



Who Can Be Trusted?

USC Annenberg School for Communication

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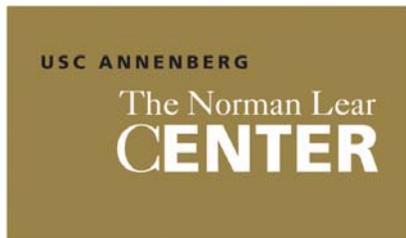
Exploring Implications of the Convergence of Entertainment, Commerce, and Society

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“Who Can Be Trusted?”

The journalistic convention of sourcing is examined by a panel of illustrious industry pros. How to publish key quotes without revealing or endangering a source? And yet how to keep on-the-record as much as possible, and maintain readership trust? The tension inherent in these questions and others are weighed in this in-depth, three-part panel.

Panel 1 compares US versus British standards of journalistic truth-telling, and discusses how to know which sources to believe, and the disastrous slippery slope of too many unascrbed sources. The conversation, which covers the newspaper industry, starts on page 21.

Panel 2 ponders the differences between local, national and cable investigative reporting, reveals how to ferret out genuine sources in the Michael Jackson circus trial, and concedes that not everyone wants to be an on-camera whistle-blower. This debate about sourcing in television starts on page 46.

Panel 3 asks, "What if Charles Lindbergh's baby were kidnapped today?" This seminar's participants deliberate the repercussions of covering this event in the big-media era of 2005. The discourse starts on page 70.

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Who Can Be Trusted?

Alex Ben Block: Good morning. Thank you so much for being here. I'm Alex Ben Block. We greatly appreciate your attendance. We have a very full and interesting program for you today. I want to start by introducing to you one of the people who has made it possible for us to be here today, the Dean of the Annenberg School for Communication, Mr. Michael Parks.

Michael Parks: Good morning. Alex, and thank you. I am the director of the School of Journalism within the Annenberg School for Communication. We've been very pleased to partner with the L.A. Press Club, *The New York Times*, and The Times Discovery Channel, the organizers of today's seminars.

There is probably not a more complex issue than sourcing: it goes to the credibility of everything we do as journalists. We're pleased to make this forum available for a discussion that I hope will be provocative, and help you think about what you do.

My job is to get out of the way. In doing so, I get to introduce one of my very favorite colleagues, Patt Morrison, whom you can read in the *Los Angeles Times*, hear on KPCC. She's a daughter of the convergence era. Patt writes books, does television, and will start the moderating today. Patt?

Patt Morrison: Thank you Alex. Our topic today is sourcing news in investigative and political reporting. In this era of multiple news outlets, the Internet, and blogging, we've seen how important an issue this has become for journalists, for everyone from Dan Rather to the most basic weekly news reporters on local newspapers. We have also seen journalists' careers and reputations rise and fall according to their sourcing. The Watergate era of Woodward and

Bernstein, and the two-source rule may have become a thing of the past. We are going to talk about this as well.

I want to introduce to you someone whose presence here is important to this conclave. Her name is Vivian Schiller. She's general manager and senior vice president of The Times Discovery Channel. She flew in to be with us today, and will introduce our keynote speaker, after which we will have our panels. Could you please come up, Ms. Schiller?

Vivian Schiller: Thanks so much, I appreciate it. For those of you who don't know The Times Discovery Channel, I just wanted to say a couple of words about it: The Times Discovery Channel has been on the air for two years; we are a cable network that is a joint venture between Discovery and *The New York Times*. We have a focus on recent history and world events, we do investigative documentaries, and all manner of programs that come from the journalism of *The New York Times*.

It's also my honor to introduce the keynote speaker, my colleague, Phil Taubman. Phil really is the perfect person to be kicking off this event, not only because of his work as a journalist – 26 years of which were at *The New York Times*, where he was everything from an investigative reporter to the Moscow bureau chief, deputy national editor, you name it – but, most appropriately to this group, because he's now the bureau chief of *The New York Times'* Washington bureau, which is at the center of many of the sourcing issues that we are dealing with today.

If you've read or follow what happens at *The New York Times*, you are probably familiar with the Siegel Subcommittee on Sourcing, which Phil was in charge of. That makes him the perfect person to speak to us today, and kick off what I'm sure will be a very lively and interesting morning. Phil?

Phil Taubman: Good morning. We're here to talk about sourcing, specifically, about the uses and misuses of sources, including anonymous sources. It's not an overstatement to say that sourcing problems have contributed mightily to the credibility issues presently battering my profession.

When readers begin to wonder whether sources are reliable, it's not a big step for them to start wondering if stories and news broadcasts are credible.

Dan Okrent, who will soon complete an 18-month stint as *The New York Times'* first public editor, reports that in the view of the readers that he hears from, anonymous sourcing particularly is the number one killer of the paper's credibility. That's one of the reasons *The Times* has just completed a review of these matters, as Vivian mentioned. As a result, I expect the paper will soon redouble its efforts to limit the use of anonymous sources. I'll get back to that later.



When readers begin to wonder whether sources are reliable, it's not a big step for them to wonder if stories and news broadcasts are credible.



Given the gravity of the problems in the media, and the fact that papers like mine take a daily beating from press critics about our reliance on either anonymous sources or ill-informed sources, it would be tempting to limit our discussion this morning to a litany of complaints. There's certainly much to complain about. I will talk a good deal about the journalistic dangers of relying too heavily and too trustingly on protected sources.

But let me begin by saying a few words in defense of unnamed sources – I'll take a page from my own experience as a Washington reporter: Not long after joining *The New York Times* in 1979, I was given the dubious honor of covering the CIA and other intelligence agencies. I say dubious not because it was an obscure beat, far from it. But because the idea of getting anyone who knew anything about America's spy agencies to talk to me was the equivalent in those days of the Red Sox winning the World Series.

As a result, I spent the next five years immersed in the shadowy world of anonymous sources. Some of the people I came to know risked their careers by talking to me. Our meetings and phone conversations were handled with great care to avoid exposure of the sources. Most of my sources asked that I call them at home, not at the office. Some even wanted me to use a false name when I called them, so that their families would not know a reporter was on the line.



Other than stories about Congressional reports or declassified documents, every story I wrote during this period was attributed to unnamed intelligence officials.



A few insisted that we talk only face-to-face at remote sites in the Washington area. The pledge I made to those sources, that their identity would be shielded, was a solemn promise made in full recognition that it might ultimately deposit me in a prison cell if I defied a court order to identify my sources. That is exactly the threat that Judy Miller, my colleague, and Matt Cooper of *Time* face today.

It's safe to say that other than stories about Congressional reports or declassified documents, just about every story I wrote during this period was attributed to unnamed intelligence officials or administration officials. I like to think that my coverage helped to keep readers of *The Times* informed about some of the riskiest, most sensitive, and politically divisive activities of the government, including the Reagan Administration's covert wars in Central America.

Here's how it worked in one case: a member of Congress who was opposed to the buildup of American military forces in Central America, and Washington's covert aide to the Contra rebels in Nicaragua, provided me with top-secret memos that he had obtained from a government agency. These included some of Defense Secretary Casper Weinberger's communications with President Reagan. The member of

Congress let me read the papers and take notes on them, but would not let me copy the documents. He also asked that I not refer to them in my reporting or in any stories that grew out of the material.

The documents outlined secret plans for increasing the number of American military forces and bases in Central America, and clandestine efforts to tighten American pressure on the Sandinista government in Nicaragua, which the Reagan Administration saw as a beachhead for expanding Soviet influence in the hemisphere.

The documents looked authentic to me. My challenge was to determine they indeed were, and to confirm the contents by talking to Pentagon, White House, State Department, and CIA officials. I also had to find out if Mr. Weinberger's proposals had been approved by President Reagan, and what sort of debate had taken place about them at the top levels of the Administration. I can still recall the astonishment of officials as I rattled off a series of points that I had learned about their plans. Some of them hung up on me; others referred me to press aides. A surprising number, however, recognizing that I was well informed, though not aware that I had copies of Mr. Weinberger's memorandums, confirmed the substance of what I had learned from the documents, and agreed to talk to me at length about the Administration's policies and plans for Central America.

Within a few days, I produced a series of stories that appeared on the front page of *The Times*. I think the stories were solid. They were sourced primarily to Administration officials. They made no reference to the Weinberger memos. Looking back today, I'm not sure I would agree again not to make any reference to the documents that had been given to me.

The articles, which led the paper for several consecutive days, had a large impact on congressional and public debate about the Administration's policies on Central America. They also rocked the competition, principally, *The Washington Post*, which I relished. To this day, I believe that they were an example of the crucial role a free press can play by informing the citizens about the policies and activities of their government.

The day we outlaw the use of anonymous sources in covering the CIA, the Pentagon, the White House, the State Department, and other national security agencies, is the day we cease to cover them effectively. Just think about it for a minute – some of the most important journalism in recent decades was based on information from protected sources: the coverage of the Vietnam War, the publication of the Pentagon Papers; Bob Woodward and Carl Bernstein's work on Watergate, which relied on many unnamed officials, including one, of course, that they named Deep Throat; the attacks of September 11, 2001 and their aftermath, at home and abroad; the war in Iraq.



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The coverage of all these stories was informed by, and sometimes built around, anonymous sources, people who would not have assisted the journalists if their identities were going to be exposed.

Still, for all the good in essential journalism that depends on anonymous sources, excessive or careless reliance on them can be destructive and self-defeating. I believe today that some journalists, particularly in Washington, are drunk on anonymous sources. I use the term advisedly – using anonymous sources can be like an addiction: once you get accustomed to relying on them, it is hard to stop.

Anonymous sources can make the day go by more easily and painlessly. Instead of expending time to persuade someone to talk on the record, reporters can cut instantly to an invitation to talk off-the-record or on background. On background, by the way, a term of art in Washington, particularly, means someone will talk to you, and you can use the information they give you, but you can't identify them by name, and in some cases by the agency for which they work. That's different from

off-the-record, where people ask often that you not even publish the information that they're giving you.

Dealing with sources who can't be named also seems more exciting and mysterious than dealing with named sources. It's more dramatic for me, for example, to talk about clandestine meetings with unidentified figures than my many on-the-record discussions with various Assistant Secretaries of Defense, and State, and their press aides. One consequence of that gap can be a self-defeating attitude among reporters that open sources are, by definition, less truthful.

Look, I'm not naïve. I know that people will talk more freely and honestly in many cases if they believe their identities will be shielded. But in fairness, I should also note that just because open sources have to be more circumspect does not mean that, by definition, they are wrong, or that their account of events is less trustworthy.



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Editors are also prone to fall for the seductions of anonymous sources. If scoops are piling up from anonymous sources, who's going to complain? Life is easier if you can edit a story without insisting that the reporter go back to his or her sources to see if the person would put blind quotes on the record. Interrogating reporters about their sources can be difficult and awkward for editors.

Over time, the natural inclination of sources to remain unidentified, and the natural inclination of reporters and editors to shield sources, have produced an unhealthy environment in Washington. I worry that we have reached the point where both sources and journalists prefer a Washington culture in which the use of unnamed sources is the norm rather than the exception. Secrecy has a lot to do with it. The more

secretive the government, the more officials are afraid to talk. I can tell you, the Bush Administration, for one, is very secretive. The more secretive the government, the more reporters can score big scoops by cracking through the secrecy, usually with the help of unnamed officials.

Bingo! Secrecy begets anonymity; anonymous sources beget headlines; headlines beget recognition, raises, and prizes. I won prizes for my coverage of Central America policy based on anonymous sources. If not carefully managed, all this can lead to a vicious cycle. The anonymous source dynamic blurs, and even erases the distinction between distinguished public service reporting that is genuinely dependent on protected sources, and sloppy Washington reporting that relies on unnamed officials because it is easier to do business that way.

The core problem, I believe, is that we have lost sight of our obligation to be candid and honest with readers and viewers about the critical transaction that lies at the heart of every story - the transmission of information from source to reporter. Journalists sometimes forget that that hand-off of information can be an intricate exchange in which both sources and reporters are jockeying for advantage. Often what transpires during that exchange, and why it transpires, shapes the eventual story or news broadcast.

In good journalism, readers and viewers should be told as much as possible about the exchange. They need that information to evaluate the stories and broadcasts. Readers have a right to know the biases of sources. Readers should know what steps reporters have taken to confirm information, to get reactions, to seek out different perspectives and points of view, to know, in effect, what reporters have done to guard against being taken in and spun by their sources.

I'm talking here not only about the accountability of journalists, but also about the accountability of their sources. When a reporter agrees to cloak someone in anonymity, it is harder to hold reporters accountable for their stories. It is even harder for readers and the public at large to hold unnamed sources accountable for their conduct and decisions, many of them government officials.

Let me be less abstract. First of all, there are a lot of reasons why people in Washington like to talk on background and off-the-record. Congressional aides do not talk for attribution because the vanity of their bosses dictates that no one but the Senator or House member stands in the limelight. State Department officials prefer to talk on background because it is sometimes easier to convey critical information to a foreign government if the name of a particular official is not associated with it, and the message seems to be coming from an unidentified figure speaking on behalf of the American government.

A four-star general may request anonymity for fear that the Secretary of the Army or the Secretary of Defense will land on him like a ton of bricks if he publicly questions a Pentagon policy. A CIA official faces the possibility of criminal prosecution if he or she leaks classified information.

There is another more Machiavellian set of reasons that lead people to ask to be shielded: Washington is beset by institutional, ideological, political, and personal battles, as well it should be. I would fear for the vitality of our government if Washington was friction-free. But these battles, for better or worse, are often waged through the media. People talk to reporters because they are trying to undermine policies they disagree with, ruin the careers of their rivals, help their agency prevail in policy disputes, promote or oppose political candidates, encourage the passage or the rejection of various pieces of legislation, just to name a few motivations.

All these motivations prevail in Washington, and almost any other institution that newspaper, and broadcast media, and magazine people write about. Journalists wade into that warfare every day, exploiting the



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disagreements to break loose information and news. Because the atmosphere is so charged, reporters must be constantly thinking not just about what they are hearing, but why they are hearing it, and to correct for the biases of their sources.

Often, they also need to correct for partial information or even misleading information that sources provide. For example, is a State Department official disclosing information about the Pentagon's handling of Iraq because she is trying to block a Pentagon policy proposal? Is a White House aide talking about the need for tightened ethical standards in the House in hopes of undermining Tom Delay, the House Majority Leader? Is a CIA official spilling the beans about a covert operation because he thinks the plan is ill-advised, or because he fears the White House will blame the agency if the operation backfires? Is someone at the Food and Drug Administration complaining about the approval of a new drug because he thinks it is dangerous, or because he didn't get the promotion he thought he deserved last month?

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Finally, there's another set of issues that reporters have to weigh as they gather information. They boil down to the question, "Does my source really know what he or she is talking about?" Sources come with widely varying degrees of information and knowledge. A high-ranking White House official who participated in meetings with the President and his top aides about Iraq knows a lot more about the discussions than a low-level State Department official who heard about them fourth-hand from a friend. A defense lawyer representing a client before a criminal grand jury is more likely to know about the case than someone in the criminal bar who has heard about it from colleagues.

Consumers of news need to know as much as possible about these

factors. In stories built on attributed sources, the identity of the sources can say a lot about their biases and motivations. Just the title, an institutional affiliation of an official, conveys useful information about the reliability of the information, or at least its provenance. For example, if you know an Assistant Secretary of State for Near Eastern affairs is talking about Middle Eastern policy, you're in a much better position to assess the information than if the source is merely identified as an Administration official, or a Western diplomat.

Absent some information about the nature, motivation, and access of sources, readers are left in the dark in trying to evaluate a story or news broadcast. To put it in the simplest terms, they cannot determine the credibility of the story. In Washington, I'm afraid, we've traveled a good distance down that perilous road. I sometimes hear complaints from readers about *The Times'* credibility--the credibility of *The Times'* Washington Report, the term we use in the bureau for the daily package of stories that's produced by the reporters and editors in the Washington bureau. Most of those complaints are generated by the bureau's use of anonymous sources.

The Times, as you know, has had its share of journalistic failings in recent years, including the coverage of the Iraqi threat that turned out to be too credulous about Saddam Hussein's weapons of mass destruction. Our coverage of the Wen Ho Lee affair produced some anguished reappraisals at the paper.

You all know about the Jayson Blair case. I was not in the news department as those stories unfolded, and I may not be the best source of information about them, nor were they all variations on the same theme. But I would suggest this morning that, at least in the weapons of mass destruction and Wen Ho Lee cases, the paper's use of anonymous sources contributed to the problems.

The Times, like many other new organizations, is determined to reduce our reliance on anonymous sources. It isn't easy for the reasons that I've mentioned. I was walking through the Washington bureau the other day, and I overheard one of the reporters on the telephone saying to someone's secretary, "Please tell him I'd like to talk for a few minutes off-the-record." As one

who has toiled in those vineyards, I completely understood the impulse – officials are much more likely to take a call if the ground rules promise unattributed conversation. Still, I found myself wondering how we can ever make progress if the departure point for every interview is a promise to conduct it off-the-record or on background.

The policy *The Times* put in place last year emphasizes the need to reduce our use of anonymous sources. In cases where that is not possible, reporters are now required to tell an editor the identity of his or her sources, except in the rarest cases, and those require the approval of Bill Keller, the Executive Editor.

We do business in the bureau differently than we did a year ago. We've held several bureau-wide meetings to discuss our dependence on protected sources, and how we can limit their use. The most recent of those discussions took place just two days ago. Conversations about the identity of sources take place between reporters and editors every day. I conduct many of those conversations myself. Before stories are filed to New York, we now make a notation on every story involving unnamed sources that the identity of the source has been disclosed to an editor.

I have asked reporters to go back to sources to ask if blind quotations can be put on the record. I have removed information in quotations provided by unnamed sources when I thought the sources were unreliable, or the use of the material added nothing to the story. On occasion, we have held stories for further reporting because we thought we were only getting one side of the story from anonymous officials.

Reporters and editors also now spend a good deal of time crafting sentences and paragraphs designed to tell readers as much as we can about the anonymous sources short of unmasking them. Where they work, what their institutional, political, ideological biases may be, how they know what they know. Yet, we have a long way to go before we get this right.

As Vivian said, I served on the committee that recently reviewed the paper's efforts to reduce the use of unnamed officials. I can't go into details, because our report has not yet been turned over

to Bill Keller. But I will tell you that we're going to have to work a lot harder to accomplish what we want. Finding the right balance is a challenge. We can't produce an informative, cutting-edge Washington report if we rule out the use of anonymous sources; we can't sustain the trust of our readers if all we print is stories based on unnamed officials.

Let me conclude with a story that I think captures the vexing complexity of sources and anonymous sources in the journalism business. In 1982, I received information from a source I could not identify then, and I still cannot identify today, 23 years later, that critically important information about American spy efforts against the Soviet Union had been compromised. The person responsible for giving the secrets to Moscow was a British intelligence aide who had agreed to sell the information to the Russians. In spy lingo, he had been turned by the KGB, and was now acting as a mole for Moscow.

Working with that sliver of information, I interviewed numerous intelligence officials. One piece of reporting led to another, as often happens when one is reporting. I soon assembled a fairly complete picture of what had happened, including the name of the suspect, his position in British intelligence, and the nature of the secrets that he had given away. *The Times* published my story after careful consideration whether publication itself might disclose vital American intelligence secrets. We concluded it would not. The suspect had already been arrested, and the Russians wouldn't learn anything that they didn't already know about his activities from my story. We thought the breach of security was significant, and ought to be publicly disclosed.

William Casey, who was head of the CIA at the time, told colleagues, including the Attorney General, that he was outraged by the leak. He



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said that the leak about the case, and the publication of the story had seriously compromised American security, and someone had to be held accountable. Mr. Casey demanded that the Justice Department conduct a leak investigation, and prosecute whomever had given me the information about the case. In the course of that investigation, the National Security Advisor to President Reagan was forced to take a polygraph test. The investigation created a furor within the American government. In the end, no one was prosecuted, as far as I know. My original source was not identified, nor were my secondary sources.

This morning, I can tell you that one of those secondary sources was William Casey; I tell you that because he died in 1987. I'm not here to judge whether his conversations with me about the case were right or wrong. I obviously think the public interest was served by publication of the story. But in retrospect, I can see that his invisible role shielded him from criticism when he insisted that the leak investigation be launched, and it made a mockery of the investigation itself.

Thank you very much. I'd be happy to take a few questions if we have time.

Unidentified Participant #1: Is there a point where a reporter, through knowing so much about a beat or a story, can be a source for the story they're working on?

Phil Taubman: That actually came up in the discussion we had two days ago in the bureau. You're on to a critical issue, which is discussed a lot in news organizations, which is if you've got people who have covered agencies for a long time, and have acquired a great deal of expertise about them, at what point does it become tenable for those reporters to

simply state on their own behalf what they know to be the case, as opposed to having to go and find someone who will confirm something for the umpteenth time?

I experienced a little of that when I went to Moscow: I came out of the Washington bureau culture where everything had to be attributed, absolutely everything. And I spent the first six to nine months in Moscow running around talking to zillions of people, as I well should have been, because I didn't know what I was talking about when I got there.

But over time, I began to know as much about the Soviet government as many of the diplomats there. There was this one day, I still recall, where I simply decided on my own hook to assert something that I knew to be the case, the foreign desk said that was fine because they realized that I, myself, had become a kind of expert on the Soviet Union.

I think it varies from location to location. Actually, it's kind of situational. In the Washington bureau, we are still more likely to demand a source, an attribution, for almost anything that we put in the paper. But it did come up at the discussion just the other day with a reporter saying, "Hey, if we really know something to be the case based on weeks and weeks of reporting, do we have to go out and get someone yet again to say so in a way that we can attribute it?"

Unidentified Participant #2: Do you think sourcing standards vary from beat to beat, national stories versus local affairs?

Phil Taubman: I think a lot of what I said is directly applicable to covering the Mayor of Los Angeles, the City Council, the legislature in Sacramento, zoning boards, school boards, corporations. Obviously, I come from Washington, so my comments were Washington-centric. But I think the concerns that I and other journalists have about these issues cut across the whole spectrum of subjects that news organizations cover, including sports, culture, business.

A lot of stories about corporations are attributed to unnamed officials; stories about big trades that are about to be made by professional baseball teams are often attributed to unnamed

officials. I think the same dangers that I described are present in almost every kind of reporting that goes on. It's probably done in a more intensive way in Washington because everyone there has been doing it that way for years. But I would say, yes, all these things are very relevant, right here in L.A..

Unidentified Participant #3: Mr. Taubman, you had presented those points, and had mentioned that a reporter sometimes says, "Well if I have done this research for weeks and weeks, do I have to go back yet again and get a source?" Here's an example I'd like you to comment on: on February 12, 2002, the front page of *The Daily News* specifically tied Saddam Hussein to 9/11. When I read it, I was just shocked, appalled. I actually called and, after many phone calls, ended up speaking to the people who were responsible for writing this headline. Basically, what they said was, "A couple of us sat around a table, and tried to decide what we were going to put on as the headline." I contacted the writer, David--I can't remember his last name from *The New York Times* who wrote the article, and he said, "I did not put that headline on the article that I wrote. I did not write that headline." And he was shocked that the headline was put on his article tying Saddam Hussein to 9/11.

So I contacted the people who sat around the table and said, "Well that's what we decided we'd put as the headline." And I said, "How can you do this? There has been no proof!" And they said, "Well, yes, that's true." And I said, "But there are how many hundreds of thousands of people reading *The Daily News* that read it and are now saying, "Wow, it's been proved! It's in print! I believe it!"

Phil Taubman: I think that's a charged case. And I'm a little wary of venturing into it without knowing more details about the story. But I

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I contacted the writer who wrote the article, and he said, "I did not write the headline for that article!" He was shocked that the headline tied Saddam Hussein to 9/11.
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would say, as a general proposition, that, yes, it is permissible in certain circumstances. If reporters are steeped in an issue, and have confirmed something many times over, in certain circumstances, you can just say something is the case. I did it a lot when I was in Moscow. I want to be clear about this, I think the standard is sometimes tighter in Washington. Yes?

Unidentified Participant #4: Having spent time as a journalist, and more recently, as a spokesperson, I am puzzled by a couple of assumptions that seem to underlie much of what you're saying: one, that it's somehow more difficult to ferret out what may be ulterior motives on the part of anonymous sources, as opposed to named sources for the reporter. And secondly, that somehow, the public is in a better position to judge the credibility and objectivity of named sources, as opposed to the unnamed sources, that the reporter might have a relationship with.

Phil Taubman: That did underlie some of my comments. I think the reason is that you do learn something about the motivations and biases of sources, just by knowing what their job is – you don't know everything, by any means. I don't mean to suggest that just because you can identify a speaker by name and affiliation, therefore, you know *prima facie* everything that is motivating him or her to tell you something. But I do think you start out by knowing something about their interests when you know who they are, and you can convey that information to the reader. I think it's a lot harder to convey any information if you're dealing with unnamed sources.

Alex Ben Block: Phillip Taubman, thank you for very thoughtful remarks. Let's all give a big round of applause. We're going to go right to our next panel. Patt?

Panel 1

Patt Morrison: We find ourselves trying to reduce our reliance on anonymous sources as we're trying to reduce our reliance on oil – it's very difficult. And it's certainly not just a Beltway phenomenon. We do see absurdities in this off-the-record background process. For example, there was a transcript of a White House briefing by a senior White House official, a Q&A. Of course, nobody was supposed to know who this was. One question began, "Ari, can you tell us

so and so?" So Ari's cover was blown on that.

There was a reporter at the *Times* named Al Torgeson, a foreign correspondent who was killed in Central America, who came up with what he called the 13-stroke corollary, which is that when a clock strikes 13, not only do you know it is not now telling you the correct time, but you must begin to wonder whether it has ever told you the correct time. This is our quandary in journalism: if we make one mistake, people begin to think that all we do is make mistakes. As to the issue of sources, one of the things that we're going to be talking about is what Phil Taubman introduced, the *qui bono* argument. Who benefits? Are people being patriotic? Are they being vengeful? Are they being conscious-stricken? And how do we evaluate those?



The great joke in journalism is that there is nothing that ruins a good story like more reporting.



The stories of the King/Drew Medical Center that just won the highest of the Pulitzer Prizes, the Gold Medal for Public Service, were reported entirely with on-the-record sources: Sue Horton is going to speak about this today. But we also have in journalism the *Rashomon* phenomenon that suggests that everyone presents a different version of the truth. One of the great rules of journalism is, of course, the more sources that you get, the more versions you get. The great joke of journalism is that there is nothing that ruins a good story like more reporting: you get one great version of a story, and you want to stop there because you know that all the other versions are going to chip away at that.

We also find ourselves inhabiting an age of credulousness about anything that appears on the Internet, but skepticism to an inverse degree about anything in print that may have gone through all degrees of assiduous fact-checking. This has made it very difficult for all of us in print, but at the same time, when there is a transgression, it affects all

of us, and we should not be surprised.

There is an old rule regarding covering the Royal Family, that those who talk don't know, and those who know don't talk: this is kind of the firewall of journalism that we find ourselves dealing with in this country. All of these issues, and all of those that Phil Taubman touched upon, are what we're going to be discussing today.

First, I want you to meet Jill Stewart, who is an award-winning journalist and a multi-media person like myself - print, radio, television. She is on KCAL Channel 9 in Los Angeles, her syndicated column, "Capital Punishment," was launched in 2002. She writes out of Los Angeles and Sacramento. She has been a political columnist for *New Times L.A.*, a reporter for the *L.A. Times*, was the top columnist at the L.A. Press Club in 2002, and has many other honors. Jill, thank you.



There is an old rule regarding covering the Royal Family, that those who talk don't know, and those who know don't talk.



Jill Stewart: Thank you.

Patt Morrison: Next is Sir Harold Evans. He's the R.A.F. man who flew in this morning from New York to be with us (I don't think he piloted the plane, but we would have been in safe hands had he chosen to have done so). He is currently editor-at-large for the British magazine, *The Week*.

Harold Evans: It's a U.S. magazine.

Patt Morrison: Oh, excuse me. The U.S. magazine. Our *Weeks* are different.

Harold Evans: Yes. The U.S. *The Week* is the same title, same ownership,

but a different magazine.

Patt Morrison: He's the author of the critically acclaimed books which I am sure some of you have read, *The American Century*, and *They Made America: Two Centuries of Innovators From the Steam Engine to the Search Engine*: his books have been made into series on PBS, as well. Among his past credits, president, publisher, Random House Trade Group for seven years, editorial director, vice chairman of *U.S. News & World Report*, *The New York Daily News*, *The Atlantic Monthly*, and *Fast Company*, in which he finds himself today as well. Before moving to the United States, he was editor of *The Sunday Times* of London, 1967 to 1981. Some fabulous investigative journalism was done there, I'm sure he'll have stories about sourcing. He was also editor of *The Times* itself from 1981 to 1982. As so many of us did, he began as a reporter at the age of 16. In 2000, the International Press Institute named him one of 50 World Press Heroes in Defense of Press Freedom. Thank you so much for being here, sir.

Sue Horton is a deputy editor at the *Los Angeles Times*. She has been Sunday Opinion editor at the *Times*, was editor of *L.A. Weekly* from 1994 to 2000. She's taught here at Annenberg. She wrote the book, *The Billionaire Boys Club*, which was made into an NBC miniseries. She has written for the *L.A. Times Magazine*, *California Magazine*, *Los Angeles Magazine*, and others, has done investigative reporting for "60 Minutes," and edited a number of other well-known writers who don't even bear the scars. That's how good she is.

We are also joined by media critic, historian, and author, Neal Gabler. Neal has been a television commentator – you've heard him on FOX, and elsewhere. His acclaimed books include *An Empire of Their Own: How the Jews Invented Hollywood*, which won the *L.A. Times* Book Prize for History. He's also written a book about Walter Winchell, *Gossip, Power, and the Culture of Celebrity* -- it was Non-Fiction Book of the Year according to *Time Magazine*. He most recently published, *Life, the Movie: How Entertainment Conquered Reality*, is a recipient of a Guggenheim Fellowship and a Freedom Forum Fellowship, all of which make him, of course, immensely qualified to be here.

Thank you , all of you.

Jill, I wanted to start with you, questions about anonymous sourcing. Since you inhabit the worlds of Los Angeles and Sacramento, you obviously know how to do this and know the need for it. Basically, how do these choices get made as to who is allowed to say what, and under what terms in your stories?

Jill Stewart: One of the problems that has been touched on already this morning is that the media have allowed a sort of a drunken behavior with the assumption that it's okay to go off-the-record right off the bat. Certainly in Sacramento, the vast majority of reporters will go off-the-record almost immediately. You hear it in the hallways throughout the Capitol, where people who are supposed to be official spokespersons for legislators, the legislators themselves, the consultants who make a great deal of money to study policy issues, and who may or may not have their own axes to grind and their own political affiliations, are all allowed to go off-the-record.

I've noticed that the latest nationwide polls show that only 35% or 38% of Americans trust what they read in the newspaper – that's a steady drop from about 20 years ago. It looks like a bad stock market report that just keeps going down every year.

I think that right now, the debate, which is being led by some smaller newspapers, as well as by *The New York Times* and others, is asking how do the media get control back of the information and the product? This sort of thing happens to me on a regular basis: just yesterday, the aide to a very powerful state senator called me, and right up front, wanted to go off-the-record immediately on the most mundane policy

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The latest nationwide polls show that only 35% or 38% of Americans trust what they read in the newspaper, a steady drop from 20 years ago.
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information imaginable regarding the promotion of a major health care package that would dramatically alter health care in California. This is a public debate, it's not a secret debate – it has nothing to do with secrecy! There should be no secret issues of any kind in such a public issue. But the truth is, politicians have been able to assert secrecy because the media allow it.

I went back and tried to count the number of off-the-record sources I've used, because I've become much more aware in the last five or six months that I'm really being victimized, though they would say I victimize a lot of the politicians. I think the public and journalists are being victimized, some to a very large degree, by all of these bureaucrats and politicians who are supposed to be operating in a public sphere.



Politicians have been able to assert secrecy because the media allow it.



I hate to be too cynical. But I'd say 80% of the motivation is actually ill will. They are up to something. They are trying to not get out important crucial information that, by God, we just can't seem to get anyone to care about, it's a terrible travesty! I'm sure that this does happen, especially international reporting with foreign affairs. But on the statewide level, and at the city council level, and at the school board level, where most reporting in America goes on, there is no justification for this.

So what I do now is I usually say to a bureaucrat, "I'm happy to talk to you off-the-record, but I'm not going to use anything you say. So let's just go right on-the-record, why don't we do that? Because I'm not going to use your off-the-record." To this effect, I went back and tried to count: I think I've used off-the-record sources in the last year about five times, and I'm going to try to completely cut it out. I don't need to

have a secret relationship with anyone in government or politics in order to write about what they do, because they have to operate in the public sphere. I think the smaller papers, in fact are going to be driving this, and maybe *The New York Times*, as they begin to adopt these very, very tough policies.

I called *The Orange County Register*. They're well-known in California for having the toughest policy. They don't use off-the-record sources in *The Orange County Register*, they won't do it. I called to ask, "Well, you must do it from time to time." The editor said, "Well, yes, actually, we did use an off-the-record source once in the last five years. It requires an act of God at *The Orange County Register*. That's how we train the reporters."

I said, "Has it hurt your coverage?" She said, "It has hurt us on breaking stories where the cops have done something, things like breaking information. But in the larger sense of telling our audience what's actually going on in Orange County, in California, and America, it has not hurt us at all. And our readers trust us more."

The other major medium-sized paper that has led the way in the United States, of course, is *The Rocky Mountain News*. I spoke to the editor there yesterday, John Temple; he became infamous because he put a piece of information out among his staff that leaked onto Romenesco.

Patt Morrison: If you don't know, Romenesco.com is the site on the Pointer Institute Website, which has all the journalistic gossip. If you want to get into the soap opera loop of journalism, that's the place to go.

Jill Stewart: After the unfortunate Jayson Blair event, he found out that *The New York Times* did not have a policy on use of anonymous sources – there was no real policy. He freaked out! He uses *The New York Times* news service on a regular basis! But the rule at *The Rocky Mountain News* is that they don't use off-the-record sources unless there's something extraordinary going on. They almost never show up in their newspaper. And they don't use *New York Times* news service sources that have anonymous sources, unless they know the reporter, the reporter's

history, the nature of the story, the source. Each national story has to be dealt with individually.

They only allow anonymous sources in *The Rocky Mountain News* pieces if the managing editor or editor, himself, signs off. And the department or division head, the news editor, whoever it is has to sell it to the managing editor, has to say who the source is, and has to know what the source stands to gain or lose personally from leaking the information. That goes all the way to the top of *The Rocky Mountain News*.

Not only that, but they've gone further: they don't allow themselves to be manipulated by people who file civil lawsuits; they look at each civil lawsuit that's filed. If it's public information, fine. But they don't want to be manipulated by people lying about each other through the other newspapers to get money from one another. In fact, they've cut way back on their coverage of civil trials because newspapers are being manipulated.

I hope what you're going to see is a rolling movement toward fewer and fewer, if not a ban almost, on anonymous sources in the next five years.

Patt Morrison: Harold, you were in a position to have observed the behavior of the British press and the American press. So often, our British colleagues fault us for a lack of aggression: we don't doorstep, among other things. You operated in Britain among much more stringent libel standards. Yet, *The Times of London* produced some extraordinary investigative reporting. Do these anonymous source issues have any impact at all in Britain? And how do you see them affecting journalism in this country?

Harold Evans: I'm still enjoying the journalistic luxury in the United States wherein you do not have to prove the truth of what you publish. In the United Kingdom, if you publish a story and are sued in the court, you have to prove the truth, the onus is on the reporter. This doesn't stop the British press from producing some of the most appalling journalism in the world. Some outrageous stuff goes on, particularly invasions of privacy.

I edited *The Sunday Times of London* for 14 years, when we exposed Philby as a major double agent, and many other things, such as why the DC-10 crashed and killed more people. Those journalists had to work to a standard of proof, which they would not have to work to in the United States: in defending defamation there, a journalist just has to say there was no malice. This doesn't mean there's no chilling effect from the legal costs – there is.

So there is a higher standard legally in Britain than there is in the United States. It shocked me when I came here that statements could be printed that the journalist couldn't prove were true! During the Monica Lewinsky affair, there was the appalling amount of unsourced and loosely sourced stuff! We really have to redefine our terms about sources. In the Lewinsky case, I saw in *The Washington Post* week-after-week, day-after-day, using unnamed sources saying, for instance, "A Secret Service man has witnessed Bill Clinton in the act with Monica Lewinsky." Not alleging that they did it, whatever "did it" was, but in the actual act. This was quite an interesting allegation from the Secret Service. I knew the source of that story, and I knew it was false. I knew that the source was trying to stir up the case even further in time for the impeachment hearings. So we had an ethical dilemma: if I knew that Ken Starr's office, i.e., the prosecution, was alleging this stuff, which was false, and Ken Starr was publicly saying, "Oh, we had nothing to do with it, we don't leak here, we're all virgins," what do you do? What is your responsibility?

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It shocked me when I came to the US to find that statements could be printed that journalist couldn't prove were true!
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If a bunch of reporters came to say, "That's excellent work you researched. What's the source? I want to know what evidence you've got." Did I, as editorial director, have a responsibility to say the source was Ken Starr's office? Did I have a responsibility to expose the fallible

sources of other newspapers? Of course! Joe Lelyveld, who was editor of *The New York Times*, and I happened to meet during this period. I said, "Why are you quoting ABC Television News as a source for some of your stories on Lewinsky, and earlier, the Whitewater story?" It went even further than that. Their next source was Drudge.

We've now reached a situation where great newspapers are reporting not anonymous sources, but named sources who are either occasionally accurate, sometimes accurate, and very often malicious. The media in New York continually carry colorful blind quotes. Let me make up an example: "Industry sources said Harry Evans is out of his mind to start a magazine called *Conde Nast Traveler*. Everybody knew it wouldn't work." Something like that, okay? Something friendly, and all. "Industry sources." What industry sources? They were my opponents! As you said, ill will dominates so much. At *U.S. News*, we had a rule: we don't run stuff in which hostile sources plant with a gullible reporter. But those stories about me ran for seven or eight years of reporting of media in New York! "Industry sources said, 'Colorful quote.'" The very least that could be done is to say, "A source hostile to Random House, i.e., another publisher, said Harry Evans overpaid for the memoir of Marlon Brando."

Obviously, I think Philip proved his case: you have to use anonymous sources for certain whistle-blowing pieces. But the running rampant of artificial sources, and hostile sources, and ill will sources, was the kind of thing which led to Jayson Blair. Once you get this kind of erosion of editorial standards, it finally ends up an amazing piece of corruption, as in Janet Cook at *The Washington Post*. We're talking here about something where the entire press should be fixed. And when people say they believe in the Web more than a newspaper, half of the stuff on the

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Web is completely unsourced! We're going to end up with a total kind of anarchy of unbelief. I think it's a very serious issue.

Patt Morrison: Sue, editors have to be Solomonic, balancing the value and the worth of the story to the use of the sources it took to get the story. One has to look backwards at, for example, Watergate, and think, could we have had a Watergate story with more stringent standards than we have today? You certainly have had to confront this sort of thing, both as a writer and as an editor.

Sue Horton: Obviously, we use unnamed sources, as Phil Taubman pointed out, and we'll continue to use them. But we overuse them, and we all know that. Those discussions that you described in *The New York Times* newsroom happen in our newsroom daily. There are policies in place: we don't use unnamed sources in unimportant stories; we don't use them unless we've really tried to get people to go on the record; we don't use them if it's a lone source who is not on-the-record saying something. There's got to be a real reason that the person isn't going on the record, to use it. Now, those policies are in place, but there are slips sometimes: things get in the paper: an editor wasn't stringent enough; an editor didn't ask enough questions. And then, I think it's editor error as well as reporter error.

In our newsroom, the standard right now, as Patt noted, is the King/Drew series that won the Pulitzer Prize for Public Service this year. I saw those reporters on the last day before the story was published desperately trying to get their last piece of anonymous information confirmed independently. They finally got somebody to spring a document, so they didn't have to rely on a single unnamed source in this story. That kind of diligence I don't see that often. We are pretty lazy about it.

The off-the-record issue is only a little piece of the problem. The bigger question is how do we know whether people are telling us the truth? I have a reporter doing a story. It's really just a "Where are they now?" feature tracing people over time. He went and interviewed a guy, spent a couple of days with him, and was told first-hand, on-the-record stuff about his wife. The guy was

in prison for assault and for robbery, and now he has this program for underprivileged youths, and he's picking kids up at school every day, and driving them around, and making sure they do their homework, and really keeping them on the straight and narrow.

It was this wonderful story. But our reporter was really diligent about it, and went and checked the public record on the guy, and found out that just this last Tuesday, he had his arraignment for a crack possession case. We could have had this guy on the record, telling us what a great life he was living, and all the great things he was doing for kids, and how he turned his life around. It looked like solid gold on paper! But it wouldn't have been, because there would have been this piece we didn't know.



Remember the old line, "If your mother says she loves you, check it out?"



Patt Morrison: Remember the old line, "If your mother says she loves you, check it out?"

Sue Horton: Yes, exactly. When I taught here at USC, I used to do an exercise with my students in an investigative reporting class where we'd be having a discussion about sources. They'd get very serious getting somebody on the record who was there to tell you that it happened – then it's okay to use. At that point in the discussion, I had arranged for the department's secretary to come in, and start erasing the board on which I had written a lot of stuff. I would turned to her and said, "Sue, do you mind doing that later? We're in the middle of class right now." And she'd say, "You complained to the director that I wasn't getting the boards clean in your room, and so I'm here to clean the boards." And I'd say, "I complained that between classes, they weren't cleaned. I don't want them cleaned while I'm in class." And she'd just keep erasing the board. The argument would escalate, and she'd pick up the

bucket that they thought was full of water, it was actually confetti, throw it on me, and run out of the class.

And I'd turn to the students and say, "Okay, that was a fake. We set that up. But write down everything that just happened. Write down what caused the argument, how it escalated, everything you can think of to write down." And then, I'd walk out of the room, and from outside the room call back in, "And write down good physical descriptions of both of us!" I'd come back in five minutes later, and we'd discuss what happened. The physical descriptions were just the little piece of it, but I was reported as being 5'9", 5'2", I was wearing a green jacket, I was wearing a yellow suit...

More fundamentally, there would be huge disagreements on what started the argument. Once, one person said, "Well, she was mad that you were using the wrong kind of pen on the dry erase board." Don't know where that came from, but it very graphically illustrated to students that even if somebody was there, and tells you what happened, and is trying to tell you the truth, which isn't always the case, it may be dead wrong.

The other lesson was that when we went around the room, and got everybody's input, 20 people together could give a pretty good picture of what happened. As Patt said earlier, the more people you talk to, the clearer a picture you're going to have. I think that the job of an editor is to make sure that reporters are going back, and getting the best possible sources, trying to get people on the record, but also trying to make sure that they've got the truth.

Patt Morrison: Phil and Michael both know an old Russian proverb, "He lies like an eyewitness." We find ourselves in that quandary in criminal courts where people are sworn to give accurate testimony. What do you expect to be the compounded problems if they are just talking to journalists without any oath involved?

Neal, your book about Walter Winchell is about a man who held the public imagination, the public microphone, and the public stage for any number of years – he was a reporter, a gossip

guy, who had some agendas of his own. Please speak to the differences over 70 years in the evolving nature of journalism in fact-checking and fact-finding.

Neal Gabler: Let me also speak, just parenthetically, about Walter Winchell. One of the interesting things about Walter Winchell was that he would write something, and 90% of the time, it was false. The next day, he'd write something else, and again, 90% of those things that he wrote were false. And the next day he'd write again... And no one ever cared. He did this for forty years, and he made a living out of it, because the immediacy of the piece of information was far more important than the accuracy of the information. He was almost never called on it.



Walter Winchell would write something, and 90% of the time, it was false. He did this for 40 years. And no one ever cared.



Patt Morrison: Was he Matt Drudge's grandfather?

Neal Gabler: The thing I want to say about the Walter Winchell book, is that I live in a different universe, because I am not a working journalist. I am a consumer of journalism because I'm on "FOX News Watch," and I cover the coverage every week. But I live in a different universe, because there is no such thing as an anonymous source in the kind of work I do.

I've been working for seven years on a biography of Walt Disney. The book, which is now close to completion, has maybe even tens of thousands of footnotes in it. Every single piece of information, a cough, a dotted "i", a click of a heel, is annotated at the back of the book: you will know where I got everything. This is relevant because I have been told some wonderful things that would probably make the book a whole lot more saleable – salacious things, exciting things. But one, they are not corroborated, so I cannot use them. Two, using my own judgment, more often than not, I don't believe they're true. Because, as

Sue was saying, when you spend seven years, and talk to hundreds of people, you get a pretty good sense of what is true and what isn't. Now, could I sell the book? Yes. I had things about Winchell that were just amazing, sexual stuff, and all. They weren't true, in my estimation, but someone sat there and told them to me.

Jill Stewart: But you could use the 90% standard, and get away with it.

Neal Gabler: Yes, exactly. I think this is also relevant in another way, which we haven't discussed here is – we've been looking at the trees, but I don't think we've looked at the forest, or the priorities. Why do journalists do this? Why use anonymous sources? We've already heard Phillip Taubman and others saying that one of the reasons is to get the good story: that's the way you get the good stuff. And if you can't get the good stuff any other way, you use it. But as I've just said, I reject a lot of the good stuff because that's not my priority.

If your priority is to sell a newspaper, or to be hot, or to be more competitive, or scoop your rival, the *Los Angeles Times* or *The Washington Post*, then, you will do things about which you should frankly be ashamed, in my estimation. I'm a purist, I believe in transparency. I believe you almost never use an anonymous source. And if you do, what you ought to be doing is saying exactly why this guy or woman will not go on record. You say it even to the point where you almost smoke them out. You tell your readers what this person is up to.

And by the way, *The New York Times* no sooner pronounced that it wasn't going to use, or that it was going to scale back on its use of anonymous sources, then you could find blogs where people were counting how many times they used anonymous sources in *The New York Times*; they actually found more anonymous sources after the announcement than before, which is almost precisely what one would expect. "Some people say," "Many people believe..."

Harold Evans: Absolutely.

Neal Gabler: There are so many! I mean, every single day!

Harold Evans: That's right. Exactly!

Neal Gabler: Who are these many people? "A few observers." Tell me who the few observers are!

Harold Evans: "Critics say..."

Neal Gabler: "Critics say..." The laziest form of journalism, and it should be expunged!



"Critics say..." It's the laziest form of journalism, and it should be expunged!



Harold Evans: I agree totally.

Neal Gabler: When people have motives, they ought to be revealed.

Harold Evans: That's right. Exactly.

Neal Gabler: And if you want to sit back and say, "I believe that this pope is going to be such and such," say it!

Harold Evans: Yes, certainly.

Neal Gabler: Don't tell me, "Many people...", "Some people..." One of the things that *The New York Times* does egregiously, is it will say, "There are observers who feel..." and they'll quote one person. There might be an observer who feels that way, but if there are observers, give me three or four. Don't quote one person. Otherwise, say, "This guy believes that such and such...."

Now, I'm not being self-aggrandizing here, but this is important because when I write, the sense of accuracy for me is so strong, that every single thing I say ought to be verified. And I don't see why newspapermen and woman cannot hold themselves to the same standard.

Patt Morrison: Well, Neal, how long have you been working on your book?

Neal Gabler: Seven years.

Patt Morrison: Okay. Jill may turn out a column in three days. Should there be any kind of difference in standards for this?

Neal Gabler: No, I don't believe so. I really and truly do not believe there should be. I don't think this is a function of time: I'm spending seven years because Disney lived 65 years. If I were writing about one day of his life, I'd spend one day. But I'm writing about 65 years of a man's life, and trying to be as detailed and accurate as I can. The years I take are a function of the scope of the guy's life. As I always say, if I'd been writing about Irving Thalberg, the book would be over by now: He died when he was 33.

Jill Stewart: One of those things we discussed was when can a journalist say that they know something? Certainly, in column-writing, one of the things that I often do, and I don't consider this as use of an anonymous source, is to say, "The Democrats claim blah, blah, blah." "The Republicans claim blah, blah, blah." I do that on a constant basis. But I write an opinion column. Sometimes I back them up, if I feel I need to. I'm not sure where you draw the line, because we're talking about actually quoting someone whom we don't name with quotes, or really closely paraphrasing someone whom we don't name, which is a huge problem. Then you're saying, "If you say, 'Critics say...'" But critics indeed do say! Everybody knows that critics say.

Patt Morrison: So you're saying there is a common wisdom?

Jill Stewart: I don't know if there's a common wisdom. I think there's a common ignorance,

actually. I wouldn't call it a common wisdom in the media.

Patt Morrison: A group think.

Jill Stewart: I'm no fan of the media. But between what you're saying and what I'm saying, there must be a way to hammer it down. Now, Sue mentioned that things slip into the *L.A. Times* even though they have a policy. I noticed that the *L.A. Times* did a recent story, a front-page story about their new publisher. And they actually quoted an off-the-record source from in-house corporate. I just laughed my you-know-what off because it was an innocuous quote, something like, "This doesn't portend any massive shift." I don't know what it was, but it was useless anonymous garbage.

Sue Horton: The quotes that drive me the most nuts in the newspapers are – and you see them all the time: "The appointment of John Bolton was a brilliant stroke by the President, a White House source said." Now, you're saying *The New York Times* has reduced its use: that might be true.

Neal Gabler: Well, I'm saying on the basis of what I read in blogs.

Sue Horton: Right.

Neal Gabler: I mean, on the basis of what I read in *The New York Times*...

Harold Evans: That source you quoted is not very reliable. I mean, what blog? Look, I've got an email here, it's from eBay. It's not from eBay at all! How did you know that's a quote *from The New York Times*? Have you checked it?

Sue Horton: It's really a mess.

Harold Evans: In the Lewinsky affair, they kept saying, "According to Drudge." I mean, Drudge did get some things right, the same as Walter Winchell, he does better than Walter Winchell. But

that's not good enough. I agree with you on basic points (I'm really being facetious here, in a sense). But what you've put your finger on is something very important, it's a habit in journalism that we have a story hypothesis. "Al Gore is a liar." Okay? Then we find a few facts, or a few assertions, that might fit the story hypothesis. One of the prevailing ills of journalism – you know the story before you go out. Many people say Al Gore said he invented the Internet: I say Al Gore never said anything of the kind!

Neal Gabler: That's right.

Harold Evans: But you find it continually repeated in the papers. I agree 99% with what you've said, and with what Walter Winchell said. The old *Times*, they're still doing very brave work in Iraq. And there's no harm in the reporter saying, "I saw this." You don't need a bloody source to say, "I saw a truck blow up yesterday." You don't need it. You shouldn't have any problems about a reporter saying what he saw.

Neal Gabler: One of the points you raise I think is very interesting, and it's something that I think most readers don't understand. I get maybe a dozen calls every week, many of them from *The New York Times*, to interview me for various pieces, because my portfolio is pretty broad. I would say 90% of the time, the reporter has a thesis. And I can tell you, if I challenge the thesis, I will not be quoted. If I happen to agree with the thesis, I will be quoted.

So they know what they're going to write. They need to get a quote in the paper because that's the convention of journalism. I mean, the guy can't just say, "Look, I feel this, blah, blah, blah." The convention of journalism is he has to call me so he can use me to tell--and sometimes

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I would say 90% of the time, the reporter has a thesis. If I challenge the thesis, I will not be quoted. If it happen to agree with the thesis, I will be quoted.
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it's very funny. Sometimes they stroke you. They say, "Well, would you say this, or would you believe this, or would you agree with this?"

As a consumer of the media, you wouldn't know that. I almost always reject these calls, because I know what they're about. I mean, I would be wasting 20 minutes of my time.

Patt Morrison: Do you ever tell them that?

Neal Gabler: Oh, yes. "Why waste 20 minutes of my time, so that you can use two sentences that will confirm something because an editor said, "Well, did you have somebody else besides you saying this?" "I do on my Rolodex." "Find out who might say the same thing I want to say, but I can't say because it's not journalistic convention." That's how it works.

Harold Evans: Before, we were starting World II. Now we've started World War III, IV, and V here!

Jill Stewart: What you're saying is that we really shouldn't trust the vast majority of information in newspapers, magazine, and TV news, because from the get-go, the journalist has been assigned a story by the editor, they've already decided what the story is, and now, they're going out to verify it.

Patt Morrison: Sue?

Sue Horton: I hear these discussions in the newsroom every single day. Have I ever heard an editor say, "You need a quote on that?" Absolutely. Mostly what I hear in the newsroom every day is, "So what's



Have I ever heard an editor say, "You need a quote on that?" Absolutely. But mostly, what I hear in the newsroom is, "So what's the story?" "I'm not sure yet, I'm still reporting."



the story?" "I'm not sure yet; I'm still reporting." I hear that constantly, along with reporters on the phone all day, every day, calling people up, trying to get the big broad strokes, talking to 15 people, and then, yes, maybe drawing a conclusion that becomes the lead of their story. But I don't think that happens nearly as much as you're implying.

I think that we do have this sin of loving the big, broad-sweep statement stories. I used to carry around in my wallet a clipping from *The New York Times* that began, "Ethiopia today is like a patient etherized upon a table," which to me seemed like the most (a) pretentious, and (b) broad-sweep statement about an entire country. How can you characterize an entire country as being like a patient etherized upon a table?

Patt Morrison: New Journalism isn't to blame.

Sue Horton: I would so much rather have a piece about an actual thing that's happening in Ethiopia, that may or may not illustrate its being a patient etherized upon a table. But as an editor, I'd like to redline those broad-sweep statements. I think we should all be very vigilant against both writing and removing.

Patt Morrison: We just have a few minutes for some questions. Stand up!

Carla Hall: My name is Carla Hall. I'm a reporter for the *L.A. Times*. I actually have some experience being reported on. Jill, I think it's interesting that you said that you really feel that you've been victimized by use of anonymous sources. As you know, I and several colleagues wrote a story a couple of years ago on Schwarzenegger and his predilection for groping people. And you said on TV later that we had held that story for two weeks, which you attributed to anonymous sources. You never called us to find out what our side of that story was, or how we wrote that story! And I'm wondering, wow! Do you feel that you were victimized by those anonymous sources, and would you have handled your reporting on our story differently?

Jill Stewart: I think I would have handled it a little bit differently, although I still believe that that

was accurate. I did talk to a number of people involved in the gathering of the story. I didn't speak to you.

Carla Hall: No, you didn't talk to anyone involved in the gathering of the story. You talked to people whom you said were in the *Times* newsroom.

Jill Stewart: Yes, that's right. And I'm not going to say who they are because we're talking about an anonymous tip – I do have moles at the *L.A. Times*. And I did speak to people who were involved in the gathering of the story. One of the things that I tried to explain in my discussions was that the *L.A. Times* based a lot of the story on anonymous sources. And at some point, I think we get sucked into a situation where you're fighting fire with fire. Once the *L.A. Times* tries to bring down a political figure using anonymous sources, and we don't know what their motives are, then the anonymous sources from the *L.A. Times* start calling people to tell people what they saw unfolding in the newsroom. The movement of John Carroll into the newsroom to act as the assignment editor was inappropriate: reporters can't really challenge an editor-in-chief who can hire and fire them nearly as much as they challenge a city desk editor to whom they can just say, "I'm sorry, that's crap, I'm not going to do it."

There were so many inappropriate things that happened in the course of gathering that story. But the one that bothered me the most was that, at one point, there were 24 people working on it. I don't believe the *L.A. Times* has ever used 24 reporters to bring down a Mafia leader, for example. I mean, they've never put that kind of effort into bringing down anybody that I know. Maybe a baseball coach. You guys opened the floodgates when you used so many anonymous sources, one of



You open the floodgates when you use so many anonymous sources.



whom I know.

Carla Hall: Actually, our use of anonymous sources was completely different from yours. We told specifically who our sources were. We told where the incidents of harassment happened. We had corroboration from other people that they told at the time. And then, after we collected all that information, we went to Schwarzenegger's people. We spent an hour on the phone telling them what we had, asking for their response. We took their further phone calls when they had questions about our story. And then we spent another hour listening to them talk about their response to our story. You never called anyone involved in the writing of that story or the editing of that story to get a response. My question here is... We found those sources...

Patt Morrison: Excuse me. We're here to hear from the panelists. If you want to pursue the conversation, or ask your own question of the panel....

Carla Hall: My point is this, Jill: don't you think you have an obligation to call one of about five editors who were involved in that story, and at least tell them what you had heard, and get our reaction to it? We could have told you that what you had heard from your unnamed sources was completely utterly false.

Jill Stewart: Yes. If I had tried to interview John Carroll, it would have been a much better effort. However, when he denied that he did all those things in the newsroom, I probably still would have published what I did on my Website. And I would still believe that he did what he did because I have a number of very, very, credible long-time journalists –

Carla Hall: But –

Jill Stewart: Carla, we can have this feud. But I'm just saying that the trouble is once you allow so many anonymous sources whose motives you do not know in an attempt to bring down a public figure, you open a lot of floodgates. Journalists like me then react by finding their own anonymous sources. In fact, I was approached by a number of people inside the *Times* who were

very upset about it.

Patt Morrison: All right. We'll have Sue make a comment, and then, we'll have another question for the panel from the audience, please.

Sue Horton: I think the issue that this question raises is that just because you've heard it from anonymous sources, you also need to go back and get stuff on the record. I know the discussion in the newsroom that I heard about that story was, "Let's get it in," "Can't we get it in?" "Let's hurry, let's rush." The push to get that story in as quickly as possible was intense at the *L.A. Times*.

Patt Morrison: So it ran at the last minute?

Sue Horton: It didn't run at the very last minute. It ran as soon as it was ready to run, though. It ran closer to the election than anybody in the newsroom I think would have liked. But that was because it couldn't run until it was ready to run.

But the bigger question is, how many sources is enough? The answer is, once you've got the truth, you have enough sources. Until you have the truth, you don't.

Patt Morrison: Do we have another question from the audience? Yes?

Sherry Beall: My name is Sherry Beall. I do a radio show titled, "A Right to Know" on KPFK. And I have two quick questions for the gentlemen. Sir Harold Evans, first, you had mentioned Monica Lewinsky, and Ken Starr's office: someone from his office had alleged that they had actually seen Clinton being with Lewinsky. And you raised the question, is it your obligation to go ahead and disclose, or bring out that this was an unconfirmed source, or a falsity?

The next question is for Mr. Gabler: you had mentioned dealing with integrity, using high morals, and you said that a sense of accuracy is so important. You mentioned how you thought it was

appalling that certain journalists or newscasters said, "Most people..." or, "Many people..." So I would like to understand this: what were you doing at FOX News?

Neal Gabler: I'll tell you: I'm at FOX News now. I was really reluctant to go, in point of fact. A friend of mine happened to moderate a program that flies under the radar of FOX, and it's a show of which I'm proud, and I advise you watch it, it's called, "News Watch." It is nothing like anything else on FOX. It is not a political program: it's a media analysis show. Why they let us do what we do? My assumption is that they do it so they can say, "See, we're not so right-wing and crazy as everybody says, because we actually have a show here that criticizes us." Because for those of you who watch the show, we're gluttons for punishment. And since I bash FOX on a regular basis, I think that they see this as a way to establish their *bona fides* as being fair and balanced, which they clearly are not.

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Do you have an obligation to say that your rivals are relying on Ken Starr in this particular Lewinsky case?
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Patt Morrison: And, Sir Harry, to that question?

Harold Evans: An anecdotal response. I raised the ethical issue, do you have an obligation to say that your rivals are relying on Ken Starr in this particular Lewinsky case? This is a real thing that happened: an attorney was sitting down to breakfast in Washington. She got a call to say that a Secret Service man has seen Bill Clinton and Monica going at it. And she tells her husband, "Hey, I just got this call." He goes out and he has lunch. She, in the meantime, calls Ken Starr's office. While the husband's sitting down for lunch, the reporter from a newspaper who is with him says, "Hey, I've just heard Judith Jecks on ABC say something about the sighting." "Oh my God," he said. "I heard something, too." The source was the same source. The reporter goes back to his office,

and is going to ring the wife who started the whole thing off. By the time he gets through to her, she's had a call from somebody saying, "I withdraw it. It's not really correct." But in the meantime, the journalist has put it on his Website, which is then picked up by television – it then becomes a story which is quoted by everybody all over the country. And the source is ABC Television News, and it all started with an anonymous source who doesn't exist. That's the kind of problem I was saying.

We did this once or twice as a journalistic exercise at *The Sunday Times* in London: the anatomy of a rumor – who said what to who, and when. In the case of Ken Starr and the Whitewater story, the most appalling lies were printed every single day in the Whitewater story. It is totally sobering for those who believe in Democratic freedom, but whose credibility is eroded at the edges by what happened during the Clinton era, when the impulses of emotion, and the political processes, and the prosecutorial processes led to a distortion of the truth.

Patt Morrison: We have to finish here. But to prove that nothing is new, even in this electronic age, the battle between immediacy and accuracy that we saw from Walter Winchell, and perhaps earlier, is being played out even today. Thank you all. Alex Ben Block?

Alex Ben Block: We promised you a stimulating program – we're delivering, right? We're going to take a five minute break.

- Panel 2 -

Alex Ben Block: Ladies and gentlemen, welcome to the second panel of the day. This is an amazing group we've assembled for you, I'm so delighted. A number of professional reporters are here who are part of our program with USC. And we have people from some of the leading papers around the United States. So this is a very well-educated and knowledgeable audience.

We already saw this morning that it's also one that's willing to speak its mind. We do appreciate if you keep it civil, and remember we're all here for a discussion about issues that are of importance

to journalism.

This is the broadcast panel. After this, we're going to come back and do a case study: I'm announcing now for the first time, the subject of the case study is the Lindbergh kidnapping trial – we're going to look at it as if it happened in 2005. We have video footage for you, and think we have a very interesting approach to it.

I've spent three years working to put this program together because I believe that this is an incredibly important subject – how you source news stories. I work for a trade newspaper called *Television Week*. But even there, almost every single day we have issues of sourcing. Whom do you trust, who should be anonymous? And so forth. You've heard a lot of this this morning, in more depth, and much better said than I can say it.

Let me first just introduce this amazing panel. In the middle is Ana Garcia who is a veteran journalist and investigative reporter for KNBC-TV in Los Angeles. To her left is Jeff Wald, who is on his second tour of duty as news director at KTLA, which is an independent television station here in L.A. The gentleman here, second over, is Ty Kim who is the executive producer of the Investigative Unit at KNBC. At the end, we have Mr. Vince Gonzales, a CBS news correspondent in Los Angeles. On this end, we have John King who is now CNN's chief national correspondent, and who, till five days ago was the White House correspondent. Second from the last is Aaron Brown, who is the managing editor and anchor of "News Night with Aaron Brown," one of the best and most thoroughly researched shows that you're going to see on a national network.

Let me start with Ana. She first joined KNBC in February, 2000, she anchored there. She also took time out to work on a congressional campaign, and then, city government. She has worked as a general assignment reporter, and now is involved in investigative and political stories. She began her news career as a desk assistant at WABC in New York. She spent almost 11 years working for Capitol City's ABC. She covered political and social issues for New Jersey Public TV before moving to WPVI in Philadelphia as an action news reporter, and then to KGO, and finally, KABC, as a weekend anchor and reporter.

Ana, I saw that amazing report you did last year, where you went down and dealt with the issues on the U.S./Mexican border. The people you had as sources there were literally scared for their life. How do you deal with that? What was that like? And when you're sourcing a story like that, does it change your standards? How do you maintain your standards?

Ana Garcia: You always have to be very careful when someone is putting themselves at risk. You always have to maintain your standards, but we, as human beings, have to be very compassionate with the people we deal with. Because if we lose our humanity, the rest of it is really not going to matter.

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The people you had as sources were literally scared for their lives. When you're sourcing a story like that, does it change your standards?

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The story that you're referring to was a story about sex trafficking. These were young girls who were being smuggled into the United States, specifically into California. They thought they were coming to be nannies or housecleaners. And when they got here, they were put into bondage, and were being used as prostitutes to service the migrant workers in the fields. We called it a traveling brothel, it was a brothel in the fields. But the whole point was, you couldn't find the brothel. Everything was taking place inside the strawberry fields, and good luck trying to get the information as to where and when the brothel would be there.

So it took us an incredible amount of time, and patience, and developing sources to finally figure out what field they were going to be at, and at what time. We had tried many times to find them before. And when we finally went in, I was on my belly with binoculars, Ty was with me, as well. We were there with a deputy from the sheriff's

department. And when we saw them running across the field, it was the most unbelievable thing, they were young girls: this was the point that was lost on me until I really saw it with my own eyes. These were girls who looked like they were coming back from school, running through a beautiful field with backpack; that's all I could think of, how young these girls were.

What we proceeded to see in the field was shocking, it was really frightening. And it was so sad, really sad. The fact that we were able to capture it on videotape, some of which we could not show, was incredibly moving. It was an incredible story, we were the only people ever to have captured this. And eight months later, *The New York Times Magazine* made it their...

Alex Ben Block: ...Cover story.

Anna Garcia: They didn't get any pictures. They just recounted what others had told them, but we talked for a long time about that, we were very concerned. I could never talk to the girls, never get close enough because they had lookouts everywhere. We were buried in the fields; I happened to be a birdwatcher, just as one of the things I like to do, so I'm very good at camouflaging. We were all very careful about that.

My instinct was to run in there and stop it. But that's not my place, and that's not my role. What ended up happening was there was like a fire nearby; everybody ran, and they never found them again.

Alex Ben Block: Were you able to get anybody to speak on camera for you?

Anna Garcia: Not the prostitutes. What we ended up doing was we negotiated, which is almost unheard of with INS, ICE, the people formerly known as Border Patrol: we negotiated with them to get some videotape that they had shot undercover for a case that completely fell apart that was a similar group, and operating in a different field. And because we got the U.S. Attorney's Office to sign off on it that the case was done, closed, and they couldn't prosecute, we married the undercover of the close-up of what was happening in the brothels in the field in another

location with our stuff to other evidence from that case, and it told the story completely. We wish we could've gotten to one of those girls. I haven't given up on that, I'm still working on it.

Alex Ben Block: The next gentlemen is Jeff Wald from KTLA, an independent television station. You have a very strong news organization. But a lot of people think that local news somehow cozies up with local government, that there is some kind of a relationship there. How does it work from your point of view? As a local station, do you find there's an adversarial relationship? Do you find that you have to cozy up with them? What's the truth about sourcing in local television?



A lot of people think that local news somehow cozies up with local government, that there is some kind of a relationship there.



Jeff Wald: I don't think we're the handmaidens of the police department, or public agencies, or the government, or any of that. I think it's really up to us to try to hire credible, smart people who can ferret out the answers, and get to the truth, which is really what we want to do, whether it be at the national level or the local level.

Unfortunately, when I started at KTLA many years ago in my first tour of duty as news director, the first thing I had to do was to cut some expenses, and we lost our investigative unit. Now I'm proud to say that things are starting to come back, and that we just started our investigative unit in January of this year. It takes a major commitment at the local station level, in particular, to staff that type of work. You're going to see more of that on our station as we move forward.

Alex Ben Block: So you have to keep a pretty independent attitude then? When you're dealing with local politicians, do you deal with them over and over again?

Jeff Wald: Absolutely. I think that goes to the core credibility of not only the broadcast, but also the individuals that we hire.

Alex Ben Block: Let me introduce Vince Gonzales. He's a CBS News Correspondent based in Los Angeles. He was an assistant producer and local news reporter before being named to the network. He's received two Columbia University DuPont Awards, an Emmy, and honors from AP and Investigative Journalist, and others. And luckily, today the Michael Jackson trial has the day off, which is the only reason that Vince is able to be with us – he has been on what would not be my favorite beat. I would think this is one of the great sourcing challenges in history. From the point of view of covering the Michael Jackson trial, how do you make sure somebody is telling you the truth?

Vince Gonzales: Let me first say, I didn't ask for the assignment, it's like surfing in the gutter. It's been a challenge. Also let me say they don't like us to use anonymous sources at CBS, they discourage it. I personally don't like to use them. Our stories may start with an anonymous source whom we work with, but then, we try and verify it. We get documents, we get other people. Very rarely will I say an anonymous source is in one of our investigative reports. We just try not to do that. Also it's just not good television.

If somebody wants to talk to us and wants to remain anonymous, we often then will try and convince them to talk to us in shadow, so we can say, "There is a person making this allegation." Then we try and tell a little bit about them to give the viewer an idea of who they are. To just quote an anonymous source usually doesn't help us very much.

The Michael Jackson trial is a unique situation: everyone is under a gag order. No one on the defense or the prosecution, none of the witnesses, is supposed to be talking. But what's grown up around those people who are under the gag order is a ring of hangers-on, business associates, fellow lawyers, cops, Michael Jackson's people, who are talking to the people who are under the gag order, and are then being told to relay information to reporters. The rules are very Draconian,

I can't even talk to someone in the courtroom. The press has their assigned seats. The public has theirs. The witnesses have theirs. And literally, they have thrown people out of the courtroom for leaning forward to ask an attorney a question who is in another section of seating.

So you really do end up relying a lot on sources. More than I would like in our Jackson coverage, I've used phrases like, "A source close to Michael Jackson or someone on the prosecution team," or "Someone who works with the prosecution has said..." Often, that's the only way to get a reaction in a court case where you're only seeing one side on a given day.



More than I would like in our Michael Jackson coverage, I've used phrases like, "Someone who works with the prosecution has said..."



For instance, there was this whole day spent attacking the accuser's mother's view of the time line of the events, which is very key to the conspiracy and molestation charges. The defense is making it appear that her time line was wrong because there was an entry in a log book at Neverland which showed she was there on a different date than she said she was. The prosecution was very quick to get information out through those people who are not under the gag order that they had records that would support her timing, and would show that she was telling the truth, that her recollection was right, and that one log book entry was just a mistake.

So it took us a while to figure out who the people were who really knew something, and were connected to the people under the gag order; I've never personally talked to someone under the gag order. Our attitude is, we can ask the question. If they choose not to answer, that's fine. If they choose to answer, they're the ones breaking the law. But it took us a long time to figure out who the people were who really were

conduits of information, and who were the people who just wanted to see if they could get something planted in the media. It's been a tedious job for us to do. As I said, I think we're using those kinds of sources more than we might like, but in this case, we don't really have another option.

Alex Ben Block: There seem to be a lot of spinmeisters and people with agendas, to put it kindly.



I get calls every week saying, "Matt Drudge says this. Why don't you have this?" "Well, it's wrong, you have to trust us."



Vince Gonzales: Definitely. There are people who show up at the microphones every day who, quite frankly, we ignore. There are people who show up knocking on the doors of every network's workspace saying, "I've got this." A lot of the time, they're trying to sell stuff. We've had all kinds come out of the woodwork: fake Michael Jackson audio tapes, pictures, all kind of things. Thankfully, CBS says, "We're not going to touch that." We've been fairly lucky in that regard.

We've also had people come to us with what sounded like great scoops about the case that they insist be an anonymous source. What we've been able to do is go back, and through those people we've come to trust who are the conduits to the main players, figure out that most of the time, they've been false, and we haven't run them.

Alex Ben Block: I'm sure a lot of other outlets are happy to flush the toilet with those.

Vince Gonzales: That's right. Matt Drudge is the bane of our existence. Every journalist seems to have him as their home page. I get calls every week saying, "Matt Drudge says this. Why don't you have this?" "Well, it's wrong. You have to trust us." And ultimately, they've trusted us, but

it's very hard when someone's out there beating the drum, and then, a cable network or the wires or somewhere, another broadcast picks it up, and runs with it.

Alex Ben Block: Aaron Brown, let me ask you next, because you deal with really big important issues on a regular basis. This morning, we heard Phillip Taubman say that sometimes in Washington, when you're dealing with sensitive Administration issues or covert government issues, you have no choice but to use anonymous sources. On your show, sometimes I get the feeling that you're willing to pay the price for not having the sexiest information, but still ensuring that you have people who know what they're talking about. It seems like a pretty solid operation.

But on those kinds of sensitive national stories, how do you determine on a daily basis who can be an anonymous source and who can't, when you're dealing with such sensitive issues?

Aaron Brown: Those cable networks! Yikes!

Look, I function as an editor. I think that the first thing editors learn is whom to trust within their own organization. If John comes to us with a story, and it's rich with anonymous sources, I know John and I trust John. There may be some back and forth. And I don't think John would be offended by my saying, "John's first attack is generally with a hydrogen bomb, and we go up from there." But you make a judgment about the quality of the reporter who is bringing you the story, that's number one. I trust John, and I trust John's reporting.

Then you get to another level where you're dealing with people who are somewhat less experienced than John, and then, you ask more questions. How confident are you in what you're being told? How many people are telling you this? In my case, I try to avoid getting to the point of saying, "Who's the source?" I will ask the question if I have to, if I'm feeling really squishy. But the source relationship to me, and I've spent far more time in my life as a reporter than as an editor, is the relationship that exists between the reporter and the source.

Both for reasons of my professional reputation, but honestly, more so for the company's

professional reputation, I think that it is a fair question for the editor to ask who the source is. I'd like not to go there unless I absolutely have to. If I am so uncomfortable with what I'm hearing that I feel I have to then say "Who's the source?" I'm probably going to walk away from this story.

Alex Ben Block: Does that happen very often?

Aaron Brown: That I walk away from the story?

Alex Ben Block: Yes.

Aaron Brown: No. I remember walking into ABC News in 1991 and sitting next to Dick Wald who was the king of worrying at ABC at the time.

Jeff Wald: No relation, by the way.

Aaron Brown: No relation. And Dick said, "It's taken us 20 years to get this organization to the point where it's credible, where people believe us. You can screw it up in 20 seconds." And I've lived with that. There's not a producer on my staff, or a young reporter I come into contact with that I don't repeat that line to. I remind them in every one of our organizations, as everybody sitting up here has had that truly sickening experience of having a story blow up in their face.

It's true that one screw-up can impact every good thing you've done for a quarter of a century. So I'm very conservative in what I do, whether it's coverage of a special event, a 9/11, the Pope's death, whatever the major story is... You can't imagine how many times I screamed in Rome

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He said, "It's taken us 20 years to get this organization to the point where people believe us. You can screw it up in 20 seconds."

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two weeks ago, "Are we sure?!" Because I don't want to go stand out there, and say anybody's dead, let alone the Pope. Imagine any news organization living with the embarrassment of having reported 24 hours earlier that the Pope had died. So personally, I tend to be pretty conservative on that stuff.

Alex Ben Block: John, that's a natural segue to you. As I said, John, who joined CNN in May, 1997, was recently named chief national correspondent. He served as the senior White House correspondent from 1999 to 2005, which was a period of interesting change.



You can't imagine how many times I screamed in Rome, "Are we sure?!" I don't want to go stand out there and say anybody's dead, let alone the Pope, if the source is wrong.



John King: Too long.

Alex Ben Block: Too long, yes. He has interviewed every big name in Washington, including the President, the Vice President, the Secretary of State, and many others. His background includes working for the Associated Press, where he was the chief political correspondent for the AP and their coverage of the 1992 and 1996 presidential elections. I know that you bring a strong background to these issues.

What Aaron is saying is that he trusts you to bring him the right scoop, the right news. So that moves the pressure to you, and means you're the one on the front lines when the Bush White House isn't happy with what you're saying, or wants to get you to say something they want you to say. We all know that it's not a secret that the Bush White House is very carefully guarding their privacy more than most administrations have in the past: there is probably less political leaking going on, so it's been a very difficult thing. And there's been a lot of accusations that the national press corps tows the line because they have no choice.

Having said that, when it comes to accurate sourcing, and making sure that you give your colleagues at CNN the right stuff, what are the pressures in reporting on the White House? Would you share with us a little bit of what that's like?

John King: Well, the pressure should be on the reporter. I was listening to the conversations earlier, both Phil's speech at the beginning, which I think everyone should get a transcript of if you're a young reporter and read over and over again, and the very diplomatic conversation about the Monica Lewinsky investigation. I'll be less diplomatic: a lot of those sources that made print were from "sources familiar with the investigation." Well, bullshit! You have to do what Vince just said. "A source close to Michael Jackson," or "A source close to the prosecution..." If you're going to put it in writing, or say it on television, you have to cut a deal, so you can't name your source. Sometimes we have to make those deals. We make too many of them, as Phil noted very well at the top.

But if you make that deal, you cannot make it with pride unless you say, "I have to at least go this far. I have to at least say something that exposes your bias or your interest." Let's assume they're telling the truth in most cases. For you to be credible, the people reading, hearing it, and seeing it need to at least know where it came from. If you just say, "A source familiar with the investigation," if that's all you can say, then you cut a bad deal. Go home. Don't say it because you're not doing yourself any good.

I worked at the AP, as you noted, for 12 years, and my mentor was a guy named Walter Mears, who has a Pulitzer on the shelf and can look himself in the mirror every day. He taught me at a very young age, he said, "You know, kid, you break a lot of news. That's why we like you. But remember, you'd rather be second than wrong." I carry that every day. So you cut a lot of source deals, you have to cut too many. You have to remember that you're going to have to do what I call the walk.

I broke the story that Bill Clinton had cut the deal to testify for the Grand Jury in the Monica Lewinsky case – these stories are big for about 15 or 20 minutes, and then, two days, later

nobody remembers who broke what. But you still have to walk from here to the camera, it's about 150 yards, if you add it all up. And that entire walk is you alone with yourself saying, "Okay, am I sure?" And then you have to do it: if you are sure, you do it, and then, you wait. You love being first, but then you start waiting. How long is it going to be till somebody is second? And if it's a long wait before somebody's second, then you start to think, "Uh-oh." Somebody should be second relatively quickly on things like that. Trust is the one thing you have in this business - if you lose it with your sources, with your colleagues, with your editors, and your anchors, and frankly, with yourself, then you're done: you might as well hang it up.



My biggest concern in television is that it's become a shouting match: everybody looks the same, whether it's Oprah, or Dr. Phil, or Aaron Brown.



My biggest concern in television is that it's become a shouting match: everybody looks the same, whether it's Oprah Winfrey, or Dr. Phil, or Aaron Brown, or John King. There's people in boxes on television talking 24 hours a day now because, frankly, it's the cheapest way to produce programming. There are less produced shows on television because you can just put people on who will shout for as long as people watch. Programmers will continue to do it, whether it's news, or something else.

So how does the viewer, just walking by the set, differentiate between John King, or let's even say Bob Novak, who espouses opinion? How will they know the difference? I have to do my job by attributing what I'm saying. If that means I have to say a little bit less because I only have 30 seconds, then I'll say a little bit less, but I'll get the attribution in, and hope that the next show brings you back to watch, or hope that people will go to the Website and read more.

This may be the boring part, but I think we also need to do a better job

of producing shows that will differentiate between reporting and opinion. "Crossfire" was the first of its genre, that's what FOX has taken to a great success. But it's not journalism, a lot of it's not information. A lot of it's garbage. I'm not beating up on FOX: they make money off it, people want to watch it. But you must differentiate between news and opinion.

And I'm not smart enough to know how to draw the line, but I control the time when I'm on television. So I attribute, attribute, attribute, attribute. And if you lose something in the process because you have to take that extra time or in the newspaper, that extra paragraph, so be it. You have to do it.

Aaron Brown: Alex, could I make just one small point?

Alex Ben Block: Sure.

Aaron Brown: On the relationship between editor and reporter: it's interesting to me to find myself on the other side of a line that I lived on since I was 16 years old. Editors push reporters a lot to say, "We've heard that..." John and I have a healthy professional relationship, it is not necessarily, however, a birthday party everyday, and that's okay, I rather like it. It's part of the joy of the business – two people who have different jobs, strong opinions, and the same goal.

But as an editor, I'm absolutely pushing reporters to deliver. Now, John will say, "I got it," or "It's not there." Others you have to be a little more careful with. But it would be unfair to say that as an editor that somehow we just say, "Whatever you guys bring us we're cool with." Because I've got a responsibility to put on the best program I can on each night. We are absolutely pushing the White House, and we are absolutely pushing our reporters to bring us good, important, watchable, relevant stuff. And it is not unusual for them to push back, sometimes colorfully.

Alex Ben Block: Ty, you're executive producer of the investigative unit at KNBC, but you also run the crisis coverage for the NBC-owned and operated stations. You spent 12 years at CBS, and

worked on "60 Minutes." You were managing editor of KPIX-TV in San Francisco. And you've won a number of very impressive awards. My impression is that a lot of what you do is empower your reporters to go out and do their job, and help them make the selections about what is right and wrong in terms of the sourcing. Is that correct?

Ty Kim: I think a lot of eyes on the product are a good thing. But I think at the point at which it encumbers a terrific reporter like Ana from doing her work, is the point at which I have to step back. And any good manager has to understand that, primarily, as a non-reporter, my job is to provide resources so that people like Ana Garcia can go to these remote places that are often dangerous and often hostile. The reason I was there in the field with Ana is because sincerely I didn't want her to get hurt. I didn't want something unexpected to happen.

So having gone through this amazing period from 1990 to 1998 with "60 Minutes," working with Mike Wallace and Ed Bradley on hard news investigative reports, ending with the tobacco story, which very much has a lot to do with sourcing, as we all know, the thing that I've noticed a lot in the business is how it's changed. I think people in the audience are hearing wonderful things, but sometimes they're hearing some of the things over and over. I was trying to think how can I lend value by pointing out some things that we haven't talked about yet.

First, I'm going to reflect on a comment that Ana and I were talking about, a story that we're working on right now, and includes insight into the legal eagles that are now perched on our shoulders. If you're in print, or in broadcast, or on the Internet, if you're with a big organization or a medium-sized organization, you will tend to deal with attorneys more than you think you need to sometimes.

Alex Ben Block: Do you mean attorneys who tell you whether or not you can say certain things?

Ty Kim: They'll read your copy. They'll act as a quasi-managing editor. I say that cynically, because we try to make sure they don't tell us how to do our jobs. But NBC has a very big legal staff, and they are very much into the product that we put on the air every day, every story, the nuances,

who are our sources. I bring this up as a point of discussion.

As for the preponderance of these written agreements that come before working journalists, sometimes even executive producers are given papers that we have to sign saying, "This means you agree that you will not do what you said you're not going to do in the first place." I've gotten that from district attorneys who have said, "I can't talk to you unless you sign this document." This is another kind of flare in the air because, more often now than not, we're seeing agreements permeate our work.



Not everybody wants to be a whistle-blower, not everybody wants their face on TV. Not everybody wants to be like Jeffrey Weigand.



Finally, in regards to Ana's first-case example about this, we called it "Fields of Shame:" not everybody wants to be a whistle-blower, not everybody wants their face on TV. Sometimes you do run across earnest sources. But she's a mom when she goes home, or he's a dad who still has to be a husband at the end of the day. They don't want the kind of coverage that a powerful cannon like CNN or, in this market, KNBC can afford them. I'm proud to say we have a highly viewed product, a number one newscast at 11. I'm sorry, Jeff.

Jeff Wald: That's all right. We're number one in the morning!

Ty Kim: Not everybody wants to be a whistle-blower like Jeffrey Weigand. It was the reason that I decided to go get an MBA because I didn't want to work in journalism for a couple of years. I wanted to go understand what the world of finance was.

I mention all of these issues because of the legal issues, as in the *Rashomon* example that the moderator brought up during the print session, you are going to be talking to attorneys. If you're smart, you're

going to have a good attorney who can navigate, somewhat forecasting what some of the moves will be out of the gate.

Jeff Wald: Just one other point. The reason that I brought up our new investigative unit is, it's a very difficult endeavor.

Ty Kim: It is.

Jeff Wald: Because you need to double-check and triple-check everything, and our bosses are in this consolidating industry. They want results, and they want ratings, and all that stuff. And when I tried to convince our bosses about the investigative unit, it was an uphill battle because they're concerned about the "chilling effect," worrying about being sued, what it's going to cost us, and so on, and so forth.

Ana Garcia: And they're worried about losing advertising.

Jeff Wald: And about losing advertising. So we're dealing with that as well on a regular basis, at the local level or the national level.

Ty Kim: It's no small endeavor. From my vantage point, having been at the network, watching CNN, John and Aaron everyday, watching Ana's product, I think there is a stronger local news presence in the product today than ever. We have 16 people working on investigative or in-depth stories in our unit: that's just here at KNBC. Sixteen people will be working on stories that will go on the air continuously. The most difficult thing for us is not convincing NBC to keep funding us, but really, to maintain our credibility, to keep our bosses happy with the fact that they know we're going to deliver a product, even if it is about GM, or a big advertiser who might pull their advertising on our station.

Alex Ben Block: Ana, I wanted to ask you because you took some time off, and were on the other side: you worked with the city attorney of Los Angeles. You've worked on political campaigns

where they often have information they want to get out, that has a certain point of view that they want to express. Can you share any insights from that period? Can you tell me what that taught you, as a reporter?

Ana Garcia: Everyone reaches a point in their career where they sit there, and they scratch their head, and they say, "Oh, I've dedicated my life to this. What is happening around me?" I needed a break because I'd lost track of what was going in the world of journalism, especially in local journalism, which is where I'd always been, in local TV. So it was part of my odyssey.

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 I realized the volumes of information that we never get access to, we'll never see, we'll never understand, and we'll never have the full picture, and it's made me a better reporter now. I have learned new hiding places where things are in city government. Because you as a reporter, if you don't know what's missing from your story, that's what can bite you in the butt. And you need to know what you don't have, it is so crucial.

So it taught me better, more resourceful ways of figuring things out. It also helped me build some relationships and understanding: I understood that maybe some people on the other side weren't nearly as bad and as evil as I suspected. That's important, because I always used to think everything was black and white. "Did you say that, or did you not? Did you do this, or did you not?" There's a lot of gray in there as to how people do things, and why they do things. It's in the gray area where we can take the terrible step that could be costly, and it's in the gray area where you can perhaps figure out that maybe that person wasn't so malicious, or so well-intentioned. To me, that was very eye-

opening.

Ty Kim: I wanted to say also there's a story about Fleishman-Hillard that Ana broke for KNBC, which I'm very proud to say that we were able to bring to the public first. It was about an international public relations firm with millions of dollars in contracts with the City of Los Angeles.

Ana Garcia: Right.

Ty Kim: And you discovered...

Ana Garcia: Well, this goes back to anonymous sources. About a year and a half ago, I found what I believed to be was going to be the genesis of an incredible story. But the problem was getting everyone to go on board with it. I had a long talk with our news director and he said, "We're not going with anonymous sources." Basically, what we were looking at were allegations that there was favoritism in the awarding of contracts because of political campaigns, as well as over-billing, and the alleged padding of bills for free political work for the Mayor. So obviously, there were big, big names at stake, elected officials, a big p.r. firm with very deep pockets, and a very big company ready to go after us.

It took us a long time to figure out how to get at the story, how to get some of those people to come forward. What we did was we started building it in very tiny bits and pieces: we worked with a forensic accountant, we got as many documents as we could. But the problem was we couldn't get all of the bills and all of the contracts, so we never quite knew what was missing in there.

But what was very important was we figured out, without using the anonymous sources, how to slowly build the story, and tell what we were trying to tell. I couldn't say exactly what I wanted to say, but we did build the case. Ultimately, it led to two grand jury investigations, and a city audit that found at least \$4.2 million in questionable bills, which were settled in a lawsuit. That lawsuit with the City and Fleishman-Hillard was settled last week for more than \$5 million: the company

agreed to pay out for alleged over-billing. The two grand juries are still sitting, and one person has been indicted.

Alex Ben Block: That's an amazing story.

Ana Garcia: It's a huge story for L.A.

Ty Kim: Of course.

Ana Garcia: Nobody wants to do a political story about padding bills. It's a very hard sell, it's about papers. That's all it's about – bills, contracts, contributions. How in the world do you make that work on TV?

Alex Ben Block: I think voters on election day may feel that it's more than about papers.

Ana Garcia: Yes. Well, actually it is about paper, isn't it? At the end of the day, it's all about paper, green paper.

Alex Ben Block: This is an amazing group, I could listen to these folks forever. But unfortunately, we only have about 10 minutes left, and I did promise to open up the floor to questions. And I do mean questions, not statements and not filibusters. Please remain civil.

John King: I'd like to say one thing that's important to me is that I speak to a lot of young people, and I know there are students in the room. If you look at all of our resumes, we all have a mix of experience. I run into kids all the time because I'm lucky, I cover the President, and I travel the world, it's a great job. They'll walk up to me and say, "How do I get your job?" And I tell them to go get a job working for the AP. I started



Nobody wants to do a political story about padding bills. It's a very hard sell, it's about papers. How in the world do you make that work on TV?



in Providence, Rhode Island, then I moved to Boston, and I got lucky and covered a presidential campaign and got to go to Washington.

But occasionally, when I was in Boston, it was a slow day and there was nothing going on, I would walk the 200 yards to the federal courthouse and just grab a sandwich, and sit in the records room, and flip through the files, and every now and then, I would find something fabulous. I'd come back and the editor was like, "Wow, how did you get that story?" I'd say, "I walked 100 yards."

Cover a courthouse, cover a mayor, cover a school committee. Then, when you cover the White House and something different happens, you have the experience that kicks in. Too many people want to go from A to Z, and skip the middle. And I've had some great experience as the senior White House correspondent. But my best memories are covering the Claus von Bulow trial in Providence, Rhode Island, and covering cop chases, and things like that. I think everyone's experience here helps when you're doing the big thing. So hopefully, it gives you a little bit more patience and you take a breath. When somebody calls me and says, "Matt Drudge," I just say, "I don't give a -- ."

Alex Ben Block: When the great man comes to you, whether it's an elected official, a big corporate executive, a power broker, a famous actor, and they say, "I want to be on your show." And you know that they have something they want to sell, and it may or may not interest you, but you think, "Gee, it would be good for ratings, he is famous." How much of that goes on, and how do you deal with it? Aaron, first.

Aaron Brown: Well, I kiss his ass!

Alex Ben Block: I like your honesty!

Aaron Brown: One of the cool things is that we don't do shouting. We don't do the basic excesses of cable or television. My assumption is that 90% of the people who want to be on the

program are selling something – they're selling a book, they're selling an idea, they're selling their candidacy. They are selling something.

And literally, what our bookers literally say to them is, "I have no idea what he's going to ask you. I'm afraid to ask him what he's going to ask you. What happens is, you're going to sit down and, if you're lucky, you'll get to say what you want to say. But if you think you're coming on the program with him with the understanding that you're going to get to say whatever you want, you really should be on another program. Because honestly, I don't know what he's doing half the time." That's really true, in a nice way: I don't care if they're selling a book, I don't care if they're selling a candidacy. There are certain things I'm interested in, based on what I hope viewers are interested in.



Ninety percent of people have gone to media school. They know how to go, "You know, Aaron, that's a good question," and then talk about what they want to talk about.



It's the most annoying thing in the world these days: ninety percent of the people on the planet have gone to media school. They know how to go, "You know, Aaron, that's a good question." And then, they proceed to talk about what they want to talk about. To which I have said on more than one occasion, "If it was such a good question, why did you not answer it?" That generally works, I find humiliation a strong motivator on live TV.

It's funny. I've been incredibly lucky in my life. And one of the things I've come to believe is that if this doesn't work, I'll find something else that works for me. But it's got to work for me. I have to be comfortable with it. I tell this story about the night we did four hours on Robert Blake. I mean, I wanted to kill myself over this, okay? And I walked in the house and my wife, who is a reporter, looked up at me and said, "Why?" And damn, if there was no good answer for that.

People who come on the program understand that it is my program, that I will set the agenda for that program, that these are my questions. If they aren't comfortable with that set of rules, then honestly, there are plenty of other programs for them to be on. There's no shortage of television programs for them to sell whatever the hell it is they're selling. It's just not how I want "News Night" to be. It took me a long time to get this gig, a really long time. And I sort of figured, "Let's try it my way. Let's see how that works." And so far, so good.

Alex Ben Block: Jeff, on a local level, I know people are lined up at the door trying to get you to promote this, or sell that, or spin the agenda the way they want. You have to decide which reporters do what, and what time is spent. What are those pressures for you?

Jeff Wald: I was telling Aaron this before we walked up to the stage, that I run a schizophrenic news department. My morning news is like *the National Enquirer*. My evening news is like *The New York Times*. So the morning news would apply, in this case.

I would agree 100% with what Aaron was talking about, and that is, they don't determine the agenda of what we're going to talk about. If you're going to have Maria Shriver come to your television station, and she's only going to talk about this, then we don't want Maria Shriver on our newscast, as much as it would be wonderful to have her on.

So there are no prearrangements with anyone that appears on our morning news broadcast. It just doesn't happen that way. I think that goes again to the integrity of what we do and the credibility of what we do if we do it that way.

Alex Ben Block: One last question. Jill?

Jill Stewart: Since you've been on both sides of the fence, Ana, and you brought up the Fleischman-Hillard incident, is it okay if in the end we find out that Fleishman-Hillard came to the media's attention because the sources were competitors of Fleishman-Hillard? People who had left the company, who now were hanging out their own shingle? If in the end, this \$850,000 that

your former boss found was actually over-billed – we heard \$4 million, but it turned into a more modest story. I'm a cynical journalist: I'm of the opinion that the City gets over-billed to the tune of \$850,000 on a regular basis.

Alex Ben Block: That's a good question.

Jill Stewart: So my question is would it be okay if we found out later that the media knew that they were quoting current competitors, but didn't tell us the public?

Ana Garcia: I think so. Because at the end of the day, it's about the truth. The only reason information ever gets leaked to us is because it benefits someone. And it's either a competitor or someone who has an axe to grind, or a political foe: that's why people talk to us.

Jill Stewart: But does the public know that? In other words, why is the public left out of that debate?

Ana Garcia: Let's say if a competitor is responsible for spreading the news, perhaps a competitor or a former employee: if, on the piece, we were to identify this person who is a source as a former employee and competitor, and the town's not all that big, you might be able to narrow it down to 10 people. Have you then put that person's anonymity in jeopardy? That's what I would wonder.

Alex Ben Block: Good questions. I could spend hours with each of these people, and we'd barely scratch the surface. But all of them have commitments, and they're going to run away on me if I don't keep this train moving. So we're going to take about a 20-minute break for lunch, and then, come back. You're then going to get insights into the Lindbergh kidnapping trial I promise you you've never had before. So hang around. And thank you very much, folks. Good job.

- Panel 3 -

Alex Ben Block: This is a case study: the idea is to look at an important historical event as if it happened in 2005. Of course, you can't exactly do that, because there were quite different circumstances in 1932. But we're going to take you back, with the help of tape and some narration, through some of the history of the Lindbergh baby kidnapping. If you're not familiar with it, you will be in a moment, but it was arguably the biggest media event of its time. Not only in 1932, but for years afterwards, it echoed through the nation, and around the world, and had tremendous impact, in part, because Charles Lindbergh went on to play a very odd role before and during World War II. And new evidence kept coming out about this case afterwards.



We're going to take you back through some of the history of the Lindbergh baby kidnapping. It was arguably the biggest media event of its time.



It's a very complicated case, and we're going to take you through it a little bit. Then, I'm going to challenge this group to talk about how they would handle it in modern terms. Some of the issues that'll come up now, we deal with regularly, but back then, they were really quite extraordinary.

So without too much ado, let me just say that originally I was going to divide the panelists into groups. But we have a very good group, and they're going to represent the media point of view here, both for print and electronic. So I'm going to have them roll the first of the tape package, and we'll see how this works out. Okay: roll tape.

Charles Augustus Lindbergh, Jr. was born in 1902 in Minnesota. As a boy, he fell in love with flying, which, in the '20s, was still new and quite dangerous. To finance his flying, he did stunts like wing-walking, and was pulled off an airplane with a parachute, as you'll see here. He

joined the Army Air Corp, where he had a reputation as a loner and a practical joker. He later became one of the first to fly air mail across the country. Then, he heard about a contest with a \$25,000 prize to see who could be the first to fly non-stop across the Atlantic. He found backers, and risked his life to make the attempt.

This is him when he was in the mail business: he used to crash the plane, and grab the mail bag, and carry it out anyway. This is the Spirit of St. Louis – he first broke a record going cross-country, and landed in New York, where he was shocked by the crowds and reporters that awaited him: this really began his lifelong love/hate relationship with the press. The plane took off in the New York area barely, and made the historic trip in just under 34 hours, setting down in Paris, setting a world record, and winning the \$25,000. We'll see him arrive in Paris to great crowds here in a second. There they are.

He was celebrated in France, given all kinds of honors, and he eventually returned home by U.S. Navy ship. He was welcomed by the President of the United States, and given the first Distinguished Flying Cross ever presented outside of wartime. He went on to New York City where he was thrown a ticker tape parade. They really had ticker tape in those days! Four million people cheering him. Overnight, he became the most famous person in the world, his life would never be the same.

To cash in, he flew his plane across the country, and then to Mexico City where a huge crowd greeted him, including the U.S. Ambassador, a banker named Dwight Morrow. It was there that Lindbergh met Morrow's daughter, Anne, who was then 21, and quite introverted. A few months later they began to date, and on their third date he proposed. They were married in 1929. He taught Anne to fly. They crisscrossed the world together as the most famous couple of their time, constantly harassed by the press. A few months later she became pregnant. The baby was a boy, born June 22, 1930, Anne's 24th birthday, and they named him Charles Augustus Lindbergh III.

Lindbergh insisted that Anne continue to fly with him: they often left the baby with her family in New Jersey. It was also in New Jersey that he built an estate about an hour away from her family

home. The Lindberghs lived in Hopewell, which was an area at the time so rural that in winter the roads were quite impassable.

On February 29, 1932, the family was in Hopewell. Lindbergh had been working in New York that day, and arrived home that evening a little bit later than usual. All three of the Lindberghs were suffering from colds, the baby actually had already been put to bed. About an hour later, the baby's nanny, a Scottish woman named Betty Gow, went to check on the child and found the baby missing. She set off an alarm, and Lindbergh rushed in the room, grabbed his wife and told her, "They've stolen our baby!" It became a huge deal, headlines all over the world.

I want to ask each of you in terms of what you'd personally do, this is a first-day story: the most famous person in the world, his child has been kidnapped. You don't know a whole lot more about it than what I've just told you. Do you pick up stuff off the wire? Do you send your own crew? Do you book guests to talk about it? How would you handle it? Jill, what do you think?

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You'd want to research lawsuits – what's on the public record? Who are the people who hate the Lindberghs? Do they have any known enemies?

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 Jill Stewart: I was at the *L.A. Times* for seven and a half years. The first thing a major daily newspaper would do is create a team – you wouldn't have one reporter on a story like that, you'd end up with a triple byline, probably. The team would go to the site. They'd end up in the area, trying to get into the home, trying to knock on the door, trying to talk to the family, the representatives who are out on the lawn. You also want to find out lawsuits – what's on the public record, who are the people who hate the Lindberghs?. Does they have any known enemies? You've got to get to the local police, you've got to find out if they've ever dealt with kidnapping threats before. Basically, you have a major operation unfolding, and it's going to be run from a distance from

whatever major newspaper you represent.

Alex Ben Block: Jeff? Assume it happened in your local territory.

Jeff Wald: That is what I was going to ask you. The process would be very similar to today – the basic journalistic principles apply to every medium, whether it be print, broadcast, or whatever. Obviously, today, we have the Internet, so there would be a wealth of information that would be at our fingertips to help us. We'd have to understand that a lot of it could be suspect, but we'd hope to get it from the recognized sources, such as the AP.

I'm part of a large broadcasting group, which is Tribune. We have newspapers and TV stations around the country, and one radio station in Chicago. So we'd probably become the centerpiece, if you will, to feed all this information to the other stations, as well to as our own station. We'd probably set up a satellite truck, that type of equipment, and have a vigil at the house 24 hours a day.

Alex Ben Block: In a case like that, would you share information with the *L.A. Times*, your sister publication?

Jeff Wald: Yes, in a case like that, we would. Whether they would share with us is another question.

Alex Ben Block: Now, Ty, you're the guy who actually handles the crisis stuff for the station group, right? So it would fall right on you.

Ty Kim: KNBC is re-examining the idea of how to handle a crisis: there are certain things you can do to anticipate it, in terms of resources. There are certain things you can do to anticipate it in terms of editorial. We would go very heavy on this story. Jeff brought up a very important point: we are a small station, compared to NBC, with its resources. So my first inclination, as a manager, would be to interface with my counterparts in the same building: with "Nightly News," with

MSNBC, with "The Today Show." What we would end up doing would be essentially parceling out the pie.

From the investigative unit standpoint, I would launch my unit to go to the heart of the story; essentially, around the clock, it would be trying to dig up new information. It doesn't matter if they're print. It doesn't matter if they're broadcast. They would just get good information coming back quickly.

Alex Ben Block: Aaron, my guess is that these days, we'd probably have the Lindbergh Channel pretty quickly on cable. But what about for your show, specifically? How would you handle a situation like this?

Aaron Brown: I think the journalistic term is, "We're going balls out on this." Right away, someone is trying to figure out what's the appropriate lower third. What are we calling it? "Baby Missing"? "Lindbergh Baby Missing"? "American Hero Baby Missing"?

Ty Kim: I hate those things. We don't do that at our local station.

Aaron Brown: The network's going to throw everything it can at it, certainly. And there are units within the network that will break it up to some degree: the people in the news unit will begin preparing an hour on "Who is Charles Lindbergh?" I would want a little bit on who he is, just because.

It's incredible to me that you'd find a case study where I have a bias: I got suspended from the 11th grade for writing a newspaper column. They had just renamed my high school after Charles Lindbergh, which I found troublesome, given that I believed he was a Nazi. And I said,

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Right away, someone is trying to figure out what the appropriate lower third is. What are we calling it? "Lindbergh Baby Missing"? "American Hero Baby Missing"?
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"This is good. The school board will now name the next elementary school after George Wallace." This offended some people in the small Minnesota community. So I appreciate that now I have to also defend myself from Internet bloggers who will say, "He has a clear bias on this story!"

But yes, we would throw everything at a whole lot less than the Lindbergh baby.

Alex Ben Block: I'm going to go the next video clip: the Lindberghs are devastated by the abduction of their only child. Lindbergh uses his fame and authority to take over leadership of the investigation from the police. The New Jersey State Police take orders from him. The FBI is shut out of the case. Lindbergh says his only goal is to get his child back safely. It's Lindbergh who finds a ransom note in the baby's room. There is a huge police search conducted over the entire area for miles around, but they find no sign of anything. They do find a large, crudely-made ladder behind the house. The ransom note is opened by a fingerprint expert, but there are no prints. In fact, curiously, there are no prints anywhere in the nursery, not even those of the nanny or the family or the servants.

The note is hand-written, and full of misspelling. It says in two to four days the kidnapers will be in touch. It's a demand for \$50,000 in small bills, and warns Lindbergh not to call the police or make anything public. At the bottom is an odd red and black symbol.

The leader of the police who allows Lindbergh to take charge is a political appointee with no political background, his name is Schwarzkopf. He has a famous son, by the way, who shows up in the Gulf War a few years later. You're going to hear a little bit from Mr. Schwarzkopf in just a second.

[Video]

The case is full of mysterious twists and turns. It seems like it almost has to be an inside job. Suspicion immediately turns to Betty Gow, there she is. And there's her boyfriend, Red Johnson,

coming up right behind her, as well as other family members. But they all turn out to have alibis, and despite intense questioning, they are able to clear themselves. However, Violet Sharpe, a family maid, is unable to explain her activities. The police question her intensively, but within days, she commits suicide, though there is still no firm evidence of her involvement.

Dozens of notes arrive from people claiming to be the kidnapper. The police finally get a note with a symbol matching the first letter. It says, "We warned you not to make anything public. Now, you have to suffer the consequences." Lindbergh, meanwhile, appoints organized crime figures of the era as his intermediaries.

[Video]

There's an unprecedented nationwide manhunt, thousands of people are questioned, roadblocks are set up. One car with New Jersey plates driving to California is stopped 100 times because of those New Jersey plates. Police in New York and neighboring states spare no effort, and every move is followed by the media. At one point, it's estimated that there are 5 million people involved in the search. There has never been anything like it before.

The first item involves dealing with the police: in this case, they have turned over their authority to Lindbergh, and Lindbergh hates the press – there's great swarms of media all over the place. It's all probably not unlike the Jackson trial, probably less organized. It did make for a difficult situation. Anybody have a thought on how you would cope with that?

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At one point, it's estimated that there are 5 million people involved in the search. There has never been anything like it before.
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Aaron Brown: I really didn't know some of this, this is kind of cool! But if the subject, in this case, Lindbergh, is going to be out there, that's going to change the coverage of this a lot. He's going to show up on "Larry King Live." And Larry's going to say, "Chuck, do you miss your kid? What's the kid like?" Then, "I'll take a call."

If the subject of a story like this is willing to be out there, it changes the way stories are covered dramatically. We can pretend that it doesn't, but it is pretending. And in this case, it has very little to do with whether he likes us, or we like him. If he's out there, and she's willing to go out there...



If the subject a story like this is willing to be out there, involved with the media, it changes the way the story is covered, dramatically.



Alex Ben Block: The wife was less public.

Aaron Brown: Then if he's showing up on "O'Reilly," and he's showing up on "60 Minutes," and he's showing up on "Larry," and he's out there fueling the story every single day, the truth is that that gets in the way of actually reporting the story. Because the story then becomes Mr. Lindbergh, and not the kidnapping of the Lindbergh child.

Jill Stewart: I'm going to add some print issues that the giant newspaper I now run in New Jersey in this event's backyard would have with this story. A separate team would be investigating Charles Lindbergh: why does he have connections to the Mafia? Why is he letting two Mafiosos act as his public liaison? Why have the police allowed him to take this over? Isn't he actually wrecking the investigation, and mucking it up, and walking over evidence? It's very JonBenet Ramsey, what's happening. The local police messing up, the local incompetence.

There would be, if not the lead story, then a major separate story that

sidebars on a daily basis in the newspapers that would say, "My God, this thing has gotten completely out of control. Who is Charles Lindbergh, really? Is he some kind of omnipotent über power who can't be controlled when a crime has happened? And why are the police backing off like this?" Provided he really becomes a major part of the story, and a major part of why the child is still missing, with 5 million people trampling all over, and scaring the heck out of possible witnesses.

Then you get to your sourcing issues, as you're now interviewing dozens and dozens of people who don't want to go on the record because, in 1932, Lindy is more popular than God. That would be a huge debate within every newsroom. They'll get information, he'll turn out to be not such a nice guy, a Nazi, all these other issues. How do you get that story, and how much are you willing to anger all of your readers by saying that the guy they love is not such a great guy?

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How much are you willing to anger all of your readers by saying that the guy they love is not such a great guy?

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Alex Ben Block: Good question. Ty, we just got a bulletin: there's a tip to your newsroom that the police have beaten up some suspects, people who were potential witnesses, and the police have brutalized them. At least one has ended up in the hospital. But the police don't want you to talk about it, they say it's going to interfere with their investigation. How do you handle it?

Ty Kim: We don't put it on the air. I talk to news management above me, and if they seriously think it's going to impede the progress of the case, then we have to be respectful of that, while at the same time, not be an agent of law enforcement.

The one thing the story consistently returns to is the fact that there's a

baby who, somewhere out there, is being held captive by somebody who's probably willing to kill the baby in order to collect money, or for reasons of public notoriety. I think it has to be said that you don't have to be a parent. When Aaron and I were working together in Seattle many, many years ago, he used to tell me when he had his daughter, "Someday you'll understand." And now, I have two kids.

As a parent, the first thing I'm going to think is, "I don't want to do anything that's going to get this kid killed." The next thing is that this story is going to have a natural progression. I wouldn't necessarily dive into Lindbergh's political beliefs, or his background, or his sympathizing with certain groups on day one. What I'm trying to do is establish a beachhead so that we can gather the right information. Don't you think there's a natural lifecycle to a story that is unfolding in real time? I'm thinking of the Atlanta park bombing.

Aaron Brown: First of all, I want to disagree with some folks here. Stories absolutely have natural arcs. And the second day of the story is not whether Charles Lindbergh is a Nazi or isn't a Nazi, that's not the arc of the story at all. This is why I hate TV executives. His impulse, if I understood correctly is, "I've got people who are somehow suspected of being involved in something, who have been brutalized" – that's the word you used....

Alex Ben Block: By the police.

Aaron Brown: By the police. And I'm being told by the police you can't report that because this will somehow hamper the investigation. There's two things that come to my mind right after he's just spiked the story because of his concern for this little child, and blamed me for it, is how exactly does brutalizing a witness or a potential suspect impede the investigation? Because it is my business, my impulse is to publish.

"You, Mr. Police Officer, better have a damn good reason why you're brutalizing – your word – a suspect, and my subsequent sitting on the story is going to further endanger the life of this sweet little child, who I also want to see brought back alive." But my business is not to sit on

information. Whether it is professional misconduct in the course of an investigation, I mean, God knows, every one of us hears this all the time. "We can't tell you about Guantanamo. We can't tell you about Abu Ghraib. This will hamper the war on terror." Tell me why. If they can't, I'm sorry.

Remember the part where I said "We're in the business of publishing"?

Ty Kim: But no one's saying we should sit on anything.

Aaron Brown: You said you weren't going to report the brutalizing.

Ty Kim: But you don't know the circumstances about why they were brutalized. Let's just say, because we don't have any more information to go on, the cops were in a shootout with the suspects, and that there's a kid somewhere out there...

Aaron Brown: First of all, you don't get to make up your own facts here!

Ty Kim: True. Neither do you!

Aaron Brown: He gets to make up the facts!

Ty Kim: Right.

Aaron Brown: Okay. The facts...

Ty Kim: ...But you don't know anything more than...



God knows every one of us hears this all the time: "We can't tell you about Guantanamo. It will hamper the war on terror." Tell me why! If they can't, I'm sorry.



Aaron Brown: ...That they were brutalized.

Ty Kim: Right.

Aaron Brown: That's right.

Ty Kim: You don't know the circumstances.

Aaron Brown: But I understand the word brutalize. And it's never applied as a shootout. That's just not the fact. If there was shootout, I would report that there was a shootout. Okay?

Ty Kim: That wasn't the question!

Aaron Brown: Yes, it is exactly the question!

Alex Ben Block: You brought up the shootout!

Aaron Brown: It's exactly the question!

Alex Ben Block: Let me take you in a new direction. Jeff's new reporter just came in, and he says that we understand that tomorrow morning, Walter Winchell is going to report in his column – and we all know how accurate Walter Winchell is – because of the nature of the writing that appears in the note, it appears that the suspect or the kidnappers were Germans. There's a large German population in the area, and they're going to be incited by this, and there's going to be ethnic problems. How do you handle that?

Jeff Wald: I find myself siding with the renegade anchorman.

Aaron Brown: God bless.

Jeff Wald: You have to tell the story. I hear exactly what you're saying: I've been in that position before where I've had a call from a person who I trust at the Los Angeles Police Department, believe it or not, who asked not to release some info because it could put the SWAT team in danger. That was several years ago. And I respected that, because I didn't want blood on my hands, nor on my company's hands.. So I respected the request. Everything has to be judged on a case-by-case basis. In this particular case, I would tell the story regardless of whether there was a large German population in my coverage area or not.



I respected that because I didn't want blood on my hands, nor on my company's hands. Everything has to be judged on a case-by-case basis.



Alex Ben Block: All right.

Ty Kim: Let me just add one thing, just to clarify because it's easy to pile on here. Remember we were talking about getting it right just about an hour ago? We heard John King, whom Aaron adores, saying, "I would rather be second, but be right." I'm not advocating being second. I'm not advocating withholding. What I am saying is that I don't want to move too fast to the point where we're in a situation that we're calling, for example, somebody, the guy who bombed the Atlanta park for the Olympics, and just be completely wrong. That's in the background of the process to decide how to go forward.

Jill Stewart: You asked about the German population being potentially angry.

Alex Ben Block: There was reporting that it was a German who kidnapped the baby.

Jill Stewart: Okay. So what would happen at a big city newspaper in today's America, which, I believe, are heavily biased toward being p.c.?

Is it because the German population in the 1930s was a very active, very powerful, and vocal immigrant group in America? The newspaper that I work at would have all sorts of hair-pulling conversations about not offending Germans. Right now in America, when something goes down in the black community, there's always a discussion at the city desk about what will offend the black community. Always. Every city desk. So there would be a p.c. discussion about how far you can go with the German community, and whether you've really got the goods.

That could actually delay a story for quite some time, as people fight back and forth on whether they should actually say anything that potentially makes Germans sound like victims or criminals. At a big city paper, I would push for going with the story. I would say, "We've got to stop worrying about offending identity groups. We've got to get past it". But there would be a huge contention of reporters and editors at my paper arguing the opposite.

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I would say, "We've got to stop worrying about offending identity groups. We've got to get past it."
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Alex Ben Block: Well, it's about to get a lot worse for the Germans. Let's go to clip three. Of all the colorful and odd characters in this drama, you're about to see an image of a man named Dr. John F. Condon. He is a 72-year-old retired school teacher, and principal from New York City, and he offered \$1,000 of his own money to be added to the reward. Now, he's from the Bronx, the same place, the police have discovered, from which the ransom notes have been mailed. He puts an ad in the paper in *The Bronx Home News* offering to be the go-between, and soon an envelope arrives at his home. It has the same crude script, and the same odd logo. It says, "If you're willing to be the go-between, follow our instructions, hand this letter to Mr. Lindbergh, get the money, and put a note in *The New York American* newspaper when you are ready."

Soon, a second note arrives. It says, "Give Condon \$70,000 now, and not set a trap in any way," and again, both notes have that red seal and marking that only the police know about so far that they know makes it authentic. After looking at the note, Lindbergh determines the letter is real. He appoints Condon as his new intermediary, and Condon takes the secret code name of Jafsi. A few days later, Condon receives another note. It says, "Bring the money to a cemetery." Lindbergh tells the police not to come. He personally drives Condon to the cemetery, and he hears someone say, "Doctor, come here." Condon goes into the cemetery, and hands over the marked bills to a man who becomes known as Cemetery John, and gets a note back saying, "The baby is on board a ship called the *Nelly*." Lindbergh jumps into a plane, and starts flying around the whole area in search of the *Nelly*. Condon, by the way, is a bit of a publicity hound. Here's a little byte from him. That's Lindbergh flying around looking for the *Nelly*.

Jill Stewart: So you say that right now the media don't know about the special symbol?

Alex Ben Block: No.

[Video]

Alex Ben Block: Unfortunately, on May 12, 1932, a couple of months after the baby has been missing, a truck driver named William Allen stops in a wooded area near Mount Rose, New Jersey to relieve himself. He is less than three miles from the Lindbergh home. He goes about 75 feet off the road, and he stumbles upon the decomposing body of a small child. He turns the body over with a stick, and accidentally pokes a hole in the head. The police are called. The coroner determines the cause of death was a broken skull. Betty Gow is summoned to the scene, and identifies it as the missing Lindbergh baby. The next day, Lindbergh goes to the morgue and he, too, identifies it as the baby. The baby is dead.

Now the police now say they are taking back the investigation. It's now a murder investigation, everything has changed. Schwarzkopf and his team are taking over, and they're not putting up

with any more of this nonsense, they're now in charge, they are shutting down the media. There is a blackout. And they are going to now have a major murder investigation.

Suddenly, all the official sources have shut off, yet the story is bigger than ever. What do you do?

Jill Stewart: I think my first instinct would be to now accept the fact that you have to do two stories. One, about the tragedy of the family: you're going to interview maybe just moms, neighbors, people who know the family, a story about the human tragedy itself. Meanwhile, the big city paper is going to have a separate team that takes a look at how long that baby's body was there. Did they fail to do a local search because Lindbergh took over? I would now really focus more and more on Lindbergh, and whether he messed it up, which was my initial impulse.

Because there are no local sources, I'm going to go to other cities, major cities, and interview the chief of police, and the detectives there. Our team is going to find out how would you have searched for the baby in the area once the baby was missing? Did the police do a house-to-house? Did they do anything within a three or four mile radius of that area? Could they have saved the baby? I would go to competing cities, and find out how they would've handled it. My focus would be that the family's inappropriate activity of being involved in the investigation has potentially added to the tragedy. At the same time, we're writing about their loss. It's would be almost a good guy/bad guy. Very difficult to do.

Alex Ben Block: You should know that Lindbergh decides almost immediately that he thinks the idea of further forensic tests on the baby is not a good idea, he doesn't want people poking his baby, or anything

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There is a blackout. Suddenly, all the official sources have shut off, yet the story is bigger than ever. What do you do?
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else. He arranges within one hour after he is at the crime scene to have the baby cremated.

Now a man comes forward. His name is Curtis. And he says to you, "I don't think that was really the Lindbergh baby. I have evidence that the Lindbergh baby was 39 inches long, and the baby they found was 28 inches long." So this whole thing may be some kind of hoax – they did an initial search of the area right after the kidnapping, the same place where the baby was found, and there was no body then. Now, the body shows up weeks later! What we think really happened is this is an area where bootleggers were operating, and there was too much police heat on them. So they dug up a baby's corpse, and abandoned it there to throw off the police so they'd stop the search.

Then three or four other people come forward and say, "I have information, too," but it all turns out to be false. There's false sources, and people coming out of the woodwork from all directions. It's a very confusing period for everybody. How do you sort it out?

Aaron Brown: First of all, I'm hiring Jill Stewart, because honestly, she laid the reporting of the story out in a very smart way. There's a bunch of stories here that are in play: in the cable universe, it would be madness at this point. You'd have "Crossfire" doing, "Did the police act correctly or not act correctly?" And Larry would be in the game. And Nancy Grace would be convicting somebody. I'm serious, it would just be madness.

Up on the fourth floor where my guys and gals live, we would be trying to figure out what the three or four elements of this story are that we feel like we can attack on any given day. We're interested in this cremation thing, to be honest. We're really interested in the relationship between Lindbergh and the cops, and the appropriateness of that.

How confident are we that the child they found in the woods is the child who was kidnapped? I'd want to know that. The rumor stuff is less difficult in some respects because it happens on stories all the time, that's easy to sit on. We're in the business of publishing. I still maintain this quaint notion that we are gatekeepers, and that we have to make gatekeeping decisions as reporters

and editors. So that part doesn't worry me very much. I'll let *The New York Post* run with that, and they will.

Alex Ben Block: Jeff, your reporter comes to you with the story about the bootleggers and the baby. He thinks it's credible, based on the sourcing he has from the past. You go to the police, and the police say, "Absolutely not true. Lindbergh told us this was the baby. We believe him." If you print or broadcast this story, you're going to be smearing a great American at a time that he's facing a tragedy. It would be a terrible thing to do. What do you do?

Jeff Wald: We talked about this earlier about trust, about the trust you have in the people that you hire or that work for you. You're saying the reporter got this information, correct?

Alex Ben Block: The reporter really believes the story is true.

Jeff Wald: Then you have to go with your gut, and with what the reporter is saying, because that's your relationship, that's your trust factor.

Alex Ben Block: Ty, do you agree?

Ty Kim: Yes. I also think there is a division of main bar versus sidebar stories. Main bar, interview with Lindbergh, interview with the wife, interview with the team that actually is investigating the child. Finding out what that main bar is, and what the sidebars are is crucial, because you don't want to get beat on the main bar. You want to make sure that you've at least a chance to be able to get in there, and play in that arena where you're developing information and releasing it first.

These things tend to run in streaks: you get a big win on a story, and suddenly the next one happens, and then, the next one happens. Again, we talk about the logical progression of an illogical situation. What I'm trying to think about while we're looking at this story is, who do we need to know, and who do we need to get close to, to get that main bar story told, and also not miss any of the really good pieces along the way, pieces about people who have seen things

whom we haven't heard from yet.

Alex Ben Block: Jill, there're all these rumors about Lindbergh that could affect his reputation. You get a call from a p.r. person who says that they represent Anne Morrow Lindbergh, and she is willing to give you an exclusive interview to basically say that her husband is a man of great integrity, and anybody who says that he isn't correct about the baby, obviously doesn't know what they're talking about. But they want you to pretty much print her story as is, they don't want a lot of stuff around it. Will you take the story?

Jill Stewart: No newspaper would take that story, that I know of. There are plenty of glossy Hollywood magazines that would agree to highly restricted ground rules, in order to put the wife on the cover of their magazine. That's one of the big issues right now in the magazine world, is big celebrities deciding what the ground rules are for the interview, and the editor and writer capitulating. And then, we get these namby-pamby stories! That wouldn't happen at any newspaper. They would pass on it, or they would say, "Ok, we'd love to sit down with, we'd love to have an exclusive interview, but, "as Aaron was saying earlier, "we have no idea what our reporter is going to ask. They're given the green light to ask you anything that comes to mind. And you're just going to have to sit there, and absorb those questions. We may publish everything you say, even if you're upset by the question." There will be no ground rules. Not only that, but you have to make it clear to them that it's not going to be a stand-alone story, it's not just going to be a Q&A with them. It's going to have other people weighing in as to whether her tales, and anecdotes, and stories were the way they happened: let's find out if the mother-in-law thinks the same thing about that birthday party. You're going to double-check everything she



There will be no ground rules. Not only that, but you have to make it clear to them that it's not going to be a stand-alone story.



tells you because, now, he's become a controversial figure, and you can't trust either of the Lindberghs.

Alex Ben Block: They're willing to put Anne Morrow on the morning news on your channel if you'll limit your questioning to the areas that she wants. Do you take it, Jeff?

Jeff Wald: I wouldn't accept that at all. But I will say, there's a parallel here: look at Michael Jackson's tales from Neverland. Every station in this country used them because they were the only way you could get Michael Jackson. Whether you agree with what his side was or not, only certain programming was made available live from Neverland. Same thing happened when O. J. decided to tell his side of the story. Obviously, you have to make that very clear to the public that this is information that is not something that you sourced, but is actually being fed to you, and take it for what it is.

Alex Ben Block: All right.

Aaron Brown: Can I weigh in on this?

Alex Ben Block: Sure.

Aaron Brown: Here's how I think this would work in the cable universe: they're going to do a deal with Larry, she's going to sit down with him. Larry's going to say, "You must think it's terrible what they're saying about your husband." And without having to go through a lot of song and dance, she's going to get exactly the kind of interview that she wants.

There was this terrible murder of this child in Florida a couple weeks back. This is just how cynical I am, but my first instinct was that somebody in the family was responsible. The father was on "Larry," he did this very sympathetic interview, it was gut-wrenching and heart-breaking. I actually turned to a producer and said, "I want to know everything there is about that guy. I want to know what's in his background." I think Anne Lindbergh does get the interview that she

wants. But I believe that in our world, there are enough people who are as cynical as I am who are going to go over that transcript, and check every single sentence of it, and report on it. We will use the video of the interview to do a report on the story, we will present it, and say, "She said this on June 22, and it was total crap." That's how I think it would play out.

Alex Ben Block: Go ahead, Jeff.

Jeff Wald: Another thing, "Larry King Live" is an interview program.



"Larry King Live" is an interview program, it's not a news program, there's a division there. But for the public, of course, it's kind of fuzzy.



Aaron Brown: Yes.

Jeff Wald: It's not a news program. I would also say that there's a division there.

Alex Ben Block: For the public, of course, it's kind of fuzzy.

Jeff Wald: I think the public is a little bit smarter than we tend to give them credit for sometimes.

Alex Ben Block: All right. Well, let's take it to the next level. Let's roll the next video clip, please. On the morning after the baby was found, hundreds of sightseers and reporters swarm the scene. Whatever evidence might have been found was lost in the mud, as they stampeded the area. Lindbergh, as I said, concerned the baby might be an object of curiosity, has had the baby cremated. Thousands of leads are pursued. But over the next year or two, the Lindberghs become very frustrated and unhappy with the way the police have handled the case; they become very critical of the police. They actually put out a statement

accusing the police of bungling the case.

Two and a half years later, as a reward has been raised, some of the marked bills begin to show up. A German immigrant buys gasoline in New York City with a marked bill. The police use that bill to trace him down, and eventually identify him as Bruno Richard Hauptman, a German immigrant who barely speaks English. The police raid his home, and he claims to know nothing about the Lindbergh kidnapping. The next day, John Condon is brought in to make an identification, but he isn't sure. He makes only a partial identification, claiming that he isn't positive if Hauptman is the man whom he knew as Cemetery John. This is Hauptman with his wife, Anna. That's Hauptman with his baby. It looks a lot like the Lindbergh baby, which the papers play up big. He's taken into custody; the police confiscate all of his assets. They take his money, his bank accounts, everything he has, he has nothing, he can't pay a bill, his family is destitute. And he's eventually thrown out of his home after the police get done ransacking it.

The police searched the Hauptman home, and tear apart his garage. And it's in his garage that the police find a case full of notes from the ransom. Hauptman admits to having some of the money, but denies he knew they were from the kidnapping. He tells police he has gotten them from a man named Isador Fisch, another German immigrant, who – this is Mr. Fisch – left for Europe, and left boxes and a suitcase with him. Hauptman didn't know that when Fisch got to Europe he became ill and died. Weeks passed, and Hauptman looked in the suitcase, discovered the money, and eventually began to spend it. That money provides the strongest link to the kidnapping.

A grand jury indicts Hauptman for the murder of the Lindbergh baby. Lacking funds to get proper representation, and barely speaking English, Hauptman takes an offer from *the New York Daily Mirror*, a Hearst newspaper. They put up a \$10,000 flat fee to supply a lawyer for Hauptman. However, the lawyer, a gentlemen named Edward J. Reilly, wasn't a very good lawyer, he had a serious drinking problem, and his only loyalty was to the Hearst newspapers. This is Mr. Reilly. At the end of each day, the Hearst newspapers would send a hooker to Reilly's room. She would have a notepad, and she would debrief him, and the next day, the story would show up in *The*

New York Mirror.

Ty Kim: Yes, so what's wrong with that, exactly?

Alex Ben Block: So now, you're not *The New York Mirror*. You're not a Hearst newspaper. They have a pipeline. Every day they're breaking a big story and your boss is saying, "Why aren't you getting that story?" What do you do, Jill?

Jill Stewart: I'm trying to sort out all of the things that happened since last we met. First of all, someone named Mr. Fisch went to Germany, and died, and Hauptman is claiming that he's the real killer.



**They have a pipeline to the events.
And every day, they're breaking a
big story, and your boss is saying,
"Why aren't you getting that story?"**



Alex Ben Block: Well, he gave him the suitcase full of the marked bills that had been the ransom money, which had been brought to the cemetery by John Condon, and given to Cemetery John.

Jill Stewart: Okay, so Hauptman is trying to pass Fisch off as the actual killer. Now I would split my investigative teams because I've got to send people to Europe. The teams have got to find out if this Mr. Fisch ever lived, who he was, did he really show up in Europe and die? Did he say anything about the case? That's a separate investigation.

Alex Ben Block: Fisch turns out to be a con man with a long record in Europe and America.

Jill Stewart: Okay. So I've got your team there because now, I don't know who to trust. I no longer trust the police because they've done nothing but mess up the investigation – it looks like they pulled down the shed where the evidence was found, and were continually trampling

over evidence, they've had just a complete lack of professionalism.

I think at this point on a newspaper, there would probably be three teams – the original team, which might write about the family's horrors and loss, the family blaming the police, all of this episode that the family has lived through. There's another team that's constantly examining the actions of the cops, what they've done right and wrong, and trying to get more information. There's going to be a lot of off-the-record stuff that they will have to try and verify. Now, there's a European team because there's this brand new lead that the killer might be this other guy, Fisch.

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You basically admit to your readers, "Hey, we're missing out on a great story because our competitor did this, but we also think it's terrible."
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On top of it all, there's the Hearst papers mucking things up by paying the defense attorney. I would have a media critic do a whole series of stories, sort of like when the *L.A. Times* hammers FOX News in almost every single Calendar edition on Sunday, except this critic will basically discuss Hearst, and the impropriety of what they're doing, and try to explain whether their circulation is going up because of it. You basically admit to your readers, "Hey, we're missing out on a great story because our competitor did this, but we also think it's terrible."

Alex Ben Block: Jeff, every day in the newspaper they've got a break in the stories. Your guys want to know: where's the pictures, where's the story, what are you doing?

Jeff Wald: I've turned it over to the network.

Alex Ben Block: All right. You're the network, Ty.

Ty Kim: Oh, boy. Well, the question is what do we do at this point to...

Alex Ben Block: You're the competing medium: everyday a newspaper in your market is breaking these stories.

Ty Kim: Right.

Alex Ben Block: And your bosses are saying, "How are we going to catch up? Why aren't we in the game?"

Ty Kim: This is where you turn to the fundamentals of journalism. We'd have to regroup, I think, if we're getting beat everyday by a print organization. Are you assuming that we know their methodology, that they're sending somebody in everyday to debrief the guy?

Alex Ben Block: Well, it's clear to you from reading these stories that they're getting inside news on the defense's strategy on everything that Hauptman is doing, everything that's happening to him.

Ty Kim: I'm going to get hammered for this, but I'm going to say it: who cares? I think there are certain tenets to how you can go about getting information. I know there are people who would do anything to get a story, even pay for a story, when you don't have to pay for a story to get a story. We bump against some of these people. But I have to sleep at night, I'm not going to be holier than thou. I know Aaron will call me that.

I think that for me, when I go home at night, I'm not going to be hiring a hooker to get information, that's just not what we do. So if it means that we've got to develop other sources along the way to try to get good information, police sources, family, people close to the family,



I have to sleep at night. I'm not going to be hiring a hooker to dig for information, that's just not what we do.



relatives, friends, neighbors, people who have known the Lindberghs for a long time, then I'm willing to take that backseat until we're able to get this in such a way that the process is a little more transparent.

We listened to Neal Gabler talk about Walter Winchell. In 40 years, he got it wrong every day, right?

Alex Ben Block: And made a good living at it.

Ty Kim: I don't want to get beat, and I don't want to be second, but if it means going back and getting your self reorganized, and doing it in a way that you're not afraid that *the Columbia Journalism Review* is going to be writing articles about you or the front page of *The Wall Street Journal*, I'm happier to do it that way. So regroup.

Alex Ben Block: Jeff, I'm going to come back to you. Because, Aaron, the word just came in the judge is willing to consider having cameras in the courtroom for this trial, but he wants major news organizations to tell him why he should. I'd like you, and then, Jeff to tell me why there should or shouldn't be cameras in the courtroom.

Aaron Brown: I'll answer the question in an intellectual way. I'm not sure my heart is in it, having covered Simpson. The fact is, the system ought to be transparent. And the fact is that, at a purely intellectual level, viewers are best served by seeing the trial, or the hearing, or whatever it happens to be. This really is what happened in Simpson – the problem is that human behavior is something less than what we would like it to be most of the time, thank God, or we'd be out of work.

There is no question in my mind that when you put a camera in the courtroom, it impacts the way the participants play out what needs to be a serious exercise. So I'm willing to go before the court, and make an impassioned plea that our democracy is best served when the courts are truly open, and our trials are truly open for all to see. But if I lose the argument, I will probably not go

and cry.

Alex Ben Block: Of course, Court TV will be right there behind you.

Aaron Brown: Playing this out, I'd be thinking, "Okay, where's CNN in this? This is just priceless because I've got Larry doing a major panel, and he's got people talking about everything that's going on. And I've got Nancy Grace on her program, she's got Hauptman in the electric chair already, and who dares argue otherwise?" And I'm sitting there trying to figure out what do I want Greenfield to do? I want Greenfield to take a look at the media on this, and how the media has behaved. If FOX is paying some guy, man, I want that story so bad, I'm salivating. And I want the best person I've got to do it, and that's Greenfield.



If there's a camera in the court, it's going to be the biggest zoo ever.



So how do I want to use Greenfield? I want two parallel stories: I want a story that says, "Here's the evidence that says he did it." And then, I want the story that says how this guy is getting railroaded. And I want them to run in parallel, I want them to run one right after the other. I know I'm going to get creamed by viewers on this point, I'm sure I know where the viewers are.

I want to create a drama here. There are actually two. There's the drama of the tragedy. But there's a second tragedy in the way that the state, which is all-powerful, is reacting. So I'm going to work pretty hard not to become the spokesman for the accused, but to make sure that the accused's side is heard. He gets a voice. But I want both of those stories, and within the universe of cable, you're going to have the whole range of stuff. We really did see this in Simpson. And if there's a camera in that court, it's going to be the biggest zoo ever. We're going to do just fine with it, we'll make a fortune on it.

Alex Ben Block: Jeff?

Jeff Wald: I've been campaigning for as long as I've had a career in this business for cameras in the courtroom. The argument by the judges is, "It's going to change the nature of the trial." During the Simpson trial, we made sure that that camera was as unobtrusive as possible. If you know from reality shows now, I think people in some of those cases, at least, forget that the cameras are there, and kind of do whatever they normally do. But I really believe that a U.S. citizen has every right to go, and sit down, and watch what goes on in the courtroom, as a member of the public. So then, that camera should be there.

Alex Ben Block: All right. Let's hear from Ed Reilly, Hauptman's lawyer, in our final video clip. Roll it.

[Video]

Alex Ben Block: Now, that's what Mr. Hauptman's lawyer had to say, but his words actually ring kind of hollow. He is actually no match for the prosecuting attorney whom you see here, David Wilentz, a young, smart, and aggressive Attorney General for the State of New Jersey, who personally takes charges of the case. Everyone outside is mobbing, fighting for tickets. Lindbergh, here he is, comes to trial every day. And while Hauptman wasn't allowed any preparation, Wilentz interrogates Hauptman at length, as well as 90 other witnesses, before putting them on the stands.

This is the jury coming in. The case is gavelled open, and Wilentz, in his opening statement, incites the jury's anger at Hauptman by calling Lindbergh America's greatest hero, and talking about how he has been a victim of this horrible crime. Now, in those days in New Jersey, the judge was free to tell a jury whom to believe, and whom not to believe. Throughout the trial, he sided against Hauptman, and frequently belittled the defense witnesses.

Anne Morrow Lindbergh comes and testifies that the Dr. Denton baby suit sent by the kidnapper to prove that he actually had the baby was, in fact, the one worn by her child, even though it has no traces of blood or dirt on it. Hauptman's attorney chooses not to cross-examine her. Lindbergh takes the stand, and gives devastating testimony. Two-and-a-half years after he sat in the car outside that cemetery more than 100 yards away, he testifies that the voice he heard say, those three words, "Over here, doctor," is definitely the voice of Hauptman. This sends the press and public into even a greater frenzy.

Next up to testify is Dr. Condon. When Hauptman had first been found, you may remember, he could barely pick him out of a lineup, and wasn't sure he was the man. But by the trial, he's ready to make a positive identification. He points his finger at the defendant, and in front of the judge and jury says, "The man known as Cemetery John is Bruno Richard Hauptman." The media and crowds go wild and the crowds grow every day. They sell souvenirs; they have food named after the people; it's a crazy circus outside the entire courtroom.

Inside, the prosecution presents seven handwriting experts who all say that, based on samples provided by Hauptman, he was the one who wrote the ransom note. A wood expert has studied the ladder, and declares that the wood appears to be the same kind as in Hauptman's attic.

Hauptman's attorney, by his own choice, decides to put Hauptman on the stand for days of grueling testimony. And then, the defense puts up a series of witnesses who, unfortunately, don't make much of an impression. Finally, the jury goes out, and quickly returns a guilty verdict. It all makes headlines. These are some of the expert witnesses provided by the defense. The judge basically instructs the jury to find him guilty. And Hauptman is put in jail.

His wife spends the next 60 years campaigning and crusading to clear his name. In 1935, there were appeals. A number of German-American groups come to his aid, and say that he's been prejudiced against, but it doesn't do any good. In January of 1936, Bruno Richard Hauptman is

executed by electrocution. Just before the execution, Lindbergh calls a *New York Times* reporter and invites him to his house. He gives him an exclusive story in return for a promise. He tells him that he and his family no longer feel safe in America, and that he's willing to give them the story saying that are going to sail away and live in Europe. But he doesn't want the reporter to tell the story until they are safely on the boat in a couple of weeks. He wants them to hold the story.

Here's the question. You're now the editor of *The New York Times*. Will you hold that story? Jill?



By this time, I've published a whole companion series with a logo, the title would be "Who Have We Become?" It's about the mob mentality of the media and of the American public.



Jill Stewart: Well, by this time, I've published a whole companion series with a logo, because the child told its own story, it almost told itself. But I've already done a series, the title would be "Who Have We Become?" It's about the mob mentality of the media, and the mob mentality of the American public, and it reflects my withering views of the mainstream media as an editor.

We've already asked this whole question, "Who have we become?" where we try people in the media, and don't care what sort of processes unfold in the court, we've got to have the blood. Now, Lindbergh is leaving, and we've got our blood. Our guy is dead, we killed him. We're all really happy as a society. What are the ground rules in accepting this story?

Alex Ben Block: The question is, would you hold the story for two weeks until Lindbergh is safely on the boat, and leaving the country before you're allowed to publish that Lindbergh and his family have left the country and are afraid to live here anymore?

Jill Stewart: If you look at the alternative, the alternative would be that some other newspaper accepts the deal, and everybody covers the story the minute it breaks. So everybody else has a second-day story. My own inclination, because I don't trust Lindbergh, I don't like the way the trial went down, I don't like the way the guy was railroaded, I don't like the mob mentality, I don't like people naming dishes after the questionable witnesses, would be to leave the offer, and to let somebody else break it. My approach would be to write about them leaving the country. "What an oddball group this is, the Lindberghs, and the media itself, this newspaper that accepted the deal!" I would once again turn back to the media because now, this, to me, has become a story all about the dark side of the media, from beginning to end.

Alex Ben Block: Jeff, would you take the deal?

Jeff Wald: No, I wouldn't either. I would wash my hands of it, and let somebody else break it.

Alex Ben Block: Ty, what do you think? It's the biggest story of the day.

Ty Kim: Let me answer it first by saying, I just thought about it, and I actually think that I was mistaken earlier. I probably would've gone with that violent cop story. Okay?

Aaron Brown: You're backing up.

Ty Kim: I am, right. Now, the reason I'm changing my mind, and I underscore this for people in the audience who are working journalists, veterans, or students, is that this is what this whole exercise is about. What would you do? These are situations where stories do play out in real time, and they're very dangerous, it's like handling TNT.

I think in this case, I would probably go with the story, and I'll tell you why.

Alex Ben Block: You mean you would take the deal?

Ty Kim: No. I would publish the story. I wouldn't give them the two-week window to get out.

Alex Ben Block: But he's not giving you the story unless you make the deal.

Ty Kim: Okay. Yeah, I'd do that.

Alex Ben Block: So Aaron, how about you?

Aaron Brown: "So you're leaving the country, huh? What's that about? Your wife going, too? She's a pretty girl." At this point, honestly, I want to shower from this whole story. I'm feeling pretty ushy about the whole thing. But I think I'd make the deal, to be honest. I'm not the smartest guy on the block, and I may be missing some big ethical issue here. I'm not sure what I'd be compromising, exactly, other than that I've got a pretty good story from a central character who's a huge figure in American life, who is saying to me, "We're leaving in two weeks. I'll answer any questions you have. I'm not going to walk away from any questions." There is no other ground rule, I think, if I understood the stipulation, other than that you can't publish until the fixed date.

I'm not sure how that is different from deals that in fact are made all the time. If tied to the publication, or the release of something, we want to get the interview in the can because we want to produce it, but we agree not to air it. I'm not deeply troubled by that. It may be, honestly, that at this point, I'm so beaten down by the damn story, that I'm willing to deal with it on a kind of date-certain basis. I think I'd make the deal, yes.

Alex Ben Block: For history's sake, *The New York Times* did make the deal. They also wrote an accompanying editorial in which they very sympathetically said that they sided with the Lindberghs. "Isn't it horrible that they can't live in America anymore because it's become so dangerous for them?"

Aaron Brown: Are you sure that you wouldn't make the deal? Are you sure the papers don't

make deals like that all the time?

Jill Stewart: Actually, papers do. But if I ran the paper, I wouldn't do it, because I now don't trust the Lindbergh family, and I don't want Lindbergh to use me for whatever his plan is. Does he know, for example, that somebody might be about to cough up some actual evidence that reflect badly on him? Why is he leaving the country? I don't want to get in the middle of what I now view as a very popular kind of scam with its scam artist. I wouldn't let him use my paper.



I don't want to get in the middle of what I now view as a very popular kind of scam with its scam artist. I wouldn't let him use my paper.



Aaron Brown: I think it's an interesting judgment. It's not like I think you're wrong. I think you make a pretty cogent argument. I'm just trying to be honest. I want that scoop because I've got a lot of questions, and this is my opportunity to ask them; it may be my only opportunity to ask them. I want to know if he's got regrets about how the first phase of the investigation was handled, for one thing. How does he know these Mafia guys? What is that about? There's a lot of stuff in here that I'd get for what I consider to be a minor trade, which is not to publish for two weeks.

Alex Ben Block: Final historical footnote: in 1993, two authors who had done a great deal of investigation based on some work done by others before them, published a book called "The Great Lindbergh Hoax," in which they make quite a compelling case that the murderer of the baby was actually Charles Lindbergh himself.

Aaron Brown: Well, I believe that.

Alex Ben Block: That he was a guy who played practical jokes, that he'd climbed up in the window, and taken the baby out. And that he had a

month before, hidden the baby for half an hour as a joke. And that he had climbed up, and taken the baby out, and dropped the baby on the way down the ladder and broke the skull. He decided that he didn't want anybody to know that he'd killed his own baby because it would ruin his reputation, and destroy his business, and his life. So he hid the baby, and created this whole hoax, and went along with the whole kidnapping scheme.

I won't go into all the evidence, but they have hundreds of pages of evidence showing that Lindbergh, by erasing the prints, by finding the ransom note in the baby's nursery after it had already been searched, by having the baby cremated, by all the things he did, really likely might have been the guilty party himself.

Alex Ben Block: Excuse me: I promised Aaron he'd be out at 2:00, he's got to make a plane. So I'm going to say goodbye to Aaron, and thank you very much. Please join me in thanking our panelists for an excellent job. I hope you had a good time today. Who knows, we might even do it again someday!