice my name. It might never happen. But Stepp’s book, filled with inspiration amid the craft tips, gives me hope.

*Steve Weinberg is senior contributing editor to The IRE Journal, a professor at the Missouri School of Journalism and a former executive director of IRE.*

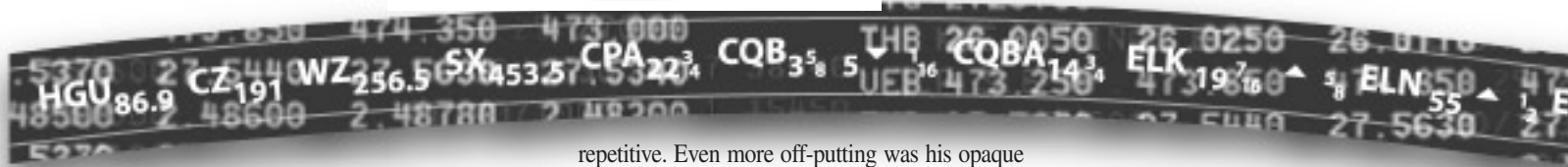


**Writing as Craft and Magic, by Carl Sessions Stepp, NTC/Contemporary Publishing Group, 258 pages**





**F**rom small Internet startups to the mega corporations that have been around for decades, the world of business wields enormous power in the public and private arenas. Investigating business demands more than just accepting the latest quarterly earnings at face value: reporters are finding that some profits are not strictly the fruits of hard labor.



**W**e all get them: Letters that make allegations of improper conduct against powerful institutions. They are written by disgruntled former employees and ripped-off former customers. These people have been to regulators and law enforcement, or other members of the press, and they have been ignored. So we read their letters, and investigate their complaints, and it becomes apparent that people aren't paying attention for a good reason. Their grievances are picayune, trumped-up, or incoherent. Sometimes these folks are, quite simply, cranks.

As a senior writer at *Business Week* magazine,

## Offering credence to the crank

### Stories rock Wall Street

I specialize in financial investigations. After I wrote the December 1996 cover story that revealed Mob infiltration of Wall Street, I began to think that I was on the mailing list of every nut in the 48 conterminous states. So when I received a series of letters from a man named Edward Manfredonia, I had to restrain myself from consigning them, immediately, to the round file. To begin with, Manfredonia's letters were simply hard to believe. He was alleging widespread improprieties at the American Stock Exchange, a tranquil little institution that had been generally spared the scandals infecting so much else of Wall Street. His tone was distraught. His letters were numerous and

repetitive. Even more off-putting was his opaque writing and overuse of trading jargon that I found almost impossible to decipher.

Fortunately, I didn't consign Manfredonia's letters to the round file. I met with him. Once.

BY GARY WEISS  
OF *BUSINESS WEEK*

Then twice. Numerous times. In the months that followed, I interviewed dozens of current and former exchange officials, and plowed through a small Matterhorn of documentation. The result was one of the longest investigative pieces ever to appear in *Business Week* – a 12-page cover story that appeared on April 28, 1999, entitled "Scandal on Wall Street." The story described a host of serious problems at this eminent securities market, ranging from price-fixing of options contracts to allegedly improper activities by exchange specialists and officials.

Manfredonia was that rara avis – a bona-fide whistleblower. For the greater part of a decade, he had waged a one-man campaign against the Amex. He spent a good deal of his time for years, literally, staying in touch with people at the Amex, obtaining information, and sharing it with anybody who would listen. He would hang out in front of the exchange and buttonhole people. He became a constant presence at the exchange, almost a mascot – openly taunted and despised. But he had a major asset – or detriment, depending on your point of view. Manfredonia was telling the truth.

I couldn't know any of this when I met with him the first time. I had to check out his credibility, which was a time-consuming task. And it didn't help that Manfredonia was anything but a confidential source. His campaign against the Amex was widely known, and mocked, by Amex officials. He had written hundreds of letters to regulators and law enforcement. He was widely

written off as a nuisance.

Well, there was no question that Manfredonia was overwrought. One might argue that he, well, tended to obsess a bit too much on the subject of the American Stock Exchange. But he was making serious charges that people were taking very seriously. It also became plain to me that Manfredonia's inability to generate attention for his charges was, to a large extent, a product of the tone and the excessive number of his letters. In talking to his friends, current and former Amex officials and traders, I kept hearing the same thing: Ed gets too excited, but he is telling the truth.

That became plain to me at one of our earliest meetings, when he carted over to me a stack of trading records and documentation. They had been produced as discovery in a libel suit in which Manfredonia was a defendant. The suit was brought by a senior official of one of the Street's most prestigious brokerage firms, and was prompted by allegations Manfredonia had made against the man several years before, in letters he had written to certain third parties.

Unfortunately, even letters can result in libel suits, and Manfredonia learned that the hard way. But another byproduct of libel suits is discovery. By producing voluminous documentation that tended to support his allegations, the suit against Manfredonia had the ironic effect of bolstering his credibility and providing documentation that proved immensely valuable in the story. The suit was dropped shortly after the article appeared, and the official in question was later banned from the Amex in a disciplinary proceeding that he is appealing.

The story of that official was just one part of a very complex, multifaceted story that involved numerous, unrelated allegations. Price fixing, for

**Continued on page 20 ▶**

# Selective disclosure

## Trolling for whispers, earnings and access

Companies today wield enormous power in the financial markets where everything is at stake. Hidden in the greatest bull market in history are injustices so common that they're overlooked because they're legal.

The concept of full and fair disclosure has been a mainstay of the U.S. financial markets since the Glass-Steagall Act of 1933, but to millions of individuals who buy stocks and bonds, full and fair disclosure is a myth. At the same time, some shareholders have access to information hours – even days – before the rest of

their peers. This “selective disclosure” has been a common business practice.

It prompted three stories by us: “Whispers

BY MATTHEW WINKLER  
OF BLOOMBERG NEWS

We Know Them”; and “Access Denied: Some Investors Lose When Kept Out.”

### Analysts' estimates

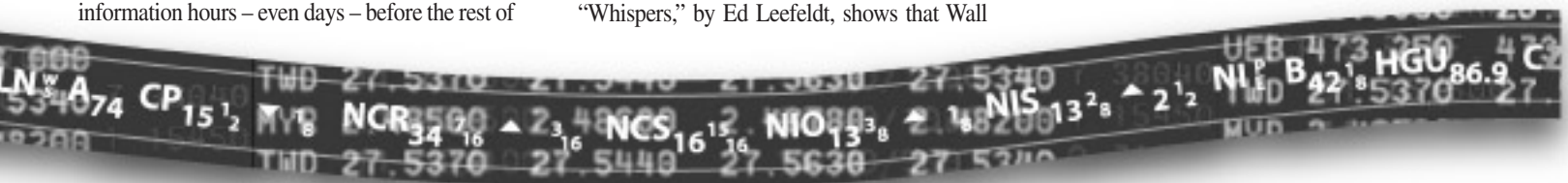
“Whispers,” by Ed Leefeldt, shows that Wall

That Roar: Exposing the Analysts' Estimates Game”; “The End of Earnings As

Street's \$10 million-a-year superstar analysts deliberately lie to investors about their expectations for earnings at computer and Internet-related companies. Internet “whispers” of earnings estimates proved to be twice as accurate as the analysts' published estimates. That's because these whispers turn out to be analysts' real estimates, which they leak to big investors.

Leefeldt noticed that the market was reacting more to these anonymous whispers than to the

**Continued on page 22** ▶



# Don't count on federal oversight

## Skyrocketing complaints serve as red flag – to reporters

Gross corporate dishonesty, a federal investigation, the abrupt resignation of three CEO's from two of the largest financial institutions in America, and perhaps billions of dollars wrongly taken from millions of credit card consumers are just some of the discoveries and results of a nine-month WFAA-TV investigation.

At one time, First USA boasted it was the largest credit card corporation in the United States with nearly 70 million customers. And, as much as I would like to take “credit” for unbelievable journalistic perceptiveness, the truth is our investigation of the company began quite simply with a coincidence. I received a letter from a nurse and a phone call from a Dallas disc jockey on the same day. And, although the nurse and the disc jockey didn't know one another, the stories they told were almost identical.

- Both had numerous late fees wrongly posted to their credit card accounts.
- Both had seen their interest rates unfairly skyrocket to more than 23 percent.
- Both had complained repeatedly to First USA trying to correct the errors.

The company had made repeated promises over the phone, yet nothing was ever done. Meanwhile, the nurse and the disc jockey saw

penalties and interest on their accounts climb hundreds of dollars in a matter of months.

We broadcast our first report about customer problems with First USA in April 1999. During the next 48 hours, the station was deluged with calls from other First USA cardholders telling similar stories of erroneous late fees and gigantic interest rate hikes. That prompted us to begin a more thorough review of the company's activities.

BY VALERI WILLIAMS  
OF WFAA-TV, DALLAS

Committee, to call for a federal inquiry of First USA. And, that's where our investigation hit its first major snag. As journalists, we've come to expect corporations we're digging into to be evasive and to hide things. But, rarely have I ever dealt with a federal agency more “in bed” with the industry it is supposed to be regulating than the Office of the Comptroller of the Currency (OCC).

Initially, we found OCC officials to be defensive of First USA, refusing to give us any information about the company. For instance, the OCC refused to disclose such basic information as the number of customer complaints against First USA, whether First USA had any

In the months that followed, WFAA-TV's reports caused U.S. Sen. Phil Gramm, who chairs the Senate's Banking

violations in its history, the nature of those violations, if there were sanctions, or even the last time the company passed a routine inspection. The OCC kept telling us that it couldn't release that information because of privacy concerns for the company. Imagine if the FAA took the same stance on public inquiries about airlines. One OCC official told me it was not the agency's job to safeguard the public's interest because it received its funding from the banks themselves.

After several months of filing repeated FOI requests and mentioning the lack of public information in our broadcasts, we finally got some response from the OCC. For the first time in its history, the OCC released the number of complaints against the 10 largest credit card companies in America. It was also the first time we noticed a shift in the OCC's defensive posture. What our FOI request revealed was that the number of customer complaints against First USA far surpassed the number of complaints against the nine other credit card companies combined.

In all big investigations, there comes a time – usually one of frustration – where you just want it to end. Temptation came calling about four months into this project. Hundreds of cardholders had been telling us that they were

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# Offer credence to the crank

CONTINUED FROM PAGE 18

example. Over the years, the Amex had built up one of the nation's premier marketplaces for stock options, second only to the Chicago Board Options Exchange in trading volume. As I investigated Manfredonia's allegations, I learned that floor traders were engaged in widespread price-fixing – basically establishing a two-tiered market that routinely shafted small investors. The total rip-off was huge – \$150 million a year. But it was happening in drips and drabs. It was a perfect scam because small investors who bought and sold options didn't know they were getting bad prices.

Equally disturbing were allegations concerning a major specialist on the floor of the exchange. Specialists are supposed to make a "fair and orderly" market in the stocks they trade on the exchange floor. They are not supposed to take unfair advantage of their position on the floor of the exchange, and we reported that this specialist allegedly traded for his own account, according to current and former associates intimately familiar with his activities.

Manfredonia was not a source for the price-

fixing or specialist parts of my story. But over the years, he had picked up on those allegations himself, and written regulators – and my colleagues in the press – all for naught. Indeed, my article reported that way back in 1988, Manfredonia had learned that certain brokerages were involved in a practice called "index front-running" – trying to make a killing in index options by manipulating the price of the underlying index. Manfredonia went to one prominent financial journalist with that story, and was rebuffed. Indeed, I ended "Scandal on Wall Street" by devoting a segment to Manfredonia's campaign – and the indifference that he encountered over the years, from the financial press as well as the regulators.

I wasn't the slightest bit surprised to learn that other journalists had passed on Manfredonia's story. For one thing, as I indicated earlier, the tone of his letters was hardly calculated to promote confidence in his story. And he wrote a lot of letters. I could see how easy it was for a reporter, pressed to produce daily copy, to simply not have the patience to deal with this guy. Dealing with Manfredonia required ample time – a commodity most financial journalists simply do not have. Fortunately, my employers give me plenty of time to pursue leads, and are patient when (as happens more often than not) they do not pan

out. Manfredonia was not easy to deal with. But I've met worse.

Or maybe there was something else at work here. Maybe it wasn't just a question of being "too busy." In 1993, Manfredonia received a letter from a prominent newspaper executive – responding to the same kind of letters Manfredonia had sent to me. The editor said: "We are well aware of the information you've given us and we are in fact looking into it. We know how to reach you and there's no need to keep sending letters." In other words, go away. Manfredonia complied. He stopped sending letters, and the newspaper did nothing. He went away and, eventually, came to me.

The editor in question employed hundreds of reporters, including quite a few investigative reporters. Why didn't this editor assign a reporter to take the time to check out Manfredonia's allegations? We can only guess at the reason. But to me, the reaction of this editor points up the instinct we all have to avoid people who are unconventional, difficult, and maybe give the appearance of being off-balance. Not every source resembles Russell Crowe. Sometimes they wear baseball caps and hang out in front of stock exchanges. Sure, they're annoying. But sometimes they can have a terrific story to tell.

*Gary Weiss is a senior writer for Business Week.*

## USEFUL BUSINESS SITES

Some of the Web's most useful places to find financial information, start background checks and get phone numbers and other data include:

- [www.altavista.com](http://www.altavista.com). The best single search engine. Free.
- [www.anywho.com](http://www.anywho.com). Comprehensive white and yellow pages. Free.
- [www.ceoexpress.com](http://www.ceoexpress.com). Well-organized archive of many newspapers, lists and useful Web sites. Free.
- [www.companysleuth.com](http://www.companysleuth.com). Searches Web for new information on publicly traded companies, including SEC filings, Internet domain name registrations, lawsuit summaries, and patent filings. Then e-mails you a summary of what it has found each morning. For best results, have it ignore bulletin board postings in its searches. Free.
- [www.freeedgar.com](http://www.freeedgar.com). Fast access to the SEC's Edgar database, with a user-friendly search engine. Generally superior to the SEC's site. Free.
- [www.hoovers.com](http://www.hoovers.com). Background information on many companies, including brief corporate histories, political contributions, patents and other data. Mostly free; some information available only with paid membership.

By Alex Berenson  
of *The New York Times*

• <http://www.inil.com/users/dguss/wgator.htm>. Has a ton of links to other sites, including references to most state corporate records databases. Free.

- [www.knowx.com](http://www.knowx.com). Address locators, bankruptcies, aircraft ownership, professional licenses, and other public records. Paid.
- [www.marketspan.com](http://www.marketspan.com). Tracks lawsuits in many states. Paid.
- [www.metacrawler.com](http://www.metacrawler.com). Enables you to search several search engines, including Altavista, simultaneously.
- [www.nasdaq.com](http://www.nasdaq.com). Stock quotes and basic information on many Nasdaq-listed companies, including the number of shares sold short, often a useful indicator of negative sentiment. Free.
- [www.networksolutions.com/cgi-bin/whois/whois](http://www.networksolutions.com/cgi-bin/whois/whois). Finds the owner – or, more accurately, the person who registered the URL – of any Web site. Free.
- <http://pdpi.nasdr.com>. Information on regulatory actions taken by the National Association of Securities Dealers against brokerage firms or individual brokers. Maintained by the NASD. Free.
- [www.sec.gov/edaux/searches.htm](http://www.sec.gov/edaux/searches.htm). The SEC's Edgar site. Free.
- [www.vaultreports.com](http://www.vaultreports.com). Reports on the work environment at many companies, including bulletin boards where disgruntled employees sometimes post dirt. Occasionally useful. Free.

# Don't count on federal oversight

CONTINUED FROM PAGE 19

mailing in their payments one to two weeks before the deadline – some even paid to ship their payments overnight – yet they were still getting hit with \$35 late fees. First USA officials vehemently denied that there were any payment processing problems and called the problem an “aberration.”

Suddenly, angry consumers began sending us letters in which the credit card company admitted to some billing mistakes in the Phoenix facility. The letter said cardholders could expect refunds in the near future. We confronted First USA. Shortly before our broadcast, company officials sent a letter thanking us for our reports. “WFAA and you were instrumental in focusing our attention on this situation and helping us solve the problem,” the letter stated.

Such kind words. It was tempting to take a “proof of performance” kudo (“See viewers, WFAA-TV gets things done!”) and move on to the stacks of other possible stories on my desk. I suppose what stopped us is that it just seemed too easy; it wrapped up too nicely. Ultimately, that letter prompted us to do an exhausting amount of research.

By this time, the station had received a record level of correspondence and e-mails from viewers. Hundreds of people were so frustrated that they started sending us their bills with erroneous late fees. Not only were these cardholders losing money, some had had their credit rating improperly destroyed by First USA.

We took these bills and other documentation and began tracing where most payments were mailed for posting. Unlike what First USA officials claimed – that the processing problems were isolated to the Phoenix facility – we found that the overwhelming number of cardholders had been charged late fees when their payments were sent to Atlanta. Again, First USA officials strenuously denied any posting problems ever existed in Atlanta. The more we inquired, the more we received tersely worded letters with veiled legal threats from corporate lawyers. This went on for several

months until the proverbial “smoking gun” was discovered.

A Dallas attorney who had filed a lawsuit against First USA allowed us to review more than 1,000 pages of internal company memos and e-mails obtained under subpoena from the First USA subcontractor who operated the payment processing facilities. It was all very clear. Document after document revealed that 80 percent of customers’ payments – or 100 million payments a year – were being processed in Atlanta. One memo disclosed the problems there were so severe that First USA had set up its own “Mad Dog Audit Team.”

Over the course of a year, the audit team consistently gave the Atlanta facility failing scores. Yet while knowing this, company officials continued to “blame” cardholders for being late. Last year, industry analysts estimated one-third of First USA’s annual revenue came from the penalties and interest rate hikes it assessed against customers – an amount totaling nearly \$20 billion.

Interestingly enough, OCC regulators, who supposedly were conducting the investigation demanded by Sen. Gramm, knew nothing about these documents. We were told they learned about them from WFAA-TV’s Web site. Subsequently, regulators extended their probe. A finalized report has never been made public. But we’ve filed more FOI requests, and we keep checking. The full impact of WFAA-TV’s investigation could be felt in the coming months if First USA is forced to refund all of the false late fees and unfair interest rate increases assessed since 1998 to millions of cardholders.

Last fall, the stock for Bank One, First USA’s parent company, nosedived \$15 billion in one day – one-fourth of the stock’s original value. Bank officials blamed the loss on massive customer defections at First USA.

When the news hit the wires, a colleague asked me what it was like to “bring down a major corporation.” I replied that “I” didn’t do anything. First USA executives did it to themselves. We were simply smart enough to report on it.

*Valeri Williams is an investigative reporter for WFAA-TV in Dallas, and in the past year, has won both IRE and Murrow awards for investigative journalism.*

## Available Tipsheets

Tipsheets and reporter guides to aid in investigating business are available at the IRE Resource Center:

- “Everybody’s Business: What the Fed knows about the Economy,” Ronald Campbell, Orange County Register, #972. Information on the markets, and invaluable Web sites run by the federal government.
- “Backgrounding a Business,” David Evans, Bloomberg News, #1175. Information for researching both private and public businesses.
- “Money Talks,” Ronald Campbell, Orange County Register, #993. Whether public or private, businesses produce reams of public records. This tipsheet provides a list of some of the best records available.
- “Tips on Backgrounding Brokerages and Brokers,” Susan Harrigan, Newsday, #1176.
- “Online Sources for Finding and Crunching Business Data,” Tom McGinty of IRE, #1138. This tipsheet explains the shortcomings of a traditional search engine for business reporters – the EDGAR service of the Securities and Exchange Commission – and explores two preferable alternatives.
- “Tips on Covering Businesses Seeking Favors or Refuge From Government,” David Cay Johnston, The New York Times, #1181.
- “Spare Change,” Eric Palmer, Kansas City Star, #994. List of sources for tracking businesses including banks and savings and loans, hospitals, revenue bonds and online sources.

To order, call 573-882-3364.

Photo: L.G. Patterson



Brothers Drew (left) and Shannon Pulls work with “Dozer” in the basement of Drew’s Jackson, Mo., home. Shannon publishes quarterly estimates on fast-moving companies on his EarningsWhispers.com Internet site.

## Selective disclosure

CONTINUED FROM PAGE 19

analysts, so he and researcher Rodney Yap designed a computer program to check their accuracy. They compared the analysts’ estimates on “First Call,” which is the bible of analyst estimates, with the whisper estimates from two Internet sites that collect them.

Leefeldt also conducted personal interviews, including a trip to see the owner of one “whisper” Web site operating out of a basement in the backwoods of Jackson, Mo. Leefeldt also talked to analysts, company officials and major money managers, who told him how analysts were “tipping” them to the real estimates.

First Call and the other services which report analysts’ estimates acknowledge that they now compensate for analysts who underestimate companies’ earnings on purpose. First Call has created “Hispers” (HISTORICAL SurPrise EaRningS) which factors in how much analysts have underreported in the past. The Institutional Brokers Estimate Service says that in the latest earnings season, analysts are still too low in their estimates,

but only half as bad as they were earlier in the year. The two whisper sites have more than doubled their business, and a third, owned by Citigroup and Donald Trump, has started up.

The biggest difficulty in this story, which took almost six months to complete, was trying to establish a yardstick so that we could prove that the whispers were right and the analysts were lying. We succeeded by trolling the Internet and finding two sites, Earningswhisper.com and StreetIQ.com, that collated the whispers and put them into a single number that could be measured against the analyst average. The second difficulty was in establishing why the analysts were lying. For that we needed to find and expose the investment banking relationships that companies were using as levers to control the analysts.

We obtained data from First Call and the two Web sites. We then designed an Excel program to compare the whispers with First Call and the actual earnings. There is now a third service, whisperestimate.com. There were no FOIA problems because we dealt strictly with private industry sources. The data, once we found the Web sites with a search engine (Infoseek), were remarkably easy to use.

## Smoke, mirrors, earnings

The story “The End of Earnings,” shows how companies – with the approval of their accountants – are now able to understate their losses and overstate their earnings.

We noticed that more and more companies, particularly in the Internet and telecommunications industries, were reporting in terms of “cash earnings,” which avoided telling investors about the true cost of their numerous acquisitions. The story required knowledge of accounting, which Leefeldt learned through textbooks, a history of the Financial Accounting Standards Board (FASB) and a thorough study of several quarters’ worth of earnings releases.

The piece also was based on interviews with Edmund Jenkins, FASB chairman, and members of his staff, accountants and accounting analysts, the companies involved, interviews with the Securities and Exchange Commission and experts such as Jack Ciesielski, the conscience of the industry.

If anything, more companies are now using “cash earnings.” The FASB has yet to issue a final ruling on “cash earnings,” and several accounting authorities have spoken out against it.

For this story, we used market research from Securities Data Corp. on mergers. We obtained a list of companies that had adopted “cash earnings” from First Call, then – using Excel – compared their results under normal earnings with those under “cash earnings” to show how big the losses really were, and how investors were being deceived. We have continued to do this in following quarters as the number of firms using cash earnings has grown.

## Closed doors

“Access Denied,” by Adam Levy, looked at how companies routinely disclose market sensitive information at closed-door conferences with big investors and analysts, giving them a chance to trade first and putting small investors at a disadvantage.

While we’ve been tracking this abuse for seven years, this investigation sprung from a recent series of events that affected our ability to cover the news. Often our reporters were barred from meetings and disconnected from

conference calls (along with other investors) at which crucial information was disseminated. We also investigated when stocks moved dramatically with no apparent reason. The reality was the fluctuating share prices were a reaction to comments made behind closed doors. And our proof came from SEC documents, transcripts of conference calls, earnings releases and analyst reports.

Money managers – those with access to, and those barred from, company meetings – were our best sources. We also had help from Wall Street analysts and contacted more than 70 companies to review their policies on teleconference calls with analysts and other disclosure matters.

About 20 percent of the companies told our reporters they would be prevented from gaining access to the teleconferences. We tried to gain access anyway and always identified ourselves by reading a statement about selective disclosure:

“Hello, this is (name) from Bloomberg News. As an agent of shareholders and bondholders and in the interest of full and fair disclosure, as required by the SEC, Bloomberg News intends to listen to this call and do everything it can to report and broadcast its content as soon as possible and keep a record of it.”

If we were kicked off the call, we interviewed spokespeople. (Some of these conversations were

taped for television and radio, with the person’s permission.) Some companies said all the people who needed the information were getting it, or the information wasn’t material, or the information was protected by copyright and shouldn’t be disseminated further without their permission.

Since 1998, when we began reporting every instance of selective disclosure in a news category called HUSH, lawyers from various companies have threatened to sue us for copyright infringement – threats that so far have proved empty.

On Dec. 15, nine days after our story was published, the SEC proposed a rule to stop companies from disclosing market-moving information to securities analysts and large investors before they release it to the general public. This measure would require companies to issue a press release or take other steps to inform the public at the same time they discuss with analysts or institutional investors any information that’s likely to have an impact on share prices.

In addition, several companies have changed their practice of limiting attendance on conference calls and now invite all shareholders to participate in the call.

*Matthew Winkler left the Wall Street Journal in 1990 to start Bloomberg News, a global news service. He is editor-in-chief.*

## LEARN IT TO COVER IT

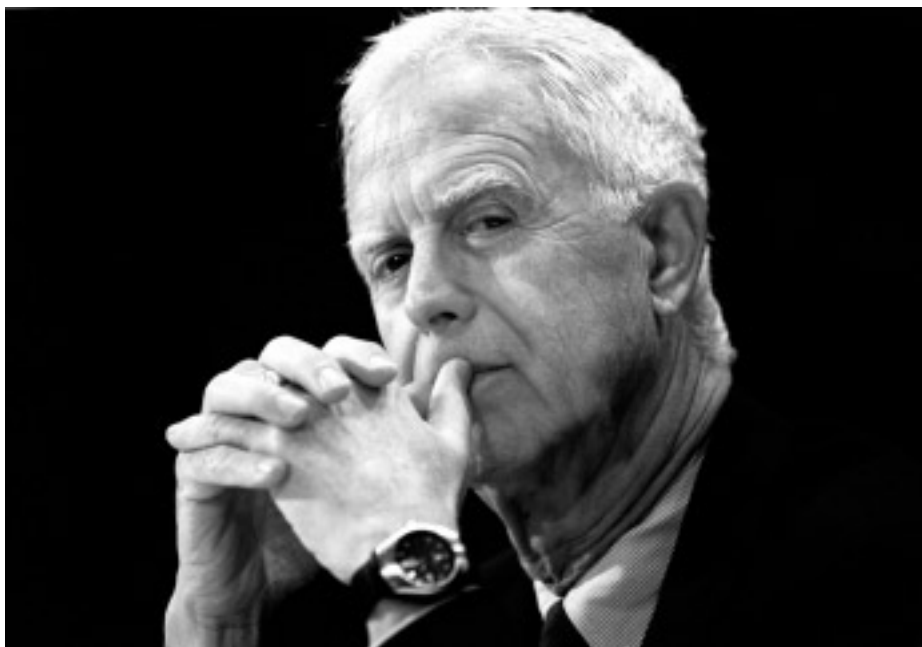
If you’re going to investigate business, then learn business. Here are some tips about covering the issues in corporate America:

- Seek the real deal. It’s essential that journalists learn accounting to reduce the risk of being manipulated in an earnings release – and always read the footnotes in an earnings report, which is where they hide the real information.
- Look under every rock. Companies always put the best face on whatever earnings or revenue they have. They will fight hard if anyone tries to look behind their numbers at what’s really happening. The acquisition binge (more than \$800 billion in the 1990s) has created a huge amount that has to be written down against earnings, as well as a big incentive to hide it. Accountants are generally no help in discovering this; they work for the company. It was necessary to find sources outside the industry, and to be our own accountants.
- Watch stock prices for a reality check. Companies deny they give out “inside information,” but the truth is in their stock price. If it jumps, or tumbles, there’s usually a reason. The company just isn’t talking about it.
- Take a shot. A reporter shouldn’t be afraid to go to one of these closed meetings, get the door slammed in his face, and then write about it afterward.

Remember: A company will always try to give first crack at information to those who can most affect its stock price: big investors and analysts. Breaking into this network of self-interest and representing the small investor will continue to be a challenge no matter what the SEC does.

- Matthew Winkler

Photo: Linda Spiller | Bloomberg News



Arthur Levitt, chairman of the Securities and Exchange Commission, called selective disclosure “a stain on the market” and introduced reforms that are currently pending.

# Justice still in question after records exposed in case of imprisoned teen

BY KIMBERLY LENZ  
OF THE (NEWPORT NEWS, VA.) DAILY PRESS

Nineteen-year-old Ricky Cullipher has spent the last three years in prison, convicted of a crime it now appears he didn't commit. Ricky's story has all the components of a classic bad dream: an innocent wrongfully accused, zealously prosecuted, scarcely defended.

It's a story about how easily justice forgets the nobodies – the folks with no money, no experience and no connections.

My partner Joanne Kimberlin and I told Ricky's story in a 50,000-word, eight-day series last fall in the *Daily Press*, a Tribune Company newspaper in Newport News, Va. We used a narrative style more suited for a detective novel than a newspaper story, and our readers largely stuck with it every word of the way.

## Ricky's story

Ricky was a 15-year-old learning disabled boy in the hands of skilled interrogators in Hampton, Va., in the spring of 1996. His

confession to shooting his 16-year-old friend Danny Caldwell – one he immediately recanted – was made without his father present.

Prosecutors were so certain that only the guilty confess that they ignored eyewitnesses and evidence and even the fact that Ricky's defense attorney was an addict. Also ignored was the alleged victim's psychiatric and criminal past, which at the time included two suicide attempts and more than 20 criminal charges. Further, the videotape showing him admitting he shot himself – and laughing about it – was given scant attention because of a Virginia law that limits introduction of new evidence 21 days after the trial concludes.

Kimberlin and I found out about Ricky the way many newspaper stories start: with a phoned-in tip. Kimberlin checked it out, heard the Culliphers' story and saw the video.

Rick Cullipher Sr. explained that he thought the only way to get his son out of prison was to "go public." Ricky's lawyer had dreams of



Ricky Cullipher is a learning disabled 19-year-old serving time for a crime many say he did not commit – including the victim and eyewitnesses.

national media exposure, but Kimberlin finally persuaded the lawyer that Ricky's best shot was the local paper. The Culliphers laid out the whole story and, in January 1999, Kimberlin wrote a column about their nightmare. Editor Will Corbin said he wanted more detail. He also suggested she find someone to help. By the end of March 1999, Kimberlin and I had dug in. We soon became known – derisively – around the Hampton courthouse as "two women on a mission."

We kept talking to potential sources, even when they clearly wished we'd go away. Wit-

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## FINDING FACTS, PLAYERS

By Kimberly Lenz

Our goal was to learn as much as possible about Ricky's case. That soon included the criminal and civil histories of everyone involved in the case. There was nothing fancy about our research; it was pedestrian, unglamorous, shoe-leather reporting. What was unusual is that our bosses cut us loose for the better part of a year (Hurricane Floyd a notable exception) to stick with it.

### Some of the steps we took included:

- Poring over transcripts and medical records. We conducted hundreds of interviews, seeking out anyone whose fingerprint was on the case. We scoured local courthouse records – civil and criminal – for a whiff of history on all the players in Ricky's story. This story proved not to be an exception to the rule that good stuff typically comes out of a civil case file.

- Tracking the evidence. We got a crash course in law, and when we didn't know the answer, we asked. If the answers seemed bizarre to us, we asked again.

We found through our efforts that there was no physical evidence; the police hadn't collected any. Ricky's trial attorney did not protect him from an adult prosecution and never spoke to witnesses.

- Investigating personal histories. We picked through the medical records, finding multiple references to the alleged victim's tangled psychiatric and criminal past by his own doctor and mother. These were either overlooked or ignored by both sides of the case.

We found the surgeon's report that detailed the trajectory of the bullet. It was a piece of information that police hadn't ever asked about, something that would have been critical if they'd asked the position of everyone in the room when the gun went off.

# TRUCKING

## Licensing scam led to dangerous drivers on the highway

BY CAM SIMPSON  
OF THE CHICAGO SUN-TIMES

The parade of public officials who have marched to prison for corruption in the Windy City is long: Greenbacks have been part of Chicago's political handshake for decades.

Still, there was something few Chicagoans had seen until last summer: A political corruption case that left a trail of human misery, and even deaths, in its wake. *The Chicago Sun-Times* first documented it in an investigation published June 1, 1999.

The story actually began Sept. 3, 1998, when federal prosecutors announced the arrests of two state employees on extortion charges. The women were supervisors at a suburban testing facility operated by the Illinois secretary of state, a statewide elected official whose primary responsibility is to oversee all drivers' licensing. The women issued passing grades to undercover agents on commercial-licensing exams in exchange for bribes. Even on that first day, many media outlets were reporting that the scandal would soon be tied to the campaign fund of the women's boss: Illinois Secretary of State George Ryan, who was running for governor and stood only 60 days away from election.

A political firestorm was born. The focus in the press was on politics, where it would remain for months to come, even well after Ryan was elected governor.

By early in the next year, the supervisors and three other people involved had pleaded guilty and admitted helping more than 200 unqualified truckers grease their way past crucial licensing exams with bribes. They also admitted churning more than \$50,000 in bribe money into campaign contributions for Ryan in order to meet office fund-raising "obligations." And managers at a second truck-licensing facility, this one in suburban McCook, were charged with running the same racket, although they generated a lot more money for Ryan's campaign.

Through all of this, the issue of public safety was mostly an afterthought, even though federal prosecutors had dubbed their continuing probe "Operation Safe Road." There was little evidence quantifying or illustrating the threat created by hundreds, perhaps thousands, of unqualified truckers rumbling down the nation's roadways with commercial driver's licenses obtained through bribery rather than merit. The feds hadn't tracked it. The state certainly wasn't about to. So we decided to do it ourselves.

After a few months of digging, here's some of what we found and published:

- At least 20 people had been injured in 59 accidents involving drivers allegedly licensed through the scandal. Two drivers died in their own fatal truck accidents, which also sent others to the hospital. Some of the victims' lives were destroyed.

- At least 10 drivers tracked by the newspaper parlayed their commercial driver's licenses into school-bus driving permits, and they were piling up accidents, too. It was the first time school bus drivers had been linked to the scandal.

- Truckers and school bus drivers weren't the only ones suspected of getting licenses through bribes. We found people licensed as truck-driving instructors who greased their way past exams.

*The Sun-Times* found that a nationwide practice allowing truckers to swap their licenses without re-testing when they move to other states had been turned upside down via the Illinois bribery scandal. Unqualified drivers were coming to Illinois to get licensed through the scheme. Then they returned to their home states, where they swapped the ill-gotten Illinois licenses for fresh ones without having to test. One case emphasized the rippling nationwide danger: A trucker originally licensed through the scheme swapped his license in Virginia and was driving a truck out of New York when he had a fatal accident just outside of Baltimore. A subsequent

joint investigation by the *Sun-Times* and the *New York Daily News* tracked scores of drivers like this to the Empire State and across the nation.

### Fatal truck crashes

While he was running for governor, Ryan tried to calm public fears about safety by announcing that truckers suspected of obtaining their licenses through the scheme would be forced to take new tests or automatically lose their licenses. *The Sun-Times* found that program, being carried out by Ryan's Democratic successor in 1999, was a joke.

The drivers were allowed to take their new tests as many times as they needed in order to pass, rendering the tests moot. One man involved in a serious wreck featured in our story failed 26 consecutive attempts to pass his licensing exam, but was free to keep testing. Another trucker in a horrible crash, this one featured in the top of our main story, skipped from one testing center to the next until he found a way to pass. In all, this trucker failed three times at three facilities before passing at a fourth.

Our work exposed only the proverbial tip of the iceberg. There were countless accidents tied to the scandal that we didn't – indeed, couldn't – know about. Illinois driving records are notoriously bad; out-of-state accidents, seemingly more probable with over-the-road truckers, aren't even documented on Illinois records. And accidents are only recorded if a driver is convicted for an offense stemming from the crash – even though blame often is assigned or admitted through civil litigation in cases where citations were never issued.

In addition, it wasn't until months later that prosecutors alleged that a trucker involved in a locally infamous 1994 accident that killed six children had been licensed through the scheme. (A personal injury attorney who filed suit on behalf of the family involved actually was the first to uncover widespread license bribery under Ryan. The attorney's findings, first reported by a local television station in the spring of 1998, sparked the federal investigation).

Perhaps our biggest achievement was putting a human face on the scandal. We told the stories of real people affected by the corruption. Here's how our main story began:

"Marilyn Saran met Elias Guzman on a summer morning last year when his Mack truck ripped through the driver's side of her Volvo, leaving her body bent and pinned inside.

Her spleen and a lung were punctured, five

CONTINUED ON PAGE 32 >



# PAID FOR BY ...

Behind the presidential ad wars:  
Who's paying for what?

BY DARREL ROWLAND  
OF THE COLUMBUS DISPATCH

**T**hree little words. To the Republican Party, they were worth about \$30,000 apiece.

While many political reporters wrote about the high-priced ad war launched this summer in presidential battleground states by the national Democratic and Republican parties, few took note of the “paid for by” disclaimer at the end of the commercials.

Usually the obligatory statement of who picked up the tab for a political ad is a throwaway line. Not this time. That’s because the TV spots are but one of several ways in which national and state political parties are working together in a scheme to evade federal election law.

Reporting the latest campaign finance abuses has become a regular of covering an election. Our vocabulary has grown to include such obscure (to the public) terms as hard and soft money, “527” groups, issue ads and independent expenditures.

Stories on these topics usually emanate from Washington and contain primarily a national perspective. But we journalists outside the Beltway – especially those of us in the presidential battleground states – are missing a major opportunity to serve our readers if we drop the story there.

That’s because political parties in many of our states are witting co-conspirators with their national counterparts in this ongoing game to go over, under, around and through campaign finance laws.

In Ohio, we noticed that while the so-called “issue ads” (another scam that we won’t cover here) touting George W. Bush and Al Gore were bankrolled by the national parties, the little-noticed disclaimer showed the commercials officially were “paid for by” the Ohio Republican Party and the Ohio Democratic Party.

Why the ruse?

This is where you earn those big bucks they shell out to hard-nosed, insightful journalists. To discover how campaign finance laws are being abused, you first must have a basic familiarity with the law itself.

Remember that while all dollars may be green, under federal campaign law some are more valuable than others.

“Hard” money is the most coveted because those dollars can be spent on virtually anything related to a campaign, including payments directly on behalf of a candidate. However, hard money also is harder to get because there are stringent limits on how much a contributor can give and restrictions on who can donate.

“Soft” money is the most plentiful because there are few restrictions on giving. Donors – usually big unions, corporations or wealthy individuals – are limited only by the size of their checkbook. However, the use of soft money is restricted; the cash is not supposed to go directly to a candidate, for instance.

Thus, the game is to preserve precious hard dollars, and shift all spending possible to soft dollars.

Here is what some reporters don’t realize: Under a quirky, little-known rule, the Federal Election Commission mandates that the kind of ads airing in battleground states must be funded with a certain percentage of hard money. The complicated formula established by the FEC is based on the number of statewide races in each state in a particular year.

The key – and the motivation for political mischief – is that the hard money percentage is higher for the national parties than the state parties.

For example, if the Republican National Committee had directly purchased the \$400,000 worth of pro-Bush ads initially purchased in Ohio, the RNC would have had to pay 65 percent of the cost in hard money, or \$260,000.

But the Ohio GOP had to pay only a 43 percent share of hard money, or \$172,000.

Thus funneling the money through the state party saved the GOP nearly \$90,000 in precious hard dollars – about \$30,000 per word of the disclaimer.

The Democrats did the same thing for the

pro-Gore spots airing in Ohio.

How do you do this story? First, check the disclaimers on the ads to see whether your states’ parties are listed as funding the spots.

Next, find out the amount of the ad buy either from the TV stations or (we found this to be much faster) from the state parties, who keep track of the other party’s ads as well as their own.

Then get the hard money percentage for your state from either the FEC or your state parties. Finally, calculate how much hard money your state party saved by lending its name to the ad.

While this practice is not necessarily against the law (although the FEC’s general counsel and staff thought so), remember that in campaign finance, it’s not necessarily what’s illegal that’s outrageous, but what’s been deemed legal.

“Practically speaking, there are no rules at all this year,” says Larry Makinson, executive director of the Center for Responsive Politics. “It’s a complete free for all.”

There’s other fun stuff to check for on the state level as well: Directed contributions and selling money.

The former seems primarily a Democratic practice. In 1992 and especially in 1996, top officials of the Democratic National Committee directed several big donors to give money to the state parties, who then forwarded the cash to Washington, where FEC reports would merely show a check from the party, not the individual donor.

That means nosy reporters who wanted the full picture of Democratic fund-raising were forced to check records in state capitals, not just the FEC.

The Ohio Democratic Party’s top contributor in 1992 was Indonesian billionaire James Riady of the Lippo Group, who sent a \$75,000 check less than a week before the November election. The state party chairman at the time didn’t even know who Riady was until the Democratic fund-raising scandal surfaced after the 1996 election.

Four years ago, the Ohio party got donations of as much as \$75,000 from the head of the national trial lawyers association; a combined \$53,000 from Thai businesswoman Pauline Kanchanalak and her sister-in-law, Duagnet “Georgie” Kronenberg; and others with no connection to Ohio, such as the \$25,000 from Little Rock, Ark., lawyer Joseph Giroir Jr., who worked in Hillary Clinton’s law firm.

The popularity of directed contributions has dimmed a bit because Democrats had to return hundreds of thousands of dollars after the 1996

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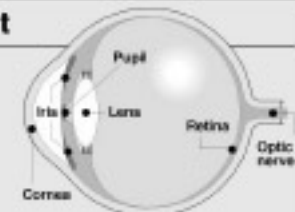
Photo: The Tampa Tribune



Dr. James Rowsey explains a tool he invented for use in cornea transplants.

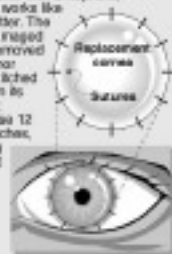
### A cornea transplant

The cornea is a thin tissue covering the front of the eyeball that protects the iris and pupil. If damaged by infection or injury, vision is reduced. A corneal transplant is a remedy, about 44,000 are done in the United States annually with a 92 percent or greater success rate.




### The procedure

A replacement cornea is removed from a cadaver with a trephine, a knife that works like a cookie cutter. The patient's damaged cornea is removed and the donor cornea is stitched to the eye in its place. Most surgeons use 12 or more stitches, and healing takes about a year.



### The Tampa Trephine

The Tampa Trephine used by USF's James Rowsey left as many as six tabs extending like flower petals from the donor cornea. Rowsey hoped to avoid damage to avoid healing. He wanted to secure the cornea by inserting the tabs into slots on the patient's eye. A suturing technique was not found. One report on 24 surgeries showed an average 12.7 stitches were used."



Source: National Eye Institute; \* "Feasibility Study for Tampa Bay Trephine, Technology Deployment Center, Final Report," University of South Florida, March 1998

ANDY DORSETT/Tribune graphic

# RESEARCH IN THE EYE OF THE BEHOLDER

## Florida doctor's experiment questioned

BY GRACE FRANK  
OF THE TAMPA TRIBUNE

**H**is own writings called his work research.

But James Rowsey did not regard it as such, and he operated on children and adults alike without informing them that he would be using a tool he had invented and some colleagues considered experimental.

We recognized early on that this story was likely larger than Rowsey — because it spoke directly to the conduct of medical research and patient protections at the University of

South Florida, the state's second largest public institution.

Still, a man's reputation was on the line, and he intended to go down fighting. Rowsey had at least one attorney (and at one point as many as four) working on his behalf while our series on him and his practices ran between February and December 1999 after a year's worth of investigation.

In the end, Rowsey, a USF surgeon, tenured professor and endowed chairholder, resigned. And the school, under federal inquiry into its

research, enacted reforms ranging from stronger oversight to better training in order to safeguard against future problems.

The Rowsey report began, like most investigative work, with a basic records check while researching an almost unrelated story.

Rowsey, an evangelical and outspoken Christian, was being sued by two former USF colleagues. The two doctors alleged that Rowsey, while chairman of USF's ophthalmology department from 1991 to 1997, had discriminated against them for refusing his religious overtures and retaliated when they complained. But tucked inside Rowsey's personnel file was a memo to a USF professor unrelated to the lawsuit.

That letter, kept by Rowsey as a reminder of a reprimand he had issued, berated the pathologist for relaying concerns to an outside office about an instrument that Rowsey had helped to invent. It was immediately clear from the letter that the pathologist had questioned publicly the tool's use in human surgeries.

It also was clear Rowsey dismissed those concerns.

### Troubling practices

I was curious as to what Rowsey had invented, and whether it indeed was being used wrongly on patients.

University and other records showed that Rowsey used the tool, which he called the "Tampa Trephine" in honor of the Florida city

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# HOUSE ARREST

Offenders found running free on streets

BY MARK DOUGLAS  
OF WFLA-TV, TAMPA

**B**y the time I met David Wasson, I'd sifted through hundreds of records and interviewed dozens of people for a story about criminals under house arrest. Wearing a bracelet strapped conspicuously to his ankle, he stood with his arms crossed over his bare chest in his apartment doorway.

"Some are violent," Wasson says of others like him under house arrest. "Some get violated for doing stupid stuff and they're going to pay the price."

He's right. There are many felons under house arrest, violent and doing "stupid stuff" – but not all of them pay the price under Florida's honor system of justice called "community control." Our investigation revealed that many

avoid restitution, commit more crimes – or skip out altogether.

Wasson's own house arrest came after he pinned his girlfriend to the floor and punched her face about 25 times. She fled to California and Wasson ended up as one of more than 13,000 criminals serving time in Florida's virtual prison.

## State secrets

During countless visits to the local courthouse to cover other stories, I noticed a recurring charge on judges' dockets: "violation of community control." When I questioned Florida's Department of Corrections (DOC) local staff about how the system worked, they repeatedly referred me to the DOC press



Ankle bracelets are worn by Florida felons under an honor system known as "community control," designed to make them prisoners in their own homes. But an investigation showed that many simply walk away from homes, jobs – and punishment.

## CHECKING INTO HOUSE ARREST

Some tips for finding out about those under house arrest include:

**1. Contact the agency in charge of house arrest and ask for a copy of the most recent performance audit.**

**2. Befriend the agency's statistician. Ask for the numbers and find out who else gets their reports.**

**3. Ask early for an electronic database of inmates. Request it on a user friendly format such as Microsoft Excel or Access. Don't settle for paper files if electronic data is available.**

**4. Find the people to go with the numbers.**

**5. Keep an open mind. Don't forget fairness when choosing subjects. You want to look for more than villains, such as examples of where house arrests work.**

**6. Look for solutions. (Florida is now trying a satellite-tracking system of ankle monitors that we field-tested.)**

**7. Seek out the victims whenever possible. They'll jump at the chance to have a voice in your story.**

**8. Avoid getting lost in names and numbers. Use simple database programs to sort crimes and manage the information. While posting this information on the Web can be nerve-racking, it also provides a big benefit for your viewers or readers.**

**9. Build in plenty of lead time for compiling and checking information.**

office in Tallahassee, 300 miles away. I soon discovered why.

The DOC had not conducted a systematic review of community control since its inception more than 16 years ago, even though plenty of evidence in the DOC's own files suggested the system didn't work in the public's best interest.

It turns out that in Florida most criminals have their house arrest revoked because of recurring violations. One out of five commit more crimes while under house arrest. In my home county of Pinellas, more than 700 felons have simply opened their own doors and walked away from punishment and accountability.

I discovered that DOC policy guarded the privacy of criminals under house arrest from neighbors, the press, and even police. After our initial reports, Pinellas prosecutors charged one man under house arrest with murdering his sunbathing neighbor by stabbing her 52 times with a paring knife. The young woman didn't know a violent felon was serving his sentence next door. It was a state secret.

When I asked DOC managers about a database of Pinellas County felons under house arrest, the reaction was sluggish at best. Weeks after my public records request, the DOC statewide program manager told me: "We don't know where they are." Of course somebody in the DOC knew, but that information wasn't stored electronically. So, as part of our project, we built the first database that included house-arrest felons and their addresses.

Still, it took the DOC several more weeks to deliver printed copies of those addresses which they gathered from dozens of probation officers in Pinellas County. By this time, our database producer, Rocky Glisson, had cleaned up the initial electronic list of names, offenses and sentencing dates that the DOC had given us in Excel format, and exported it to an Access file for easier manipulation.

Then came some hard work. Glisson spent two weeks manually entering home addresses as an additional field of data for nearly 1,100 criminals. He weeded out halfway houses, drug treatment centers, and questionable addresses. And since we planned to eventually publish this list on WFLA's Web site, we checked every name and address on the list four times for accuracy. Even then, we encountered a few errors. One felon called us to report she didn't live on "East" street as our Web site indicated. Her actual address was on "Easy" street. The DOC had given us an incorrect address.



Tina Dishaw, a convicted heroin dealer, had not worked for three weeks when reporters caught up with her. Her probation officer promptly arrested her after he was alerted.

Glisson took the process one step farther and "geocoded" the addresses so we could generate maps for both our TV reports and the Web version.

### Surveillance targets

While Glisson worked on the addresses, I began searching the database for surveillance targets. I selected unusual names to avoid confusion and browsed through dozens of court files looking for criminals whose misadventures might help tell the larger story of the system's pitfalls. I eventually settled on a short list of felons who committed serious crimes, couldn't seem to follow rules, and left behind an angry trail of victims.

Videographer Eric Hulsizer and I hit the streets day and night, searching for assaulters, robbers, drug pushers and burglars who were stepping out without permission. Our hunt had challenges. Most criminals under house arrest spend much of their day working or running errands. We had to determine whether their time away from home was authorized. We kept detailed logs and waited until later before asking the DOC for the felons' schedules. We didn't want probation officers spoiling the "surprise" by tipping off criminals that we were watching them.

We often surprised our targets. One convicted burglar named Donald Forni was living under house arrest inside a gated, waterfront apartment complex. Forni was hosting all-night parties and

consuming cocaine and marijuana. His plucky 88-year-old neighbor, Millie Fahey, knew all about the loud parties but nothing about Forni's drug use, criminal record and house arrest. "Oh my God!" she gasped after finding out, and vowed to change her habit of forgetting to lock her door at night. Police arrested Forni the same

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### Converging efforts

This project became one of WFLA-TV's first "convergence" projects – an outgrowth of Media General's melding of its television news and newspaper operations in Tampa.

We began our coverage with a newspaper summary of my investigation in the Tampa Tribune, followed by TV reports starting that same night on WFLA's 6 p.m. news, with a longer companion version published on our Web site.

The Web version featured its own narrative, house-arrest statistics, our database of criminals, and plenty of names and addresses that consumers could use to contact government and community leaders about the problems we uncovered.

# Check out the September issue of Uplink

The September issue of Uplink focuses on one of the hottest issues in computer-assisted reporting: mapping. With 2000 census data coming out soon, mapping is a skill that will be in high demand. Steve Doig of Arizona State University explains how every bit of census information is connected to a particular piece of geography and tells you what software will make those connections for you.



## Other mapping stories in September Uplink:

- Jeff Thomas of the Colorado Springs Gazette shares his experience on getting started with mapping.
- Ron Nixon of The Roanoke Times uses mapping to reveal faults in plans to relieve flooding.
- Jennifer LaFleur of The St. Louis Post-Dispatch writes about how journalists in Europe are using mapping.

Uplink is a monthly newsletter of The National Institute for Computer-Assisted Reporting and IRE. It includes valuable information on advanced database techniques as well as success stories written by newly trained CAR reporters.

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## House Arrest

CONTINUED FROM PAGE 29

evening our story aired.

Another felon under house arrest, Tina Dishaw, was a convicted heroin pusher who was wandering the streets at night, using illegal drugs, and had not worked for three weeks when we caught up with her. Dishaw's activities were all news to her probation officer, who arrested her soon after we alerted him.

Personally, my favorite catch was convicted robber Donald Bransteitter. He was on the run for three months as a fugitive from his house arrest. We found him in three hours and notified the sheriff's fugitive warrant squad. Two detectives found Bransteitter hiding under his bed with the dust bunnies. As they led him to jail, Bransteitter offered this sage advice to other criminals under house arrest: "Don't screw it up."

Despite our findings, DOC managers seemed more concerned with damage control than community control, and refused our requests for interviews. In the end, our cast of characters included criminals, prosecutors and probation officers. We featured angry victims, scared neighbors and concerned cops. Personal stories of frustration and fear gave texture and meaning to our stories.

We painted the big picture and the small one with the help of the statewide statistics and the database we'd created for Pinellas County. We published a directory of where house arrest criminals live in our community. More than 10,000 viewers checked their neighborhoods through our Web site. I found a convicted burglar living about a block from my own home.

Several of the criminals we profiled landed in jail and eventually prison after we highlighted their misbehavior. Our reports inspired the Florida Senate Criminal Justice Committee to propose reforms. Although those reforms met with eventual defeat in the Florida Legislature, the DOC has begun to fix some of the shortcomings of community control.

A few months ago, Florida's DOC finally published its own online database of criminals under house arrest. Now, when someone convicted of a violent or other serious crime is serving a sentence next door, you can look him up on the Internet – picture, profile and all.

*Mark Douglas is a general assignment reporter assigned to the WFLA-TV Pinellas County news bureau. He takes on occasional investigative projects.*

## Medical Research

CONTINUED FROM PAGE 27

where USF resides, in surgeries starting in March 1995.

Specifically, a trephine is a surgical knife that works like a cookie cutter to punch a donor cornea from a cadaver's eye. The transplant, usually looking like a large contact lens, is sewn onto a patient's eye and stitches remain in place for more than a year. Rowsey's trephine, in contrast, punched donor tissue with six tabs, much like petals on a flower. The tabs were tucked into corresponding slits on a patient's eye.

Rowsey hypothesized that the tabs would stabilize the cornea, so no stitches would be needed. When he failed at a sutureless technique, he tried for fewer stitches than normal to be removed earlier than usual.

But while the theory had merit, Rowsey put it into practice in ways that were troubling.

Rowsey was using the tool in transplant surgeries for months before he requested and received USF permission to experiment on patients. His own research request barred him from using the trephine on children and required adults to give written consent.

Rowsey ignored those precautions.

USF first sanctioned his decision and then, as evidence mounted that he and school officials were in the wrong, quietly shut down his work.

Patients were never told that their cornea transplants differed from standard practice and most never would have learned their procedure was out of the ordinary if Rowsey had not apparently panicked in May 1999 as pressure mounted. He wrote to some early patients, asking that they confirm in writing that they knew he would be using a new surgical knife called the Tampa Trephine.

People who contacted the *Tribune* afterward said Rowsey's letter was their first official notice that things were amiss.

"I had never heard of that [trephine]," patient Harry Rogers told the *Tampa Tribune* in November 1999. "I'm not saying that thing he used wasn't good. But maybe it wasn't good for my eye. I should have been given the option of saying 'no.'"

The nation's largest private professional association for eye doctors agreed. The American Academy of Ophthalmology suspended Rowsey's membership for ethical violations, citing his use of an instrument he helped to invent and stood to profit from on patients without their consent.

USF's own records and hospital documents were riddled with troubling contradictions that convinced the *Tribune* to proceed with its reporting. Among them:

- Despite his research proposal limiting the trephine's use to adults, children were among Rowsey's earliest patients. Between March 1995 and March 1998, when his trephine was abandoned, he operated on at least eight underage patients, including a 15-month-old boy.

- Rowsey denied he stood to profit from his trephine's production and use. Yet his grant proposals included predictions of sales revenues topping \$25 million between 1995 and 2000. Rowsey also filed the earliest patent on the Tampa Trephine, which USF later refiled, listing Rowsey as a co-inventor.

- In a spring 1995 USF publication, Rowsey called his trephine a breakthrough discovery

### Medical reporting

"Investigating Medical Research and the Stories We're Missing," a tipsheet by Delores Kong, *Boston Globe*, #1192, is available from the IRE Resource Center. It includes tips for those interested in medical reporting, and how to get copies of consent forms for studies, where to find FOI information for NIH, FDA, and more. Call 573-882-3364 to order.

that would "revolutionize" cornea transplants. In October 1995, he told a USF research board set up to protect patients that it was just a minor improvement on an existing practice.

The board had convened after officials learned through a newspaper that Rowsey had operated on patients using his trephine months before he had USF permission to begin experiments. The board accepted without question Rowsey's argument that it wasn't an experimental tool.

The decision to allow Rowsey to proceed outside a formal research study came after about 30 trephine surgeries. USF records reveal that board members and university lawyers requested no confirmation that Rowsey's surgeries and earlier animal experiments went well.

- In October 1995, weeks after the USF vote, a private clinic heard similar testimony from Rowsey and reached an opposite conclusion.

The Tampa clinic barred Rowsey from using his trephine without a formal research study and patients' written consent to an experimental procedure.

- Rowsey's trephine work did not adhere to his own development schedule. One glaring example: Rowsey applied for and received nearly \$764,000 in federal money to develop and test the Tampa Trephine on cadaver and cat eyes prior to human use. But essential live animal tests comparing his transplant method to standard practice did not even begin until he had used his trephine on at least 30 people.

When the *Tribune* requested notes or other evidence of comparative cat experiments to justify the federal grants, USF released records that were spotty at best. University officials had to acknowledge they did not have the animal notes, which the federal government requires a research lab maintain for years after tests on animals conclude.

USF officials adamantly stood by their 1995 decision for four years.

Rowsey's lawyer contended that the doctor used his trephine in surgeries because he determined it to be the best treatment. But eventually the ophthalmology academy suspended Rowsey's membership for two years for ethical violations, and USF barred him from teaching or patient care for a short period and banned him from any university-sponsored research for three years. It's the harshest action believed taken against a tenured professor in USF history.

Rowsey initially challenged the suspension, but resigned in September and accepted work at a private clinic owned by an evangelical friend who had helped recruit him to Tampa almost a decade ago.

The USF scientific misconduct panel would eventually decide Rowsey's trephine surgeries should never have been allowed outside a formal research study, which requires a patient's prior written consent to take part in an experiment. However, the six-person panel decided his work didn't constitute misconduct or improper human experiments because it fell short of being a "systematic investigation."

*Grace Frank began reporting at the Tampa Tribune in October 1997. She began researching James Rowsey's trephine surgeries in December 1998, and began reporting on them in February 1999. More than 50 articles detailing those surgeries appeared in print that year. She recently resigned from the Tribune to work in New York.*

## Paid for by ...

CONTINUED FROM PAGE 26

election because of questions about the origin of the money. Kanchanalak and Kronenberg pleaded guilty in June to making illegal campaign contributions in exchange for access to President Clinton and other top administration officials.

How to ferret these out? Don't forget the fundamentals: Make sure you look closely at the contributions to your state parties' federal account. If somebody out of state is giving five-figure donations, you're onto a story.

While such quasi-money laundering has not showed up yet in Ohio this year, another dodge around federal regulations is operating at warp speed.

Since not all campaign dollars are equal, the parties have developed their own little black market to trade hard and soft money – a practice sometimes referred to as “selling money.”

These little-noticed dollar deals are lucrative, netting a “profit” of \$250,000 for the Ohio Republican Party and \$350,000 for the Ohio Democratic Party since mid-1995. The \$600,000 combined haul for Ohio parties stems from the insatiable demand for hard money in Washington, which causes the national parties to offer generous premiums to state parties

that ship them hard dollars. For example, three times last year Ohio Democrats traded \$50,000 in hard money to the Democratic National

### Tracker

This story also appears in *Tracker*, the quarterly Web newsletter of IRE's Campaign Finance Information Center. Other stories in the Summer 2000 issue were contributed by Nedra Pickler, *Associated Press*; Richard Dunham, *Business Week*; David Knox, *Akron Beacon Journal*; Jeff South, *Virginia Commonwealth University*; and Lori Prichard, of the IRE staff. They can be found at [www.campaignfinance.org/tracker/summer00](http://www.campaignfinance.org/tracker/summer00) on the CFIC Web site.

Committee for \$60,000 – a 20 percent premium – in soft money that the Ohio party can spend more easily than their national counterparts. Similar transactions took place between the state party and both the Democratic Congressional Campaign Committee and the Democratic Senatorial Campaign Committee.

The Republican National Committee has

been even more generous, awarding up to 50 percent premiums to the Ohio GOP.

This practice is the hardest to track because of the blizzard of checks typically flowing back and forth between the national parties and state headquarters.

At *The Columbus Dispatch*, we purchased data from the Campaign Study Group, run by Dwight Morris, formerly of the *Los Angeles Times*. Otherwise, we were looking at sorting out \$18 million sent by national parties to Ohio, and \$5 million by Buckeye State parties back to Washington over the past decade.

Once you obtain the campaign finance data, a sort by date should prove useful; we found a sort by amount was even better to match up the money trades.

Still, pinning down the exact “profit” earned by a state party in these dollar deals is problematic even with the best data. We showed Ohio party folks our crunched numbers, and they simply provided the actual totals, which they almost bragged about. After all, it earns political leaders points with the faithful to be helping out the nationals and profiting the state parties at the same time.

*Darrel Rowland, an IRE member for more than 20 years, is public affairs editor of The Columbus Dispatch.*

## Trucking

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ribs were broken and her collarbone fractured. Her spleen had to be removed, and doctors say the trauma accelerated her multiple sclerosis.

Guzman, who walked away unhurt, was convicted of making an improper turn into oncoming traffic, according to state and local records.

Quantifying and illustrating the human toll of this political corruption case was the most challenging story of my career. The challenge was aggravated when we became aware that competitors at the *Chicago Tribune* were attempting to quickly compile a “spoiler” story.

I started with a list of more than 300 commercial drivers whom prosecutors alleged had been licensed through the scheme at just one testing center. The list, passed to state officials by federal prosecutors in order to help get unqualified drivers off the road, was generated from the secret logs kept by a whistleblower at the McCook facility.

I used the list to create a database so I could

input and track information about each driver as I found it: data from personal injury lawsuits, tickets, convictions, accidents, injuries, re-testing information and more. Most reporters know the work involved when you use lawsuits and other public records to investigate a single individual you know little, if anything, about. Now imagine doing that for about 300 people. This was my task, though in a thankfully limited and focused way.

The database grew until we had amassed information from dozens of sources and thousands of pages of public records. Copies of crucial records filled a portable box we hauled from desk to desk as we finished the stories.

*Sun-Times* reporter Abdon Pallasch, who joined the project in about its final two weeks, was instrumental. We had a logistical nightmare just trying to track down individual drivers who were singled out in the stories. Pallasch's old-fashioned legwork in this regard was invaluable.

The stories had an immediate impact. The current secretary of state, Democrat Jesse White, instituted much tougher testing

procedures for those ordered off the road as a result of the scandal.

The scandal is far from over. As of this writing, 31 people have been charged, including one of Ryan's oldest friends. Dean Bauer, who was supposed to root out corruption as Ryan's inspector general, is charged in a racketeering indictment with covering up corruption in order to protect his old friend and boss from political and personal embarrassment. Bauer has pleaded not guilty and is scheduled to go to trial later this year. None of the truckers has been charged, because federal extortion laws treat them as victims – not perpetrators.

But hundreds have been forced off the road. And officials in more than a dozen states are trying to track Illinois truckers who landed on their highways.

*Cam Simpson covers federal crime and courts for the Chicago Sun-Times. He has covered the license-bribery scandal since it broke in 1998 and also does other investigative reporting for the newspaper. He joined the Sun-Times in 1997 from The Indianapolis Star.*

## Gotcha Journalism

CONTINUED FROM PAGE 6

sible impact of those who violate the accepted higher conventions of investigative reporting.

“We need to keep – as much as we can – our finger on the pulse of what the public thinks about our methods from day to day, and I think our reputations have taken a beating lately for all kinds of reasons. And I think that some of the things that have been done have had a chilling effect on our editors, who decide what investigative reporters can do and what not to do.”

“I do think we have a public image problem,” McGraw said. “I do think we need to watch our use of things like hidden cameras. Why do we use them? When do we use them? Do we only use them when they’re needed, or do we use them to perhaps improve ratings? I also think we need to be very careful about how we go about doing our reporting.”

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Included amid the advice for investigative reporters was Rosenthal’s admonition that they should never assume anything.

“Sometimes assumptions play out,” Rosenthal said, “but everyone needs to understand that until you get the facts it is an assumption. Sometimes the most difficult decision an editor has to make is to kill a story. These issues are complicated. I agree that we are tainted, and that’s why it’s a hill-by-hill battle to make sure it’s nailed down properly and as watertight as it can be.”

*Ralph Izard writes for The Freedom Forum Online. A version of his story first appeared on The Freedom Forum’s online news and information service, [www.freedomforum.org](http://www.freedomforum.org).*

## Teen in prison

CONTINUED FROM PAGE 24

nesses were conflicted; they couldn’t forget how far south justice had gone, but they didn’t want to court trouble by getting involved again. After all, five people were there when the bullet was fired into Danny’s brain. Only Danny – the common friend in this bunch – said Ricky shot him.

Everyone else – a stranger to Ricky up till that day – said Danny shot himself while playing with the gun. One by one, they agreed to speak on the record. The exception was Danny and his family, whom we attempted to interview by phone, in person and through letters. On every occasion they declined.

### Public outcry

The local legal community circled its wagons. It took months to arrange face-to-face interviews with key players. When we did sit down it was with an extensive list of questions and a good tape recorder. We figured this was a one-shot deal and we were right. What we didn’t count on was complete access to the police file over a four-hour interview.

That interview was key. It shored up what we’d pieced together from other witnesses. It filled in the blanks as to what happened in the three months between the shooting and Ricky’s arrest. It revealed there was quite a bit that the police never knew, never tried to know and never gave the prosecution as required.

Also key was the Culliphers’ cooperation to obtain confidential medical and educational records for Ricky. Not even Ricky’s parents knew the results of an IQ test he’d taken about a year before the shooting. It pegged his IQ at 71, the borderline of mild mental retardation, in addition to his recently diagnosed Attention Deficit Hyperactivity Disorder. Many experts questioned the reliability of any child’s statement in light of these facts.

The steady development of sources ultimately delivered a payday we thought would influence Ricky’s future. We obtained a copy of a secret contract between Ricky’s trial lawyer, the local judiciary, and a rehab group specifically for lawyers dealing with substance abuse. It showed that 14 months before the Culliphers hired him, the lawyer’s drug and alcohol abuse problems were so severe that a panel of local judges forced him into a multi-year rehab program. We learned later that the

“hammer” – reporting any infraction to the Virginia State Bar – was never used, leaving the attorney to break the contract without consequence and leaving unsuspecting clients in the dark.

The story’s results have been incremental, at best, within the justice system. Ricky’s third attorney missed a deadline for filing a state habeas petition, and recently told the family he has no expertise in the next (and final) level, a federal habeas. A group of law school students at the University of Virginia has picked up the task, which seasoned attorneys call a “procedural minefield” with little chance of prevailing. They are trying to beat a legal clock that’s about to run out.

Among the public, the results have been monumental.

Hundreds have turned out for Ricky rallies, whether held locally or 80 miles away at the state capital. They have written the governor, their legislators, TV newsmagazine producers – anyone with the power to help end this story. So far, everyone has declined.

The day the story concluded we found that Ricky’s clemency petition had been lost some six months earlier in the governor’s office. The governor said he wouldn’t be inclined to rule on a clemency petition if all legal remedies weren’t exhausted.

Within several weeks the trial attorney was in trouble. He’d failed to pay rent on a storage locker filled with thousands of confidential client files, which were sold at public auction. His troubles were compounded recently by a violation of his probationary sentence for assaulting a tenant. He now has something in common with Ricky: he’s an inmate, at least for a couple of months. The state bar says he can still practice law, at least until a disciplinary hearing sometime this fall for a matter that doesn’t concern his handling of Ricky’s case.

Ricky’s accuser, Danny Caldwell, also is behind bars. A bullet to the brain didn’t slow down his criminal leanings, and a judge finally gave him prison time.

Meanwhile, Ricky Cullipher waits. His parents are at a loss as to what the next move is. They survive on a single strand of hope, knotted at the bottom.

*Kimberly Lenz is a reporter at the Daily Press in Newport News, Va.*



## BioWar

CONTINUED FROM PAGE 15

## Tailwind factor

Now that I had my story and the pictures to go with it, I took it to the network TV news programs. Unfortunately, while I had been working on the story, another military “cover-up” report had been making news. When the “Tailwind” story by CNN and *Time* (alleging use of nerve gas during the Vietnam War) didn’t stand up to scrutiny, the network “gatekeepers” became wary of any Pentagon investigations.

With no initial takers at the networks, I decided to produce the story myself as an investigative documentary. I went looking for money and support. One source of great help was Canadian broadcast journalist Arthur Kent. Another was Sean O’Shea, anchor/reporter at Toronto’s Global TV News, whom I met through IRE.

I heard about The Fund for Investigative Journalism, an organization that supports independent investigative reporting. I sent off a proposal seeking funding assistance to begin production. My first attempt was rejected, but months later I tried again with support letters from Kent and O’Shea. I was awarded a \$10,000 grant and field production began in November 1998.

In early 1999, I began working for CBS News on an ongoing basis. After some additional reporting that discovered more documents regarding the potential health effects of the tests, the story was broadcast in May 2000 on the CBS Evening News. It ran as a two-part “Eye On America Investigation” reported by correspondent Vince Gonzales.

To date, the military refuses direct comment on the facts uncovered in the story. Many of the men involved are now beginning to ask questions, although the majority of them remain unaware testing ever took place. Now, for the first time in decades, at least some of them are starting to get answers.

I continue to look into the Pentagon’s secret biological and chemical warfare testing program. And all I can really hope for is that my next story doesn’t take nearly six years to get on the air!

*Eric Longabardi is a investigative broadcast journalist/producer based in Los Angeles. He can be contacted via e-mail at bagcam@aol.com. The two-part investigative report can be seen on the Web at <http://cbsnews.cbs.com/now/story/0,1597,194947-412,00.shtml>*

## MEMBER NEWS

CONTINUED FROM PAGE 5

at the *Billings Gazette’s* Bozeman bureau in Montana. ■ **Dave Lieber**, a columnist for the *Fort Worth Star-Telegram*, won second place in the National Society of Newspaper Columnists online columnists contest. ■ **Sean Patrick Lyons**, a reporter at the *Waterbury Republican-American* in Connecticut, won the 1999 Livingston Award for local reporting. ■ **David McCumber** has been named managing editor of the *Seattle Post-Intelligencer* from senior editor in charge of investigations and projects. ■ **Lawrence Messina**, a reporter at the *Charleston Gazette* in West Virginia, received an honorable mention in deadline/beat writing in this year’s Loeb Awards for his series on the collapse and federal takeover of the First National Bank of Keystone. ■ **Rochelle Olson** has moved from AP to the (Minneapolis) *Star-Tribune* as city hall reporter. ■ **James V. Risser**, director of the Stanford-based John S. Knight Fellowship program since 1985, announced his retirement effective August 31. He will freelance write, travel and serve on the advisory committee of the Knight Foundation. ■ **Sam Rowe**, a reporter for *The (Toledo) Blade*, won the Edgar Alan Poe Award in the White House Correspondents’ Association competition for his series on the beryllium industry. ■ **Jim Schaefer** has moved from WXYZ-TV in Detroit to the *Detroit Free Press* as an enterprise reporter. ■ *The Wall Street Journal’s* **Ellen Schultz** won the Loeb Award for distinguished business and financial journalism in the large newspaper category for her series explaining how the move to cash-balance pension plans shortchanges older workers. Schultz also received special commendation in the Heywood Broun Awards and won the New York Press Club’s “Golden Typewriter” for outstanding public service. ■ **Jeff Simmons** was named the first investigative reporter at New York 1 News, the

24-hour, all-news television station in New York City. Simmons had covered the education beat and breaking news for the station, and previously reported for the (New York) *Daily News* and *New York Post*. ■ **Emily Sweeney** has moved from staff writer to assistant editor at the weekly *Brookline Tab*. ■ **Cathy Tatom**, a reporter for KETA-TV in Oklahoma City, won the Marshall Gregory Award for Excellence in Education for her series “High Tech Solutions for Education.” ■ **Jeff Taylor** at the *Detroit Free Press* has moved to metro editor from enterprise editor. Taylor, along with **Janet Fix** and **Alison Young**, also won a Loeb Award for distinguished business and financial journalism for midsize papers. ■ **Kathy Vetter** has been promoted to managing editor for enterprise and investigations at the *Fort Worth Star-Telegram* from managing editor for news. ■ **Anna Maria Virzi** has joined Forbes.com in New York City as assistant managing editor. She was executive editor of *Internet World*, a technology and business trade magazine. ■ **Ken Ward Jr.**, a reporter at the *Charleston Gazette* in West Virginia, won a Livingston Award for national reporting for a series on mountaintop removal mining in West Virginia. ■ **Michael D. Warren** has been named news editor for the AP in Northern California from the AP supervisor in San Francisco. ■ *The Washington Post’s* **Joby Warrick** was recognized in the White House Correspondents’ Association awards competition for a story on plutonium poisoning in Paducah, Ky. ■ **John Wicklein**, formerly a reporter for *The New York Times*, is now an independent writing coach, coaching reporting at *The Washington Post*. ■ **Laura Wingard** is the new assisting managing editor/metro at *The Press-Enterprise* in Riverside Calif. She was the metro editor. ■ **Tom Zambito** has moved from *The (Bergen) Record* to the (New York) *Daily*.

## Houston column

CONTINUED FROM PAGE 4

a much needed and much appreciated grant from the Schumann Foundation two years ago, but as those funds are running out, we need to supplement our operating revenues to maintain the same level of service.

- *The IRE Journal*. As you have seen, we have updated *The Journal* and put more resources into it. There are more improvements both in design and content we would like to make.

## Upcoming schedule

As usual, we have put together an ambitious training schedule for the remainder of this year. (See upcoming events calendar for details.)

We begin with our National Computer-Assisted Reporting Conference in Lexington, Ky. Co-hosted by the *Lexington Herald-Leader* and supported by the Gannett Foundation, Knight-Ridder, Scripps Foundation and WKYT-TV, the four-day conference (Sept. 14-17) will have more than 50 panels and 50 hands-on classes.

We will follow that with several census workshops, training at both print and broadcast organizations, a computer-assisted reporting (CAR) seminar at the University of Florida in October, workshops in campaign finance and a CAR seminar at The Poynter Institute in St. Petersburg in November.

In the spring, we plan on continuing the census workshops, holding a small regional conference and having several CAR "boot camps" here in Missouri.

The next national conference will be June 14-17 in Chicago at the downtown Hyatt Hotel. Plans for the program are already under way so please send your suggestions for panels and speakers to David Dietz, the board's conference chair.

Our future conference schedule is coming together quickly. In the fall of 2001, we will hold the next National Computer-Assisted Reporting Conference in Philadelphia. The June 2002 IRE National Conference will be in San Francisco.

If you think your organization would be interested in hosting a conference in the future, please contact David Dietz. A description of what is required to host a conference is located at our Web pages with some frequently asked questions.

## IRE SERVICES

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

### Programs and Services:

IRE RESOURCE CENTER – A rich reserve of print and broadcast stories, tipsheets and guides to help you start and complete the best work of your career. This unique library is the starting point of any piece you're working on. You can search through abstracts of more than 16,000 investigative reporting stories through our Web site.

Contact: Pat Coleman, pat@ire.org, 573-882-3364

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

Contact: Mary Jo Sylwester, maryjo@nicar.org, 573-884-7711

CAMPAIGN FINANCE INFORMATION CENTER – Administered by IRE and the National Institute of Computer-Assisted Reporting. It's dedicated to helping journalists uncover the campaign money trail. State campaign finance data is collected from across the nation, cleaned and made available to journalists. A search engine allows reporters to track political cash flow across several states in federal and state races.

Contact: Brant Houston, brant@ire.org, 573-882-1982

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

Contact: Tom McGinty, tmcginty@nicar.org, 573-882-3320

### Publications

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

Contact: Len Bruzzese, len@ire.org, 573-882-2042

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

Contact: Mary Jo Sylwester, maryjo@nicar.org, 573-884-7711

REPORTER.ORG – A collection of Web-based resources for journalists, journalism educators and others. Discounted Web hosting and services such as, mailing list management and site development are provided to other nonprofit journalism organizations.

Contact: Ted Peterson, ted@nicar.org, 573-884-7321

### For information on:

MEMBERSHIP AND SUBSCRIPTIONS – John Green, jgreen@ire.org, 573-882-2772

CONFERENCES – Pat Coleman, pat@ire.org, 573-882-8969

BOOT CAMPS – Jean Carter, jean@ire.org, 573-884-1444

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To attend this conference, you must be a current IRE member through 10/1/00.

\_\_\_\_ (\$150) I'm an IRE professional member and would like to attend the conference Sept. 14-17.

\_\_\_\_ (\$100) I'm an IRE student member and would like to attend the conference Sept. 14-17.

\_\_\_\_ (\$200) I would like to attend the conference Sept. 14-17 and need to join or renew my U.S. membership.

\_\_\_\_ (\$205) I would like to attend the main conference Sept. 14-17 and need to join or renew my international membership.

\_\_\_\_ (\$125) I would like to attend the conference Sept. 14-17 and need to join or renew my student membership.

\_\_\_\_ (Add \$25) late fee for registrations postmarked after August 25, 2000.

\_\_\_\_\_ Total

To register, mail this form and a check to NICAR, 138 Neff Annex, Missouri School of Journalism, Columbia, MO, 65211. To register by credit card, you must have a Visa or Mastercard. We cannot accept American Express. You may fax your registration to 573-882-5431 or register online at [www.ire.org](http://www.ire.org).

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