HARVARD Kennedy School
SHORENSTEIN CENTER
on Media, Politics and Public Policy

THE GOLDSMITH SEMNAR ON INVESTIGATIVE REPORTING

March 4, 2015

Mr. Jones: Welcome. Glad to see everyone here this morning. I think you'll find this is the reason why I find this part of the Goldsmith Awards package of event one of the most interesting and fascinating.

Because this is the time when we really get to get down and dirty with the people who did the work that won these awards. And that is something that is always a fascinating thing. They teach us, they learn from each other. And we then have a conversation about investigative reporting in a general kind of way.

The way we're going to go this morning, we have an hour and a half, and we're going to take ten minutes for each one of the teams to talk about what they did, how they did it, problems they had – especially overcoming problems that they had, is the focus.

And then we're going to have a conversation about investigative reporting in a more broadly based way and welcome your questions and comments as well. So, we're going to do it as we did it last night, in alphabetical order.

And that means that we begin with *The Boston Globe* and their series, if you recall, on the state of the way college students live in Boston. So, with that, who's going to take the plunge for speaking? Jonathan, is that you?

Mr. Saltzman: I'm going to defer to Jenn.

Mr. Jones: Okay. Jenn Abelson.

Ms. Abelson: Hi. How are you?

Mr. Jones: Good morning.

Ms. Abelson: Good morning. Thanks to everyone for coming. So, Jon and I and our editor, Tom Farragher, who's here today, we began on this project around the spring of 2013. And it was in the aftermath of the death of a 22-year-old Boston University student, Binland Lee, who died when she was trapped in an attic apartment in Allston, which is just a few miles from here.

In the aftermath of that tragedy, there was very little that was done. City officials sort of lambasted the landlord for not getting proper inspections. BU sort of made their outcries about the conditions of students. But really, very little was done.

Her house actually happened to be across the street of the scene of a fire that one year earlier had severely injured another Boston University student when he jumped three stories down and ended up in a concussion and he was hospitalized for months and rehabilitating, and he still has neurological problems today.

We set out to try to understand. We heard from long time residents in the neighborhood. We heard from other community members that there was a growing problem in the community with college students flooding these neighborhoods in unsafe houses and dangerous conditions.

And so, we set out to try to understand what was happening, to try to answer questions about how bad were the conditions? How many students were living off campus? How much had that population increased in recent years? Kind of what was the city trying to do to try to safeguard those students and were those efforts effective?

And what was happening with the landlords? What was going on? How were they able to cram in all these students, heedlessly cram these students into their apartments? Not abide by any sort of housing codes?

We ended up spending about nine months on the investigation. It was a very time consuming, data consuming project. In order to try to understand what was actually happening in these houses, we conducted door to door surveys. So we designed an app on an iPad and had students go door to door to answer questions about what the living conditions like in their apartments?

And we sent people hundreds of times back to these apartments where students were living largely in four college neighborhoods, so we could get survey responses to understand how many students were living there, what were the kind of violations that they were seeing, how responsive were the landlords? Were there problems with smoke detectors, carbon monoxide detectors? Were exits blocked?

And then we looked at thousands of court records, housing complaints, to try to figure out who were the most problematic landlords, who are these chronic offenders?

And it was very difficult to make sense of the data at first, because there was no real coordinated way that the city kept these records. And the Housing Department, Inspectional Services, largely kept paper records.

They were a very antiquated system. They couldn't answer very basic questions for us, like how many landlords house students? Who are the most chronic offenders?

They were open to talking to us, which was great, and they allowed us to go with them on inspections. But it was very difficult to really assess what was

happening inside ISD and how they were going about trying to safeguard these students.

So, we worked with another data reporter, Todd Wallack, who helped draw in data from various different institutions. So he got information from the housing courts.

We got police records, we got inspection records, we got fire department records, and brought all this together to try to get a real sense of what was happening in these neighborhoods where these students were living.

And then we also tried to make sense of the landlords and what were the real problems happening there? I'm going to turn over to Jon, who sort of went after the landlords. (Laughter)

Mr. Jones: Well, this is the reputation of this unit at *The Boston Globe*. (Laughter)

Mr. Saltzman: So before we get to that, I'd actually say that one of the things that I really liked about this project and I think it sort of bespeaks a lot of good projects, is that it was something that was really hiding in plain sight.

When we started crunching the numbers, we learned that the number of students living off campus in Boston had grown by 36 percent in seven years. Now, that's a huge number. And in large part, at the same time that this was happening, a number of universities had been under a great deal of pressure to build more dorms.

Sometimes they put their priorities elsewhere. Other times, they were in fairness, they were encountering resistance from neighbors. But the bottom line was that there was this burgeoning population of students.

And there were all these landlords who were taking advantage of what anybody would say would be a great market opportunity, which was to buy these

properties and then convert them into student apartments, often heedlessly, in terms of safety regulations.

The other dynamic, of course, was these properties, because the students had to crowd into the apartments to afford these units. The landlords, they were charging inordinate amounts of money. And then other neighbors, people who might once wanted to have moved in and buy more houses, in a family neighborhood, were pushed out.

So, that's one of the other things that we saw that was changing. And again, in terms of hiding in plain sight, one of the things we did was we went to, on move in day, on like September 1, two years ago, we went to various locations where inspectors make their great show of force. And we went into people's houses and people's apartment buildings to find out what was going on. And Jenn and I both went to a bunch of buildings that are right next to the gates of Northeastern University.

One of the things that was curious was, when we walked into these apartments and the students who, with their parents, are lugging furniture out, you'd say, “Well, what was it like living here? What were the conditions here?”

And almost across the board, the parents would be like, “You've got to talk to this person.” And they'd drop their furniture and they would start telling us these horrific stories about rats, and about water coming through the ceilings, and things like that, and about not being able to lock their doors.

One of the other challenges along those lines, it took, at least me, quite a while for a lightbulb to go off, was to realize that these buildings, which were owned by one of the most complained about landlords in Boston, whose name is Anwar Faisal, that there were parallel universes in these very buildings.

Northeastern had a business relationship with this landlord, and they had what they described as “master leases,” where they didn't have enough space, enough units, enough dorms on their campus. And so they would rent a bunch of units for kids and call it university housing.

And yet, other kids who would be living five feet down the hall, were living in the same building, were considered off campus. And the kids who lived in the university housing – so apartment 5A, if they had a problem, they would contact the university and the university would come in and fix the problem.

But if a kid was living in 5B, and was also a Northeastern student, and was renting directly from him, they had windows broken, they couldn't get anything done.

So we literally would be going to the university and we'd say, “Have you ever heard that many of your students are renting 50 feet from the campus, and can't get anything done? They don't have heat, they're showering at the Y.”

And they'd say, “Oh, we've never heard that.” And we're talking to the university officials, like 50 feet away from the building. I mean, you hardly had to have a great nose for news to see that there was some wild dichotomy here.

So anyhow, we ended up focusing on a couple of these landlords. One other thing I'll just say about the project was, we all had to stipulate that – college students, these people are not going to win the Good Housekeeping Seal of Approval for keeping their places neat or whatever – this was more than just kids being slobs. We found one case where two young women, college students, had complained that their door, that the outside door to the basement, was kept tied open day in and day out. They'd untie it and then it would be kept open.

And they complained, and they complained to the real estate agent and nothing was done. And six days later, a man came into the building. Nobody knows how. But the buzzers also didn't work. And he raped both the women.

Just a few months after our project ran, actually a few months before the project ran, they settled a civil lawsuit for $900,000. And then, in a bizarre twist, after our project ran, the accused rapist was put on trial. He acted as his own lawyer. He interrogated the women, the alleged victims and he was convicted.

So that was the other thing we had to convey and get across to readers, that this was not just slobs.

Mr. Jones: Jonathan, thank you. That's right at ten minutes, too. I'm asking everybody to stick to ten because we want to get everybody in. Miami.

Ms. Miller: For a number of years and actually, long before I got to the *Miami Herald* in 2000, we had covered the social services beat very aggressively.

Miami Dade County is one of the poorest in the country. It has some very, very unique challenges. Large numbers of immigrants, lots of poverty, a great deal of social dysfunction, drug use.

The Miami Dade County Jail is probably the largest psychiatric facility in the country. The ninth floor, which houses chronic and severe patients, was reported upon by everyone in the country. It was a pit from hell.

For many years, we had watched children who had been under the radar screen of the Department for Children and Families die in the most horrific of circumstances. You get into sort of cop gallows humor.

And over the course of many years, we had written what would be the prospective lead. They'd been tossed out of moving cars, strangled by snakes, and most recently, there was my former editor, Paul Tash, dropped off a bridge leading to the iconic Sunshine Skyway.

And over many years, nothing changed, nothing changed. And we decided that we would try something completely different. We developed from scratch a spreadsheet and we entered data on every child who died with a recent history with the department.

Because we'd been covering these things for so long, we knew what the issues were likely to be. So we had fields for whether the family had exhibited mental illness, whether there was drug addiction in the history.

Whether sometime in the past or multiple times in the past, the department had executed these so-called promissory note safety plans, in which a parent was asked to merely promise either on paper or verbally to stop being a bad parent.

“I promise to stop being a drug addict,” or “I promise to stop beating my wife.” And of course those things were not even worth the paper they were written on.

It was a very, very, challenging series. Through multiple DCF administrations, one year we would get records freely and the next year the flow would stop and so we sued. And we sued again, and a couple of them, we won. One lawsuit we really thought we should have won, we lost.

Close to the point when we were getting ready to publish, we hit some real snags. The district just north of us, Broward County, began to hide the records that we were relying on.

They were called critical incident reports, and they were the first indication that a child had died. And there were some not very comprehensive notations of what happened in the history of the family.

Over the course of five months, six months, the district that included Broward County, that's Fort Lauderdale, just stopped submitting them. So there were 35, 40 child deaths that vanished.

And that happened right after we had done a story about a little girl with severe disabilities, severe medical complexities, who had starved to death right under the noses of a private foster care agency.

They had been noting visits to the child's home with great regularity. They described what she looked like. And somehow no one had noticed that this kid had lost half her body weight and had developed bedsores and abscesses that had become life threatening.

One of these bedsores took up half her back, and the bone was protruding. We were told the police officers who entered that home were nearly retching, due to the smell and the scene they encountered.

We wrote about that in great detail, and within a few weeks of that, the records stopped. We discovered that by accident. We went back and requested critical incidence reports and discovered that they had ceased and then all of a sudden, in a one or two day period, 40 of them were entered into the system right after we'd asked for them. I could talk all day, but I'd rather hand it over to Audra.

Ms. Burch: Good morning. One of the great challenges we had and probably the most morbid challenge that we faced was actually trying to decide which of the grotesque and horrific child cases to actually include.

The choices, as you alluded to, were strangled by a snake, thrown out of a car, roasted, stabbed, shot, mauled, day after day after day.

We literally had to sit in a room and say, “Okay, we can actually beat this one.” It’s hard to articulate how difficult that was because you could not make those choices without thinking of the total loss that we were talking about.

And then the other challenge, or one of the challenges that we faced was that, at some point we had decided that we wanted to include the families. And

we had to convince many of these grandmothers in particular, to tell us their story, and in doing so, they were also indicting their own children.

Their sons and daughters were the ones that had, in many cases, abused and neglected the children. And sometimes it was very difficult to make them understand that we were trying to preserve the memory of this grandchild.

In some cases, it became very uncomfortable. We had a case where it was probably a couple of weeks before we were about to publish, and this grandmother who had given us this great interview, her grandson had been killed in a fire in the garage while the mother was sleeping off a high.

She had given us this great interview. We had all these wonderful details. And I had asked her, time after time, to please make her daughter available. And she had resisted and resisted. And finally the daughter called me and she gave me, stunningly, she gave me a quote that said that she was doing the best that she could.

And from there, the grandmother now wanted the interview to be removed from our story. The reason was that she had made up with her daughter and she wanted access to the other grandkid. She begged us not to put that interview in the paper. And the answer was, “I'm sorry. But we have to use it.” It had been recorded.

She finally, stunningly, after the series ran, actually came back to us and thanked us, even though she was so upset with us going into it. She said it really needed to happen, that we needed to make every one of these children remembered in a poignant way.

So that was one of many, many challenges we faced. But I don't want to go into too many, because we can talk about it a little bit later.

Mr. Jones: Okay. You will, we will have, everybody will have opportunity to ask questions, based on what you've heard. But I do want to get everybody up first. Okay. Charleston.

Mr. Pardue: Hi, I'm Doug Pardue. The scary thing is, our project is really very similar to Miami's project. But instead of young, innocent children being brutalized, we have women being brutalized in the privacy of their own home. And there's no agency designed to watch out for them, even if the agency down there didn't do such a good job.

Unfortunately, the women who suffered in South Carolina had no place to turn. They would often be brutalized over the course of their lifetime. Most of them would be beaten, stabbed. We had one thrown down a well, one chopped up, put in a barrel and floated down a stream until someone found the body.

It's amazing what loved ones do to other loved ones. And it's just really weird this happened, these two at the opposite ends of the same table.

When I first went to South Carolina, I was hired by a manager at the state paper named Paula Ellis. And she told me, “Come to the state that's at the top of every list you want to be at the bottom of. And at the bottom of every list you want to be at the top of.” (Laughter)

Mr. Pardue: “It's a great place for investigative reporting.”And she was indeed right about that. Unfortunately, it was all too easy to find flaws in South Carolina. And to some extent, you start to get a little numb to the being at the top of every list and being at the bottom of every list.

The sad thing about our series, and the sad thing that troubles me today is, all of the hundreds of women who suffered because no one had turned a light to the problem that they'd been suffering for years.

We didn't launch this project until late September, 2013, when the Violence Policy Council, a group in DC which has been ranking the rate at which women are killed by men across the nation, rated South Carolina the number one state in the nation in the rate of women killed by men. A rate more than double the national average.

We decided that we should take a look at this and I joined up with Glenn Smith, a fellow project reporter, project editor now. And he decided, well, he was going to call up because the Violence Policy Council, in cooperation with experts in South Carolina, were going to have a call-in press conference for all the media in South Carolina.

So Glenn calls in. And I don't know, all of you, if you get that little beep when you answer the phone on a conference call. Well, he beeped in and they sat there and waited for other people to beep in. And they waited and they waited.

We were the only media in South Carolina to call in to find out what was going on to cause South Carolina to be the number one state in the nation in the rate of women killed by men.

So Glenn and I said, “You know, this might be a story.” And we decided we better take a harder look at it than just a daily story or a weekender about it. We started trying to put together a database of all the people who had been killed in domestic violence, going back ten years.

And that became a real labor, because South Carolina, unlike most states, doesn't do a very good job of keeping its records. Kind of like your housing records – you run into a lot of silverfish in our profession.

We had to go literally from county to county to dig up court records. We put together a large database that basically told us about everyone who was killed,

told us about all the killers. We checked all of the cases to see what had happened to them, how many plea deals were worked out.

We found cases in which a man could be convicted of first time criminal domestic violence seven times before he'd finally kill his wife. Seven times. And that was not unusual.

One third of all of the killers of women had been convicted at least once before, and two thirds of them had been convicted multiple times of violence. Something was definitely wrong with this system. And something was definitely wrong with the state of South Carolina that could allow this to go on for so long.

We soon recruited Jennifer to join us, because Jennifer at the time was our faith and values reporter, and we had the sense that there was a component in this story that we needed to understand, and I tend to be a little too dry to understand that sort of stuff, and I think Jennifer could definitely dig in and figure out what was going on.

So Jennifer and I went on our first interview. And in that interview, we were talking to the head of a women's shelter, and we were asking her, turned to her and said, “So just what is it about South Carolina that causes us to be the number one state in the nation in the rate of women killed by men?”

And she started rattling off all the reasons. She says, “Poverty, isolation, traditional Southern attitudes, ruralism, gun culture.” And then stops and then she says, “and then there's that religion thing.”

Jennifer and I look at each other. We go, “What?” And she says, “till death do us part.” First time I've ever done a project where we knew the title before we’d really done any reporting. (Laughter)

Mr. Pardue: But we realized then, too, that getting at the culture, finding out not just the numbers, not just how the political system, not just how the

court system was failing women. We had to learn what was wrong with South Carolina that tolerated this level of violence. And that's what Jennifer's going to talk to you about.

Ms. Hawes: Well, let me tell you, it made a lot of sense when Jonathan said, "You have something that's sitting in plain sight right in front of you." And in South Carolina, I don't think it would be a surprise to anybody here that it's a pretty patriarchal state.

None of us is from South Carolina who worked on this project. So we went into it really trying to think, how could we be sensitive to the people who live in this state and who hold things like their marital vows very sacred?

You know, South Carolina's obviously a very Christian state. It's a very conservative state. And the idea that you would cling to your wedding vows very tightly, I think most of us would agree, is probably a good thing. Right?

But when we started talking with women, we heard over and over again about how they would go to their pastors, for instance, and they would be counseled to stay in their marriage, to try to work it out.

Often spouses would come in together to receive counseling and then go home together. If you can kind of think where this would go, if you're going home together and now the husband is pissed that he's been called to the mat by the pastor.

So, we set out looking a little bit at what is the state of women in South Carolina? We have a female governor, believe it or not, our first one. But when we looked in the South Carolina Senate, for instance, there is only one woman in the entire South Carolina Senate, out of 70 some-odd Senators, and only a handful in the House.

So when you're looking at passing domestic violence reform, who's voting on it? That's not to say every man is going to be callous to domestic violence. But there was no woman really taking the leadership role.

So, we looked at that. And then also we went and talked to a number of pastors. We were really interested to find out that most of them had very little idea how to counsel a woman who was in this position. I think a lot of them are torn.

The other piece of it that I thought was very interesting was, we heard over and over again that there is a former legislator who at one point in time had stood up and said that it was really the fault of the women who stay in these relationships. That they, in a sense, were to blame. If it was so awful, why didn't they get out?

And this is a state legislator who had been on the school board, making this point. So we set out and wrote an entire story looking at just why do women stay in these relationships? Whether it's for finances, a lot of them – let me back up.

A lot of them are women who didn't work. Going back to the traditional roles that are very prevalent in South Carolina, a lot of these women didn't work, so they're financially trapped in relationships.

Other ones were – we tried to really get into the idea of a woman who feels absolutely no self-confidence in her marriage or her relationship – would stay because she doesn't believe anybody else would want her, or who stays because she's just afraid.

One thing that we found that was really interesting was that the time when a woman is in the most danger is when she leaves. So how do you counsel a woman to leave this relationship, knowing she's going to be in the most danger?

And so this, we really tried to look at the nuances of our state's culture, without really coming across as judgmental. Because, like I said, none of us are from South Carolina. But trying to point out ways that patriarchal nature was trapping these women.

Mr. Jones: Thank you. Thank you very much. Very interesting. ProPublica and NPR, on the Red Cross.

Mr. Elliott: Thanks. So, our project started in the beginning of last year with sort of a general tip that we got, that Jesse got, actually. Which was just that somebody in state government in New York made the point that no one could really figure out how the American Red Cross had spent the over $3 million that they had raised after Superstorm Sandy, which, when we started the project, had already happened a couple of years ago.

And for those of you that don't live in New York, this was a major storm, a lot of people died, most in Manhattan lost power, there were people, elderly and infirm people, stuck in high-rises for many days without food and water. So it was a major disaster in New York, and there was a huge outpouring for the Red Cross.

President Obama came out, told people to donate, all that sort of typical thing. So, we started trying to answer this question, how did the money get spent? We looked into it for a few weeks, we talked to the Red Cross. And we realized very quickly that these large nonprofits like the Red Cross are really a black box. I mean, that you have the 990, the annual tax return. But this is a $3 billion a year organization, a very large institution. And they have 25,000 employees. The 990 basically has zero information about how they actually spend their money and, in particular, in the case of specific storms.

From talking to people, we got the sense there is a lot of lingering discontent about the job the Red Cross had done in providing disaster relief after Sandy. So, we kind of hit a roadblock.

And we decided, I think partly at the urging of our editor, Eric Eumanski, that the thing to do is to write a short story. Sort of explaining what we didn't know, explaining the fact that the Red Cross is sort of a black box, they wouldn't tell us how they spent the money in any meaningful detail.

So we published that story, it's on our website. One of the advantages of being a website is that you don't have to worry about filling newspaper pages that could go to something else. So there wasn't really any cost for us.

And in the meantime, we filed a bunch of FOIA requests for correspondence between the Red Cross and basically any government agency we could think of. I mean, the Red Cross, even though it's sort of a special nonprofit, it was created by Congress. You can't FOIA them, but of course you can FOIA government agencies that the Red Cross has had interaction with.

So we did that, and a couple of months later, I got a letter in the mail from one of the agencies, the New York Attorney General's Office, that had had some interaction with the Red Cross after Sandy, saying that the Red Cross had hired Gibson Dunn, which is a big law firm in New York, to fight our public records request on the grounds that I think Alex mentioned yesterday, that the information that we were seeking contained Red Cross trade secrets.

And it turns out there's an exemption in the New York FOIA law that says if you're seeking records that relate to a third party, they can object on this trade secrets ground. So this was a terrible move, just from a PR perspective, because first of all, we were looking at this thinking, you know, what could be a trade secret in helping people after a disaster?

At that point, honestly, we weren't even sure we were going to continue covering this. So, we filed an appeal to that but the more important thing we did was we just wrote a story about it again for the website. Just saying the Red Cross is objecting to releasing the Sandy information on these trade secrets grounds and they won't really explain to us what that means.

That was really the sort of key break in the project, because that story got a lot of pick up online and circulated all over the place. People, a lot of people had the same reaction we did, like, this is very strange, what are they trying to hide?

And the most important thing that happened was this whole universe of potential sources found out that we were interested and we had put our email address on the bottom of that story.

So, at that point, we started getting tips from Red Cross employees who had been part of the Sandy response. And many of whom had kept documents related to and including emails. If anyone thinks their employer is doing something unethical, be sure to keep the emails in a private account, the Hillary Clinton style. (Laughter)

Mr. Elliott: Because you want to be able to control that if you leave. So ultimately, we got a whole raft of documents from the Red Cross that formed the basis for this story. And we found out things like, there was a "lessons learned" PowerPoint that we got and published, that said that national headquarters had diverted disaster relief assets for PR purposes.

Through other reporting, there turned out to be things like telling relief trucks to turn around and go to a press conference to be a backdrop for a whole day, a few days after Sandy.

In Hurricane Isaac, which we also wrote about, in the Gulf Coast, they actually had empty trucks driving around to make it look like they were doing

something when they weren't. Sex offenders in shelters after Sandy, that were in the children's areas, because procedures hadn't been followed, and a lot of other things.

Ms. Sullivan: I jumped into this project with Justin and Jesse at the end of the summer, right after they had gotten the PowerPoint presentation document.

My editor, Bob Little, had come up to me and it was this rare week where you don't have any – one project ends and before something else starts. And he was like, "You know, ProPublica has this document and they're going to do an interview with the Red Cross. Do you want to partner up with them? It should just be a quick story. Just go read this document. I don't even know what's in it. But they have an interview tomorrow and you can just do a quick story."

So then I talked to them the night before. And Jesse was like, "Yeah, we're really seeing this as like a three-day story. So we'll just do this interview tomorrow and then we'll put the story out."

And I was like, "Yeah, I'll do a three day story, that's fine, I don't really have anything to do this week so I'll do your three day story."

So here we are, six months later and a trip to Haiti and Justin and I are following up. We just spent a week in Haiti, we're going to keep covering the Red Cross. But I think what's amazed me the most about this project is the unbelievable number of Red Cross officials themselves that have been willing to talk to us about the problems at this iconic American institution that, until this point, has been untouchable.

When I first heard this, I was like, "the American Red Cross? Really? We're going to do a story about the American Red Cross?" And I think that's pretty much how the public has always seen them too.

After the series of stories that we've now done on them, and will continue to do, I think for me, what it really shows is that this is an organization that has for 100 years, never really been held to account for its numbers and for the public face that it puts out – and also that they're not enjoying that process very much.

Mr. Eisinger: I'll just add that actually this project was incredibly easy, which – I'm actually not joking, and everything went perfectly. Basically the harder Justin worked, the luckier I got.

But everything fell into place because Gibson Dunn was so arrogant and screwed up and that really helped us. And then, the Red Cross wouldn't give us this interview because Laura had come along. They felt like that was unfair, that we were adding another reporter and so we didn't do the short story on just the document.

Then we got a spectacular whistle blower who went on the record. A whistle blower going on the record – pretty unusual. He had tons of documents, everything that he said actually checked out, and we thoroughly vetted him.

So at every stage, we got really lucky and everything went right. And I'm trying to explain to Justin, who's a spectacular young reporter, that this is just never going to happen again. (Laughter)

Mr. Jones: Thanks. *Reuters*.

Mr. Shiffman: Thanks. Joan Biskupic should be, by all rights, the person speaking right now. But in 15 minutes, she's at the Supreme Court right now, probably in the chambers, for the 10 o'clock Obamacare arguments. And Janet Roberts, who did most of the data for this, is giving a previously scheduled talk in Atlanta. So you're stuck with me.

This is a project that basically started with Joan. Joan said she'd been covering the Supreme Court for 25 years for *USA Today*, *Reuters*, and *The*

Washington Post. And she noticed that she kept seeing the same lawyers time after time, coming up to the court. And she also noticed that it was no secret, of course, that business was faring better at the court.

But Joan also noticed who their lawyers were, and she thought that it deserved greater examination. But Joan doesn't even know how to open an Excel spreadsheet. (Laughter)

Mr. Shiffman: She can write a Supreme Court story in 15 minutes and she can get, as she did in this series, eight of the nine Justices on the record, which is absolutely remarkable. But data is not her thing. It was a good marriage of legal reporters and data reporters. I like to think I fall somewhere in between.

So, we had to figure out how to measure Joan's hypothesis, which is that the court has changed in the last ten years, and that it's really becoming an echo chamber, that it's really representing the interests of the few, and that most of the justices listen to people who went to Harvard, Yale, and Stanford and nobody else, pretty much.

That worked for them, at one point, or worked for the Solicitor General's Office. So we had to figure out how to measure this. We took 14,000 petitions that had been filed with the Supreme Court over a ten year period and culled out the ones that were prisoner appeals, the pro se petitions.

For those of you not familiar with the Supreme Court, the most important part really isn't the oral argument or the decision. In most cases, it's getting to the court, because the court only takes a very small percentage of cases, and that's the hardest part.

So that's what we decided to measure. Nobody had ever measured that. There have been studies done on arguments and who wins and who loses, but nobody had taken the time to go through the petitions.

I don't understand all of the particulars, but we used something called machine learning to help identify, have computers identify certain topics, which had never been done before. In PACER and in some other court systems, each lawsuit, each petition is categorized. That's not true at the Supreme Court. They all sort of come up. So we wanted to see what was happening.

We also wanted to find out if the conventional wisdom was true, which had been that law firms like Gibson Dunn, which is one of the biggest and one of the most successful ones profiled in the series – whether they do it for vanity, whether they do it for branding, why did they do this? What we found was that they do it because it actually makes lots of money. Not in the branding, not in the advertising, but because if they won in, for example, we used Walmart. When Gibson Dunn won a big case for Walmart, suddenly Gibson Dunn got all of Walmart's business. And that was tens of millions of dollars. Same thing with other major corporations.

But the big thing here is, the harm was the biggest challenge for us. Because the harm here, you can't see it. It's not like the Miami and the South Carolina stories. You can't necessarily see what the harm is.

And that actually was one of the biggest challenges, was figuring out well, what's the harm? And what we found is that business dominates so much that it's squeezed out labor, consumers, individuals.

Less than one percent of the successful lawyers, in the group that we identified, handled 43 percent of the docket, which is really an astounding number. And that's 66 lawyers and of those, 51 of them represent pretty much only corporate interests.

The most remarkable thing, one of the more remarkable things for me, was interviewing all of these lawyers in all of these top law firms, is that they all admit that it's true, and that's just the way it is.

The thing that I think astonished Joan and astonished us also was when Joan talked to the justices, they said exactly the same thing, "Well, that's just the way it is." So maybe it's another example of hiding in plain sight.

The other challenge that we had is, what can be done about this? And as you said last night, "not much." Now we know the court has a secretive process, they control the rules. There's a really good public policy argument to be made that they ought to control their own rules and that Congress and others shouldn't interfere.

It's an interesting dynamic and it's there and I think it's having a real effect on everything because, as we said in the series, now one of the criterion that the Supreme Court considers when they're deciding whether to take your case, is the quality of your lawyer. And that just doesn't seem right.

Mr. Jones: Thank you. *Wall Street Journal*.

Mr. Weaver: Our story is really the fruit of this five-year campaign by the *Journal* to undo the strange opacity in the Medicare program that's stretched back decades. So I think I should start with a little bit of that history.

Back in the mid 1970s, some technocrats in the Medicare program thought it would be a good idea if they made payments to hospitals and ultimately doctors, more transparent. They wanted to publish basically how much they were paying each of these institutions or medical providers, so people could understand what was going on in the program as it grew.

The doctors didn't like that idea very much, and won an injunction to block Medicare from releasing physician-specific data about their payments in 1979.

So, flash forward about 30 years. *The Journal*, and this was an effort as much by our legal team as our reporters, had decided that this was not a great public policy position, and intervened in that lawsuit from the doctors' injunction against releasing the data successfully.

Back in the day, the doctors had argued that releasing such payment data would be an unwarranted invasion of their privacy. They didn't want people looking into their wallets.

The judge said nothing's changed since then. Basically the program grew to be so huge and so expensive that the interest in revealing more of that data seemed to outweigh the privacy issue. That case, for us, ended in 2013 when the injunction was overturned.

Then last year, after this long legal effort, the Medicare agency finally published data that would show what doctors got paid for doing to how many patients, essentially. It's not perfect, it's only one year.

But it gives us more insight, I think, than we've probably ever been able to obtain, into this intersection of these Byzantine rules and financial incentives in Medicare to do, sometimes, very strange treatments.

The individual providers and key studies that came out of our analysis of this data probably stretch across the spectrum from essentially outright fraud to more systemic problems. The program pays doctors to do more services, not less. Sometimes it pays them more to favor certain types of treatments for drugs and tests.

In culling through the data we were able to find some pretty, I think, compelling examples that show both why the program costs taxpayers so much, and also some of the ways that it probably shapes the treatment seniors and disabled people in the country receive.

One of the challenges is that with the limits of the data, it could be very difficult to go from the idea that you can see that this one doctor is using way more of some drug or doing way more of some tests, to really understanding why it is that they're choosing to perform medicine in such a manner.

And that's where a lot of shoe leather reporting came in, with each of these stories that we did. One example that I really enjoyed was the story on doing drug tests for things like PCP and cocaine on seniors, that sort of blossomed into this really lucrative business out of almost nowhere about four or five years ago.

The reason it's exploded is not that seniors are using ecstasy and club drugs at higher rates since then. (Laughter)

Mr. Weaver: It's basically that the way Medicare pays doctors for doing urine drug tests encourages them to do as many tests as possible.

And when they give people opioids, they want to make sure that they're a) taking them and b) not taking other drugs that might indicate substance abuse. That's been a huge problem with a rising toll of deaths in recent years. And it made sense, I think, to a lot of medical experts, to encourage more such testing.

But the rules for paying doctors for this mean that you want to stack, if you're going to do the tests at all, you want to stack as many different drugs into that bundle as you can, because you get paid an extra $20, $25, $30, depending on the tests for each one.

And that dynamic had then helped move this thing from $30 million a year in terms of Medicare payments, suite of services, to basically a half billion dollar a year industry, just with doctors testing Medicare patients for the drugs.

The data could really help us understand who's driving those dynamics, what the doctors are doing to maximize their ability to extract money from this

program, and in that particular case, guide the treatment that hundreds of thousands of pain patients around the country are receiving.

On the other end of the spectrum, we had this great story that I'll ask Stewart to talk about, where this guy in Los Angeles was using this very medieval-sounding heart treatment that involves cuffs on people's arms. Tell us a little bit about that one?

Mr. Stewart: So, we did this story about outliers in the data, where we looked at specific doctors whose practices were based on one particular procedure. And this one procedure that we came across was called "external counter pulsation," which is ECP. It is somewhat medieval in the sense that it's for your heart and in particular, something called extreme angina, real chest pain.

So the patient is put on a table and literally strapped down. And they're strapped down and they have these inflatable cuffs that inflate for an hour, and it's a very rare procedure. Most cardiologists, they'll do some sort of intervention, surgery, to loosen up the –

Mr. Weaver: How many times did they do it?

Mr. Stewart: The Cleveland Clinic did this procedure like six times, a half a dozen times on half a dozen patients in one year. This particular doctor, 95 percent of his Los Angeles business was this procedure, doing it dozens of thousands times.

So he literally had created this factory around this very, very rare procedure. He was making over $2 million in one year off this procedure. So, just the ability, the data showed this very unusual thing and I think only 200, just over 200 other doctors actually used this procedure in all of the data.

So we went in, documented what was going on there, and found this basically, factory, where they were bringing people in from the community. It had become not necessarily a treatment for angina, but a way for these people just to get off the street and relax. (Laughter)

Mr. Stewart: A woman we spoke to said that she liked to go there because she'd go to sleep. (Laughter)

Mr. Stewart: They had music going on and everything. So we were able to document that pretty intimately. And it was one of the most –

Mr. Weaver: It was an amazing case study in how easy it is to extract money from the program, right?

Mr. Stewart: And they in fact, they had gone on to open up another, a satellite ship, of this clinic in the Beverly Hills area. So they were moving into that area and they were really into it.

Mr. Weaver: I think in terms of the harm and the impact of this kind of work, it's clear that some of the behaviors in these stories are costing the taxpayers lots of money.

Medicare's a giant economic issue. Costs for healthcare have been growing more slowly in recent years, but I think economists generally agree that's going to change again and it needs to be addressed long term.

You know, separately, this area that we're headed into more and more now, is that the rules for how Medicare pays for stuff, we're finding it can shape pretty important decisions about patients' treatment, where money more than medical wisdom seems to guide decisions.

We're continuing this work into this year. Now we're using some different data that covers hospital claims to explore similar patterns and their billing. And one thing we did just in the last couple of weeks was show how a certain kind of

hospital facility, called long term care hospitals, discharge patients based on the very day of their length of stay, when Medicare pays the most.

Right? So they might get $20,000 if they discharge somebody on day 22 and $35,000 if they wait another day. And to make sure that that happens, people who work for these companies explained in great detail that they'll do things like extend courses of antibiotics, or add new therapy regimens that maybe patients don't necessarily need, to keep them in the bed for an extra day or two to make that money.

That carries some risk. You can get hospital acquired infections if you sit around in a hospital that you don't need to be in. And on the other end of it, it means they might be, in some cases, be discharging people who really aren't ready to leave at that sweet spot.

I think there's a lot more to be done by us and others in this area. But we're very pleased that we're able to make some of this data more transparent.

Mr. Jones: Thank you very much. Thank you, all of you. I want to give the first comment, question, moment to our career winner, Marvin Kalb. And then we will have a conversation. Marvin.

Mr. Kalb: Thank you, Alex. A brief comment, and then my question. My comment is that I sit here in admiration and awe, truly, listening to the work that you guys have done. It is quite amazing. And for those people, and I live and work in Washington. And there's so much cynicism down there. It's so high up and the role of journalism is belittled, scorned.

And here you all are, doing what has to be done to uplift the standard. And my congratulations to the Shorenstein Center for running the Goldsmith Prize for Investigative Reporting, because you bring out all of the greatness that still exists in American journalism.

My question flows out of a lot of what you have all said. And you have all, each one of you, in different ways, stressed the importance of the Internet, of the new data, the new technology, in allowing you to go forward with your investigative reporting.

I'm old enough to remember that there was a time of investigative reporting when we didn't have any of that at all. It was a lot of legwork and you went out and you talked to people and you got some kind of an idea. And then you went out and talked to others and then it happened.

So, my question is, to what extent do you feel that your story could or could not have been done unless you had the data? And without the data, would you have simply failed in coming up with the stories that you all did? I'm seeking the value and the role of the data in the way in which investigative reporting happens today.

Mr. Jones: I would ask each of you to respond to that briefly, but, each of you. Why don't we start. You guys were clearly data driven.

Mr. Weaver: Yeah. I mean, I don't know how we would have ever executed any of these stories as we did without access to this type of data. I think we could have made a strong case that Medicare pays doctors in sometimes Byzantine ways. But it would have been, I think probably implausible to show that any given actor was behaving in a certain way that put money ahead of patients without being able to have an essentially irrefutable track record of all of it.

Mr. Jones: I think every one of these projects included a database or a data set that was in many cases simply created out of nowhere by the reporters themselves. *Reuters*, why don't you, what's your take on that?

Mr. Shiffman: Yeah, there's no way we –

Mr. Jones: Is it essential to investigative reporting to have a data set now?

Mr. Shiffman: I don't think it's essential. But I think it's becoming more and more important. I mean, 15 years ago I did a series based on court cases in Florida. I'm sorry, in Tennessee. And you know, I had to count them all by hand, print them all out, the opinions, and I created a spreadsheet, and you do it.

So, you can look at more things. Like *The Wall Street Journal* looked at an astounding number of records. There's efficiencies. But you also, once you put the findings together, you still have to figure out what matters and why, and you have to move it around. I mean, you have to do lots of shoe leather reporting to understand why certain numbers matter.

So it's not as simple as getting the data and then having a data reporter run it through some sophisticated program. Once you get it, you have to figure out what it means and have to report it all out. So, yes, it's important, but I think you still need all of the traditional skills to figure out, to ask all the questions – why is this happening and why does it matter who is being harmed?

Mr. Jones: You know, as someone who is based at Harvard, I have to tell you that the way investigative reporting seems to be working and moving, is toward the more scholarly sort of model, which is, if it's anecdotal, it doesn't have the weight that you can give it if you have data that you can cite, quantitative numbers, data that will bolster what you may be actually using anecdotes to sell or to make the point of.

But you have to have the data, in a scholarly sense, before you can move from having a theory to something that is proven. Is that the Miami experience, do you think?

Ms. Miller: I think for us, I like to look at what we did as kind of constructing a Christmas tree. The data was the tree, the foundation, and it enabled us to make very broad statements about what was going on in child welfare – the fact

that the number of deaths had been rising year-to-year as a consequence of this short-sighted change in policy. But the tree would have looked like Charlie Brown's denuded tree if we hadn't also added all that basic shoe leather, classic reporting, in which we fanned across the state of Florida.

We interviewed non-offending parents, grandparents, judges, police officers, prosecutors. We pulled thousands and thousands of pages of public records from courthouses and autopsies, and those were the ornaments on the tree.

Without those things, and without the ability to tell stories about those children, I don't think the series would have had much effect – to just to go out there and say that as a consequence of a short-sighted shift in policy, more and more children died – that would have had no real meaning.

But to put faces out there and stories and to be able to, it's a bad analogy, but put flesh and blood on all the children we were writing about, that's where the power of the series came from.

Mr. Jones: Charleston?

Mr. Pardue: Well, Carol said it about as well as it can be said. I would totally agree with her. The data gave us specificity. But it was the victims, the women, the children who survived these cases that gave us the power.

So, by telling their stories, we were able to show the drama, the human tragedy, the human toll that domestic violence took on our citizens. But the data gave us the ability to be iron clad and say, “it's not just an anecdote that we pulled out of nowhere. This is true across the state.”

Mr. Jones: Boston?

Ms. Abelson: I agree with everything everyone's said so far. I think for us in particular, it allowed us to give a “Why now?” sense to our story. Because we

were able to document that the growth in the off-campus housing population soared 36 percent in the last five years.

It gave us the ability to say, “This is why this is relevant now and it matters.” It allowed us to go from anecdotal to authoritative in certain areas, to show that 80 percent of the 256 students we interviewed reported some significant safety problem.

So it could give you a real sweeping sense of what was actually happening in the neighborhoods. It allowed us not just to create a local perspective, but a national perspective. We created a database that was called a “dorm gap. So it showed, across the country, you could search any university and you could see the number of dorm beds they had available versus their campus population. So you could see what the gap is and that it was growing nationally across the country.

Mr. Jones: My sense is that the ProPublica/NPR series was not really dependent on data sets.

Mr. Elliott: Yeah, you're right about that. I mean, we certainly benefitted from sort of free flow of digital files. But we didn't have a database and I think the same story could have been done 30 or 40 years ago.

Really, the key was basically whistleblower sources, people who worked at the Red Cross who felt that their bosses were doing unethical things. I just wanted to note, the way that we were able to get past the anecdotal – and there certainly had been a lot of reporting about anecdotal problems when Sandy happened – was we had things like meeting minutes of Red Cross executives saying in black and white, “Many of our systems failed, we weren't up to the job, resources diverted for PR.” So, having their internal documents is what really made it.

Mr. Jones: You know, one of the things that comes home very quickly when you run a Goldsmith Awards program such as we do, is that when you look at all the entries, you know how much nefarious behavior is going on out there. (Laughter)

Mr. Jones: And you know that there is a huge need for this kind of reporting. Our judges, our five judges each year, go through all of the entries and indicate their list of 15 prospective ones. And then we merge all of those 15 lists to 15. And then go over them all, that merged list, one by one, here in Cambridge.

And what I'm trying to get at is, that there is clearly a huge amount of high-quality investigative reporting going on and when you read these reports, you know, it's scary, just how much people will try to get away with, that journalism seems to be one of the only ways to hold them to account.

So, with that, what is the state, from your own individual institutional perspective, and in the world that you occupy as investigative reporters, how do you feel about the state and the health of the whole idea of investigative reporting in terms of how it's supported by your own journalism institutions, what your colleagues and friends at other places say to you?

Especially, I would ask Charleston and Miami to address this, because both of those are, relatively speaking, smaller institutions and we are particularly glad to be able to recognize, high quality work at places that don't necessarily have the resources of a *Wall Street Journal* and a *Reuters*.

Mr. Pardue: In South Carolina, we feel like the last man standing. We've seen some really good newspapers, the state newspaper in Columbia just eviscerated. Greenville's Ganett paper was eviscerated before it started. And so, the state of investigative reporting in South Carolina is not universal.

And I'm very pleased to say that we as, at *The Post and Courier*, are very lucky. We have a management that loves investigative reporting.

In fact, after the success of this series, the chairman of our board, a man named Pierre Manigault, they, as a privately held family corporation, decided that we were going to hire an additional reporter for our projects team. So now we have, in a fairly small staff, we have four full time projects reporters, and a lot of support across the newspaper.

I've spent my career in investigative reporting. And I'm really saddened to see newspapers suffering so much, because that's where the bulk of the investigative reporting – excuse me, there's some also done in other places.

But I feel hopeful because I was talking to a young intern that came to our paper, and asked, I said, "Hey, you know, I'm just curious. You say you want to go into print journalism. What's the matter with you?" I said, you know, "Why would you do that?"

And she says, "Oh, this is a great time to go into print journalism, because I'm going to be creating whatever's going to come out of this."

Mr. Jones: Good for her. By the way, I had breakfast with Doug this morning and he was telling me about how the publisher of his newspaper loves to come into the newsroom and say, "Hey man, that was a great story." You know, that's not publisher behavior in my experience. Miami, what about you guys?

Ms. Burch: I'll start and Carol can chime in. If you have read the *Miami Herald* over the last 10 years, particularly on a Sunday, and there's a story that's about government accountability, and there's a tepid response from an elected official or no response at all, there's a very good chance that you're reading a story by Carol Marbin Miller.

And what I will say is that we are a smaller operation than we've been in the past. But we're also an operation that has been committed to really, really good investigative projects. She's worked on a number of major projects.

I can also tell you that there were moments when we were like, are they going to let us finish this thing? Are we going to get the help we need? We remember marching in the office on a Friday and saying, "We really need more help."

And they didn't hesitate. We were shocked when we walked out and said, "Let's go really quickly before they change their minds."

But it is difficult. I do think the standards for our news organization are higher in terms of what we can commit to. Because we don't have the resources to do three or four really big projects a year like you know, you used to be able to do.

Mr. Jones: I don't know whether it's significant or not, but I consider it to be significant that the editor of T*he Boston Globe* was there last night, which says something. How are you guys now with John Henry as your owner? The Spotlight Team in Boston is sort of a sacred institution.

It was the Spotlight Team, for instance, that did the revelations about the Catholic Church that really changed the world in many respects. How do you guys feel?

Mr. Saltzman: Well, John Henry has owned the paper for about a year now. And you know, naturally, I think a lot of us were a little concerned with whether somebody who has very strong business ties to some powerful institutions in the city was going to be four square behind what we do.

And without giving anything away, I can even say that fairly recently we were dealing with somebody, interviewing somebody who said, "No way is this going

to get into the paper." You know, "Break my heart now, because there's no way that this is going to get into the paper with John Henry as the publisher."

So far, we have not seen anything, any diminution of the commitment to investigative journalism. And Brian McGrory, we told people this many times, that it's a sacred cow, but if it's a sacred cow that has done something wrong or is worthy of examination, our editors are completely behind us going after it.

I mean that in fact, they're more behind us. So, I hope we won't ever be disappointed. But so far, we've been really thrilled.

Mr. Jones: Did that story get in the paper?

Mr. Saltzman: Well, still a work in progress. (Laughter)

Mr. Jones: ProPublica depends on money from outside. It's been a great success. Are you guys feeling fit and strong?

Mr. Eisinger: Well, you want to take that one? Are we feeling fit and strong? Fantastic donors, rich people, thank you. ProPublica has actually been pretty healthy and we've managed to make our nut every year. And we're expanding, so we're doing quite well.

I actually have a slightly dissenting view, which is that I think we're in something of a golden age of investigative reporting. I don't think you would say that five or six years ago, because we were just experiencing this kind of swathe of decimation among the kind of major metropolitan dailies like the *Miami Herald* and San Jose Merc and the *Philadelphia Inquirer* –everybody knows that story.

But now what we have is BuzzFeed doing serious investigative reporting. My colleague I worked with, at *The Wall Street Journal* on the Medicare stuff, Mark Schoofs went over there to start their team. Medium, you see this blossoming of investigative reporting thanks to data and thanks to the global reach. And now

The Guardian does world class investigative reporting and has a spectacular global reach to affect countries all over the world.

So I think the real problem is not actually the quality of reporting, which I think is probably better than ever. Or the desire to do investigative reporting, which I think exists and is being done.

But the public, I'm hard pressed to really see a public that is engaged and cares, and I feel like they are overwhelmed with outrage and cynical. And it's hard to make people care, which is to the point on data, which is why you have to tell stories. Why we're not academics. You need the data in many cases. But we really actually have to tell, figure out ways to make human beings care about our stories.

Mr. Jones: What about NPR?

Ms. Sullivan: I think, you know, Michelle can also attest to this, that we're pretty lucky at NPR to have an investigations team also funded by some very nice rich people. That's been fantastic to have something, we get to do that because we're a nonprofit, too. So, that's really helpful.

I wholeheartedly agree with a sympathy fatigue that is happening out there. The only way around that that I've seen is when you can replace the sympathy with anger. People seem to sit with it better when you can say, "I'm going to put this story at this person's feet or this agency's feet." Then it's not just another sad story.

Sometimes, data can lead to – I mean, in the old days, before we learned how to do data a little better, and NPR's different too because we're radio – data does not sit very well on the radio. You can spend six months doing data and it's going to be one line in your radio story. It's an important line, it's got to be there, but it's all that work for one line.

Then the rest of it is trying to get people engaged with it. And in the old days, when we first started doing data, a lot of us used to call them IBBs, you know, these stories were important but boring. You kind of slog your way through it.

But I think now, I think that we're all learning how to use data in a way that makes it more interesting to listeners and readers.

Mr. Jones: *Wall Street Journal,* you've got Rupert Murdoch and I mean, are you feeling any pinch, or is this something that is encouraged?

Mr. Stewart: I actually, I agree with Jesse. I think we're in a pretty amazing moment for investigative journalism, mentioning again all those new web companies that are increasing their investment in really good journalism.

At *The Journal*, there too. I feel blessed over the last year or so, they've really doubled down it feels like, in their investment and determination to do really good enterprise journalism that's, in many cases based in data. And we have a fairly large team now with editors, a group of data reporters and reporters and researchers.

I think our biggest challenge is figuring out what to go after. And so, we're pretty fortunate in that way.

Mr. Weaver: Yeah, and this Medicare project is really great indication of the organization's commitment to doing this. Because it's cost years, many thousands of dollars, and as far as I know, nobody's ever blinked in view of those costs.

Of course, like most online organizations, we're doing more things that are like short lists that present as articles and are not expensive to produce. I certainly hope those help us sell enough ads to pay for this kind of stuff.

Mr. Jones: *Reuters*?

Mr. Shiffman: I would agree that it's, I don't know if it's a golden age, but there's potential there. *Reuters* has, in three years, created a team that has mostly refugees. I came from *The Philadelphia Inquirer*, which was in bankruptcy, in convulsions, and I think we had four owners in six years.

So, *Reuters* has people from *The New York Times*, a lot from *The Wall Street Journal*, a lot of refugees from *The Journal*, *USA Today*, people come from different groups. So we have maybe 20 people around the world that do nothing but investigative and enterprise and we didn't have that three years ago. We had one or two.

So that's healthy and encouraging. But we're also a publicly traded company, and you never know what could happen in the next couple months.

Mr. Jones: Doug, you work for a family, so which is it? A golden age?

Mr. Pardue: I think we may have a golden age and a dark age going on at the same time. It seems to me, on the national and international stage, yes. I think we are far and away the smallest news organization here. And while ProPublica is doing well, you all are doing well, *Wall Street Journal's* doing well, I don't hear much from Raleigh any more. I don't hear much from Charlotte any more. Nashville I haven't heard much out of there, Memphis, Picayune, Birmingham, Mobile, even my former paper, *The Tampa Tribune*, which is barely hanging on.

So I would say there's a real threat to local and regional journalism. The national stage is all fine and dandy but it's local that, where people live.

Mr. Jones: Can't let *The Tampa Bay Tribune* comment go by without clarifying. Paul Tash, what's your take on this? Paul is one of the people who has a very long and close eye and reputation that's absolutely beyond, well, extreme.

Mr. Tash: Well, thank you Alex. I'm Paul Tash from *The Tampa Bay Times*, Florida's largest newspaper. And a voice honored to count both Audra and Carol among our alums.

I would very much second much of what Doug has to say, that the organizations that can have the scale of audience across a very broad territory have a different kind of dynamic than the ones who are trying to bring focus and energy in investigative reporting within their own communities.

On the other hand, to pick up on some of these comments, I do think that newspapers and news organizations generally have given more focus, particularly given the kinds of focus that over the last several years have brought on creative, distinctive coverage for their audiences.

And one of the elements of very distinctive coverage is investigative and enterprise reporting. The kind of stuff that cannot be done by anybody else.

Mr. Jones: Marvin, you had a comment?

Mr. Kalb: Just a quick question really. Investigative reporting costs a lot of money, because it takes a lot more time. And I'm wondering whether the people with the money are prepared to spend it on more than just domestic stories. John mentioned a moment ago about 20 or 30 people working abroad. Is the same effort, so far as you know, being addressed as well to foreign reporting?

Mr. Shiffman: We have two people, two reporters, two editors, in London. I mean, I think it's a little different than *Reuters*. You know, we have people in Hong Kong and Singapore. And last year, some colleagues, they won the Pulitzer for International Reporting for exposing the Rahunga, the Burmese who were being held against their will in Thailand.

So there's the will to do it. I'm also very biased because I used to work at *The Tennessean* and at *The Philadelphia Inquirer*, where the investigative reporting

was just hit very hard. And I think the local reporting is incredibly important, too. But yes, we have, we're unusual but do have people all over, in many places around the world.

Mr. Jones: We got started a little bit late, so I'm going to allow us to run over a little bit so we can get some of your questions in. Cris. Into the microphone, please.

Ms. Russell: Sure. In terms of getting a database about how investigative journalism has evolved, would the Shorenstein Center's records on the Goldsmiths over time, the submissions – there are about 100 and something. Have they changed in number and would there be a way to go back and see the change in direction, if you could measure it, encouraging data journalism here?

Mr. Jones: We will ship you all the boxes. (Laughter)

Mr. Jones: Chris was a judge when we were on paper and believe me, the boxes are big, that arrive at judge's doors. We don't have a record, to the best of my knowledge, of more than the names of the entries and their headlines. We certainly don't have –

Ms. Palmer: We have them all.

Mr. Jones: We have all of the entries?

Ms. Palmer: Oh, yes.

Mr. Jones: Where?

Ms. Palmer: Harvard University archives.

Mr. Jones: Oh, I see. In other words, forget about it. (Laughter)

Ms. Palmer: We can get those boxes.

Ms. Russell: Get those academics.

Mr. Jones: We'll get those boxes to you, Cris. I think that, quite seriously, of course, we do have those numbers. My sense is that the number of entries has,

you know, it varies. But it's remained in the same general range for the last 15 years that I've been here. I don't know whether it's changed much before that. Where's Alison? Do you know, Alison?

Ms. Kommer: It averages about a hundred.

Mr. Jones: About a hundred. Now remember something, to make the application is no small thing. I mean, it takes a lot of effort and a lot of work to do. So you can't just sort of take a notion. You have to really invest some time and effort into just simply applying for a Goldsmith Prize. So, it doesn't surprise me. The quality has not fallen off, as far as I'm concerned. Kevin?

From the Floor: I have a question for the panel, for the finalists, which is, first of all, in the case of *Reuters*, do you have data on who actually used the pieces you produced, who was in your subscribership? Did some use it and some not use it and is that a concern to you?

Secondly, do the participants feel that the work they've done has been properly billboarded, promoted, and adequately given to the public ahead of time, so that people are rising up for it?

Because I think that's a huge piece of the dynamic as to whether it's actually bringing, in the case of either South Carolina or anyone else, either higher listenership or higher readership or higher community response in general.

Mr. Jones: *Reuters*?

Mr. Shiffman: Most of our stuff is just seen online. Occasionally we write shorter stories, 20, maybe 20 paragraphs, 20 inches that some clients do use. Everything's online anyway, so I'm not sure it matters all that much. Would I like to see my story on the front page of *The Wall Street Journal* and *The New York Times*? Sure.

Mr. Jones: Did you feel like, for instance, do you feel like this series on "The Echo Chamber" was given the full treatment by *Reuters*? I mean, with Twitter and everything else used to draw attention to it?

Mr. Shiffman: Sure. And some of our clients are Yahoo and Huffington Post. So the full series will appear on those pages, and I've done a couple stories that I've gotten huge numbers on Huffington Post and Drudge. But the story actually runs on Huffington Post and Yahoo. So that's where most of the people that I know see it. They don't see it on Reuters.com even though they could.

Ms. Brand: To all of you guys and I really appreciated the new techniques and visual techniques that you were using online to make the stories more interactive and impactful. My question, would you do anything differently and did the stories have the impact that you intended them to?

Mr. Jones: Do you want to direct that to a couple, because we just don't have time for everybody to answer that.

Ms. Brand: Well, I mean, I guess to the panel, if anyone thinks that they would have done anything distinctively differently or just slightly differently?

Mr. Jones: Anyone? Perfect, everything? Execution and everything? Perfectly, exactly right? What about the impact? The thing is, the irony is that, as I said last night, the impact of the *Reuters* piece on the Supreme Court may be just the fact that we know it and maybe the justices will respond to the very idea of it somehow. Red Cross, do you think you've had an impact, or what do you think?

Mr. Eisinger: No. (Laughter)

Mr. Eisinger: I mean, we caught the CEO making serially misleading statements about how they used the money. We caught them not just being

incompetent but actually diverting the resources that donors give hard-earned money for, for public relations purposes.

And there's basically been no Congressional oversight, no impact. We've talked to all the board members, reached out to all the board members of the Red Cross and everybody says that our stories were really mean and unfair and that they love the CEO. So… (Laughter)

Mr. Eisinger: So I feel like we've had no impact yet.

Ms. Sullivan: I actually think that this goes less toward the lack of impact but more toward the amount of pushback. I think that that's sort of the changing minefield that we're all in now in the past 10 years. The great part of having the web is that there are stories everywhere and the downside is that it's an equalizing force.

Fifteen years ago, when somebody was pissed off at your story, they wrote a letter to the editor, and maybe they got to come in and sit down and complain in your editor's office for a little while, and then they would walk out the door and that was the end of that.

But now, they can use the Internet and their tools, Twitter and everything else at their disposal, to take down your story in whatever way that they want to. And I think particularly the Red Cross, that it has been easier to simply push back against us and try to come up with ways to take down the story than it is to acknowledge a problem.

Mr. Jones: As you probably, well, you don't know, but the Red Cross was very unhappy that we gave this series a Goldsmith Finalist Award, and they sent information to me. I forwarded it on to our judges and also to ProPublica and NPR and they responded.

Ms. Sullivan: Yeah, we saw it. (Laughter)

Mr. Jones: And I think that you know, they certainly satisfied me and I think our judges that Red Cross was wrong. Yeah, Irv.

From the Floor: It seems to me that the courts are a two-edged sword for investigative reporting. You can use them under FOIA to get information. But have any of you ever been threatened with suits or to disclose confidential sources? Because I think that's very difficult hanging over reporting these days.

Mr. Jones: Good question. Carol?

Ms. Miller: We've had tremendous problems with state agencies and even governor administrations attempting to find out who our sources are. Over the course of some years now, we've had sources placed well within the organizations that we cover.

And some of them went so far as to drop literally thousands of pages of wholly unredacted files on our doorstep. Some were in my desk, our thumb drives, with hundreds, hundreds and hundreds of completely unredacted child welfare death reviews that we are not entitled to.

And over the course of some years now, we've encountered very significant pushback. There was, some years ago –Governor Bush wants to be president so, remember this when you go to the polls – asked the Florida Department of Law Enforcement to investigate us because we had published a story about a case and he was really upset.

And my sources were calling me and saying, "armed agents with badges were showing up at my place of business and interrogating me." And we found out later that the state attorney in Miami had a 150 page closed case.

The style of it was state of Florida versus Carol Marbin Miller, public corruption. And to this day, I don't understand, you know, what thing of value I got for, or gave, for obtaining records that we put in the newspaper.

The case that really spawned this for us was the torture and death of a little girl named Nubia Barahona; we wrote about that case in detail. And both the state attorney and a judge became infuriated. And the state attorney was going to open up a grand jury investigation.

The judge required everyone who had been in the courtroom for a series of hearings to show up in her chambers and without any notice to the public that this was occurring, sign a sworn statement that they were not the leaker.

The head of the Miami version of DCF refused to sign, which I thought was weird, because she wasn't one of the leakers. And all of this over several years has had a very, very chilling effect, which is exactly what it was designed to do.

And all you can do when these things happen is very discretely call your sources and say, "You and I are the only ones who know what happened. And I'm not talking." But yeah, it, there was a lot of that going on for us and it went on for a long period of time.

Ms. Sullivan: Just don't call them at their office. (Laughter)

Mr. Jones: Definitely not. Yes. We're going to have to end. I'm sorry to say it because this is, as it always is, is quite fascinating. It's wonderful to have the opportunity to recognize this work, to celebrate this kind of journalism.

I know that the Greenfield family is a part of joining in the pride in this. Jill, the president of the Greenfield Foundation is here. Mike, one of our judges, another member of the family. We're so grateful that you make this possible every year.

This is something that is a great pleasure and honor for the Shorenstein Center, and I thank you all. And I want to also of course congratulate our Career Award winner. Thank you. (Applause)

Mr. Jones: We also have certificates and I think, as you can see, we've tried to make them look as much like diplomas as possible.