And really am looking forward myself not only to my own panel on the traditional media, but the next two days. And it’s great to also look out and see some of our students, and so welcome to all of you to the panel on traditional media.

My name is Sara Beale, and I want to just give you very quick biographies of the panelists up here -- just tiny little thumbnail sketches -- so that we can use our time to talk about the issues that were so forcefully put on the agenda by Hodding Carter. And I’m going to do these alphabetically.

Sylvia Adcock is a reporter with about 25 years of experience most recently at publications such as Newsday. She covered the courts in Raleigh for the Raleigh Times, and is a freelance writer now and lecturer in journalism at North Carolina State University. And she covered some of the court hearings in the Duke Lacrosse case as we -- as is often called -- the Duke Lacrosse case -- you can obviously define this lots of different ways -- as a freelance writer for the Washington Post.

Loren Ghiglione, and I probably just pronounced that wrong. Loren, did I pronounce it wrong? It’s a little bit wrong.
Loren -- Loren is a Chaired Professor in Media Ethics at the Medill School of Journalism at Northwestern. He’s a former dean there. He has served as an editor and publisher of the Southridge Massachusetts Evening News and president and owner of the parent company, president of the American Society of Newspaper Editors, Editor and author I’m told of six journalism books. So you can already see that I’m beginning to feel intimidated by all of our panelists.

Eric Lieberman, who is a Duke Law graduate I’m proud to say, is Vice-president and Counsel at The Washington Post. He has long experience there and also he has been a practicing lawyer at a Washington law firm, Williams and Connelly, where he represented clients in both civil and criminal matters.

So you can already see we have journalists, we have people who have an academic perspective on journalism, we have practicing lawyers, we have people representing the press.

Next on our panel is Malcolm Moran who holds the Knight Chair in Sports Journalism and Society at Penn State University. That allows him to draw on over 30 years of experience as an award winning and respected sports journalist. He’s worked at the New York Times, The Chicago Tribune, and USA Today where,
in addition to covering sports, he wrote feature articles on professional and college sports. And in addition to teaching and working with journalists and professionals, he’s the director of their Center for Sports Journalism in the College of Communication.

Bill Raspberry is the Knight Professor of Practice of Journalism and Public Policy Studies at Duke’s own Terry Sanford Institute, and as probably many of you know he was a columnist at The Washington Post for almost four decades retiring from the paper only at the end of 2005. And is well known for his commentaries often on public policy concerns including crime and justice and drug abuse and lots of other topics. He’s a Pulitzer Prize winner for that commentary.

The final panelist is Ari Shapiro, Legal Correspondent for NPR news where he covers major and federal prosecutions, national legal trends, and the internal operations of the Justice Department. He was previously a reporter for NPR in Miami, Atlanta, and Boston, and he had an opportunity to cover controversies such as the fate of Terry Schiavo, the abuse of Iraqi detainees at Abu Ghraib, and legal proceedings against soldiers accused of those abuses.
So we have a tremendous panel to think about the coverage of these mega-cases. And as earlier speakers have said, the Duke Lacrosse case -- as it’s often called -- is only one of many others. You could all tick off many of them; the rape charges against Kobe Bryant, the recent charges against Michael Vick, the Jena Six, JonBenet Ramsey, Richard Jewell, the O.J. Simpson case number one, O.J. Simpson number two, O.J. Simpson number three, Scott Peterson, Lacy and Connor. I bet those are names that you all know. How do these cases come to the fore? How are they treated by the journalists? What is the set of responsibilities here in the traditional media. The next panel will be the new media. But the traditional media, and we’re going to organize ourselves by having each speaker speak for no more than four or five minutes to put some ideas on the table and then have some discussion back and forth.

So I’m going to ask Sylvia Adcock to kick things off not only because she’s an A, but because we want to start thinking of this from the perspective of the individual reporter and how this process looks from the perspective of the individual reporter. How do you get these cases? What are you supposed to be doing? What are the pressures you’re operating under? So Sylvia, will you get us started?
Okay. So we’ve all heard the term media circus, and I’ll try to start off by giving you a little bit of a peek under the tent. We all know the major elements that make a story big. A drunk driving arrest that means nothing somewhere else will become big news if it involves a pop star in Hollywood. There are far more people that are killed in automobile accidents in this country every year, but it’s the plane crash that kills 200 people that becomes huge news, which you’ll hear a lot about from the airlines if you cover that industry.

And then there are the unexpected stories. The stories the editors are always looking for of the surprising, something that’s different, a reader friendly story, what one of my old editors used to call a Hey Mabel story. Hey Mabel referring to the fact that you’d like the husband to nudge his wife at the breakfast table and say Hey Mabel, did you see that story in the paper today. But things are changing pretty fast and nobody is named Mabel anymore.

Reporters in the middle of a major breaking story -- whether it is what might be considered traditionally newsworthy by journalistic standards or whether it’s just Lindsay Lohan’s latest brush with the law -- can find themselves in a push/pull situation. The pressure to not miss something, to
make sure that you have everything your competition has, is enormous. Some of that competition comes from the internet, from the new media that’s come from and it’s driven, of course, by editors to reporters, but reporters have their own competitive streak, which is what makes good reporters great, but also can take its toll.

I’ve been in the middle of a dozen reporters staking out the home of a serial killer in New York for days waiting for his mother or his sister to come out and say something, anything, one thing to the press. I should note the serial killer was actually convicted, so I don’t have to use the word suspected before his name at this point. I’ve covered court cases in which the rush from press conference to press conference to press conference after the proceedings seems like an exercise in futility given the fact that we will all be getting the same manufactured news.

I once spent half a day in the middle of a major breaking news story chasing a blind item that appeared on the website of a major national newspaper. By blind I mean that the reporter in that item had used anonymous sources and was not attributed to anyone who had a name. It was on my beat. I knew that the item was probably going to turn out to be
wrong, but I had to basically prove to my editors that it was wrong. When I say I lost half a day reporting on that, that may not seem like much to some of you, but if you’ve ever been involved in a breaking news story, half a day is a lifetime and you lose a lot of ground. It turned out that I was right and the major newspaper was wrong, but it took a lot of my time to simply kind of try to have to prove that something else was not correct.

I had an error edited into a story once, because someone on the desk had seen something on CNN and changed the wording of my story slightly to make it sound as though a group of professionals that I covered had done something wrong. I was furious. My sources were furious. And I was lucky in that my editors agreed with me, made the right decision that we needed to write an entire story the next day correcting the situation instead of the usual page two correction, which, frankly, I don’t believe anyone ever reads.

But I believe one of the biggest problems in journalism today is not the way the sensational stories are handled, not whether we’re spending too much time covering Lindsay Lohan, and not the competition that is coming from everywhere. But the fact that the economic pressure that’s being put on the
media, particularly I’m talking about the print media, because that’s where I come from, by large corporate owners who are beholden to stockholders who want to see nothing more than a jump in the stock price are going to slowly, I believe, eat away at the talent and experience that it takes to put out a great paper. Newsroom staffs across the country are shrinking and that’s a problem. Fewer and fewer newspapers are going to be able to afford to have specialty beats where reporters can become experts in their subjects, can develop sources, and break news and set an agenda rather than simply react to whatever is being put out there. Fewer and fewer newspapers are going to be able to send people to Washington or overseas and that’s a problem for all of us.

So while I worry about the time and energy that maybe spent covering these cases that may or may not be really news, I worry more about us getting into a situation where only a very small number of newspapers are able to provide the kind of reporting fire power that print media has traditionally provided in this country to hold our public officials and our government and everyone else accountable.

BEALE: Thank you. Malcolm, I know that you were concerned about changes, marketplace kind of changes too. Do you want to touch on that now?
MORAN: One of the things that came to mind when we were preparing for this is that, and I bring a slightly different perspective to it because I would’ve been waist deep in all of this except for the fact that I was away interviewing for the job that became the job that I have now. I have a lot of friends that covered that. I spent 19 years at the New York Times. I know how careful people are there about the way they go about their business. I know how painful this episode was to friends of mine that worked there.

The thing that concerns me is that as much as we’ve heard about all of these different cases, and a lot of them appear in a course packet for a news media ethics course I teach at Penn State, there is a chance it could only get worse because of the technology. What we learned from studying the McCarthy era and how he manipulated the press was that he would determine the deadlines of a.m. and p.m. reporters and he would feed them unverifiable things that were reported as fact, because he knew that they wouldn’t have time to check it out before their deadline. Well, if there was a McCarthy in 2007 he wouldn’t have to do that, because the technology has already done it for him. We live in a 24/7 real time environment, and 24 hours ago when the topic of time and competition came up in my classroom, what I said was, “Don’t
look down, because that safety net isn’t there anymore."

Up until seven or eight years ago most editors in this country seem to operate on the premise that if some piece of information came available at noon, we are not going to post it at 12:30, we are not going to let everybody else have this information and play catch-up for the next eight to ten hours so that it looks like it’s a tie. It’s not a tie. We believe we have this alone, and we’re going to break this in tomorrow morning’s paper the way that we’ve been doing it for hundreds of years. Well, because of the economic forces and the necessity to promote websites, now a lot of that information may be posted at 12:30, and the problem is the safety net is gone and that’s the biggest concern that I have, because there’s going to be another DA. There’s going to be another authority figure who is going to stand up at a press conference and say something that’s going to be accepted as fact and what we have lost is the ability to digest the ability to report more, the ability to take the kind of care that’s always been taken because of the fear that the bus is leaving town and we’re left behind.

In one of the things that I include heavily in the news media ethics course at Penn State is constantly hammering away at
the Society of Professional Journalist code of ethics, and using that to determine how you go about your business. Seek truth and report it. Minimize harm. Act independently. Be accountable. Those things are hard enough to hold onto when editors and reporters are talking about a story when you have five or six hours to make a decision. When you have five or six minutes, the strain becomes even more intense.

In terms of grading, because that was one of the questions we came up, I mean, I would just say simply not to paint with a broad brush, but now that we live in an environment where you have one set of reporters operating by the traditional rules with those quaint 20th century traditions of correction boxes and editor’s notes and another group that will throw it against the wall to see if it sticks, my grade would be I’d like you to come by the office, because there’s a lot of makeup work that has to be done.

BEALE: Eric, you see this as the reporters bringing these legal issues to you and the paper trying to take responsibility, so from the perspective of a newsroom lawyer, how do you see things?

LIEBERMAN: Well, I usually get involved in high-profile criminal cases and investigations really in two ways. One first and most commonly I’ll get a frantic phone call from a reporter at the
courthouse saying they just closed me out of the courtroom, this is outrageous, we have to sue right away. Or they won’t give the names of the jurors or in the Musawi trial recently the Judge won’t let us see the exhibits. The Court is too busy and they’re overwhelmed and it’s just going to take a week until you can look at the exhibits. And then the media lawyers rally and for the traditional media we have them on staff like myself, and we can actually fight back and assert the First Amendment rights of access to records and proceedings that are critical to holding the justice system accountable, especially the criminal justice system when people’s liberty is at stake. So we get involved filing access motions to make sure our reporters can actually see what’s going on and read the documents.

And then the other way that I get involved is in reading the stories before they go in the paper when they’re particularly controversial subjects. Fortunately the Washington Post doesn’t take a very narrow view of what the newsroom lawyer’s role is in reading a story. I don’t just sit there like the lawyer, and for those of you who have seen that movie Actual Malice, it’s a great scene with the newsroom lawyer who is going over a story with Sally Field and he basically says to her the truth doesn’t matter as long as we don’t have actual
malice. Well, fortunately there’s been a long tradition at The Post of the newsroom lawyers being not just concerned about whether we can defend a liable case, but whether we can defend our reputation. And so my job is to layer on top of what the editors are supposed to be doing, which is to look at every story, question its accuracy and its fairness so that we can defend our reputation.

One thing that -- Hodding Carter covered so many fabulous points it’s hard to follow him, but one thing I think he didn’t touch on as much as I would’ve liked is the, I guess, fear, for lack of a better word, of criticism from the media. One of our faults is that we love to attack other people, but we’re very thin skinned when we come under criticism for our own failings, and in this day and age with the blogosphere, with ombudsmen, we have an ombudsman on staff at the Post, there’s not one mess up that we make that doesn’t run the risk of getting a lot of publicity at least within the profession and maybe beyond that.

So there’s a lot of concern within the profession and in the traditional media despite the fact that we make a lot of, you know, we make mistakes. They’re human beings. Reporters are not lawyers. They’re covering stories quickly. There’s a lot
of information coming at them fast. They have to write it in a way that’s engaging and understandable for readers. Yes, I hear from lawyers and judges all the time can’t you get these stories right. Technical mistakes in all of these stories. Train your people better. But the commitment is there from the editors and at least from my perspective from the newsroom lawyer up to the publisher to make sure that we’re fair and accurate. And when we’re wrong to be humble and not arrogant and to apologize.

And I agree that that’s sometimes hard to get a news organization to accept, to acknowledge a mistake, to do it appropriately given the magnitude of the error. It depends on the particular situation. But all of it comes down to the fact that we are businesses and our most valuable asset is our credibility, and if we lose our credibility we have nothing at the end of the day.

So The Washington Post from a newsroom lawyer’s perspective is very concerned about all of these issues. We recognize that we’re not perfect, but in grading the media, I think the most -- I think the real question to ask is whether our democracy would be better off without the New York Times, NPR, The Washington Post or not, and I think the answer is
we’re absolutely better off with these institutions, and they need to be supported. We have the resources to dig deep, do the daily stories on newsworthy events, and investigative pieces like what The Chicago Tribune did a couple of years ago on the mistakes that the justice system was making in the administration of the death penalty, which led to the suspension of the death penalty in Illinois. So the traditional media plays a critical role. They care very much. They’re not perfect, but boy, I, especially this day and age in the post 9/11 world, I wouldn’t want to be without institutions like the traditional media.

BEALE: Loren, I know that you’ve been thinking about this in a historical perspective and that’s an issue that Hodding Carter put out too, to think about this in a broader scheme. Do you want to reflect on some of these thoughts?

GHIGLIONE: Thank you, Sara. Well, right. The last time I was here at Duke it was to do some research about Don Hollenbeck, a CBS correspondent who got caught up in the middle of the television confrontation between Edward R. Murrow and Joe McCarthy, and Hollenbeck was red baited by a Hearst columnist and killed himself. So my mind is in a bit of history right now, and I also remember that this is the birthday week, no one else will remember this, I’m sure, of the first newspaper in the United States Public Occurrences Both Foreign and
Domestic, and it was put out for only one issue before the government closed it down by a guy who was not a journalist, who was a printer. I think he also ran a pub. Which reminds me of a joke about journalists. How many journalists does it take to change a light bulb? Change?

The people who were journalists then and I would say today this is sort of an interesting -- this is the first of four questions I have, so who is a journalist and how does that person define his or her responsibilities to the codes of ethics that Malcolm talked about, etc. We have bloggers. We have humorists like John Stewart. We have unctuous shout-fest hosts like Nancy Grace. Jim Squire as the former editor of The Chicago Tribune writes: “actors, comedians, politicians, lawyers, infamous criminals, and some who fit all five categories regularly masquerade as reporters on newscasts and talk shows.” So that’s the first question.

I think the second question is what level of skepticism do they have about what they observe and the story lines that they are used to or used to reporting or like reporting? There’s a really interesting book by a guy by the name of Jack Lua who suggests that the press gravitates towards certain story lines that are unconsciously or consciously
echo myth. And so journalists may need to be especially cautious in approaching stories of conflict, race, gender, class that appear at first blush to fit a stereotypical mythological formula of a story long loved by listeners.

And third, I have a question about so what today should be the model of the journalist? And here I think Eric is asking a good question. I wouldn’t want to give up on some of the notion of what a journalist should do. The person who is willing to initially report what goes on whether it’s by truth tellers and liars what they say and letting the readers, listeners, and viewers make up their own minds. I think a democracy does need journalists who try to report dispassionately and impartially. They may not be successful. I was going to ask -- but I won’t because I know the response -- how many of you have been reported on and how many of you think those reports were completely accurate and fair? I know what would happen in terms of the hands being raised.

SPEAKER 1: None were.

GHIGLIONE: But I’m reminded of Murrow who said, and even though his report on McCarthy was not pure editorial, but it surely wasn’t dispassionate reporting, but he said when the evidence on the controversial subject is fairly and calmly presented, the public recognizes it for what it is, an effort to
illuminate rather than to agitate. So I think that role is still worth keeping.

And what is the -- what are the taboos that exist in journalism? This is something I do worry about. Because I’ve been thinking a lot about the reporting of suicide, because I’ve been thinking about Don Hollenbeck killing himself, and it reminds me of a line in Benjamin Cheever’s novel, The Plagiarist, where he says, “People always lie about suicide. The family lies. The police lie. Even the medical examiner will lie if he has to.” And I think there are some -- so I would ask so this society is willing to put up with what lies and journalists are willing to put up with what lies and is that good for the society. In the case of taboo about reporting suicide, it may be good that it discourages copy cats by people who are disturbed and will then kill themselves. But on the other hand, I think it really distorts how we support a treatment of mentally ill people versus those who have physical ailments.

And I once looked at 15 years of death certificates in my town to see how we reported suicides and how we didn’t, and basically the only people we talked about were young people. That’s important. But there were -- actually the most people
who killed themselves were -- I’m trying to shorten it here -- older single guys and -- so there was nothing about in our paper about the pattern of suicides in our community, so I wrote about that. And I still am disturbed about how we don’t cover -- what we -- when we accept a taboo, it’s the problem.

And so there are other taboos maybe that we should think about whether when somebody is an accuser in a rape case are we going to let that person be named forever or when.

And finally since others have talked about it and Hodding did, and I was a member of the National News Council, that The New York Times editorialized against even before it became business, why is it that the press is so sensitive about media criticism and criticism itself. I think it’s great that The Washington Post worries about what’s going to be said by ombudsmen.

And I think -- I want to end on an optimistic note. I think one of the great things about change is from McCarthy’s day when Don Hollenbeck did a program called CBS Views the Press on radio and talked about the New York Press, and the New York Press was very hostile toward him. The Salsburger of the New York Times said, oh, well, we shouldn’t do this sort of
stuff. We shouldn’t talk about each other’s performance. And he was red baited for this program. I think the great thing is that we now have institutions within the press, public editors, ombudsmen, etc., who are looking critically at The New York Times and The Washington Post, etc. And then there are the bloggers and the people outside, so I’d like to end on an optimistic note.

BEALE: Ari, I know that you have thought about the problems that Hodding and others referred to when they noted that prosecutors, government agencies put their version of the story out. One of the press’ role is, what, checking, filtering, responding. I know that’s part of at least what you might want to talk about today.

SHAPIRO: Yeah. I think -- I’ve been thinking particularly about a case study, an experience I had almost exactly a year ago where it was, I mean -- if you remember the fall of 2006 -- the Mark Foley Congressional Page sex scandal was covering the news. It was a month or two before the Congressional elections and Republicans were freaked out. They were going to lose seats, potentially lose both houses, which ended up happening, and I was home one evening and got a phone call from my editor who said “turn on the TV.”
So I turned on CNN and there was this big exclusive banner across the bottom of the screen and there was this amazing footage of these law enforcement officers staging an operation in Miami where they actually had a blow torch and they were getting into this warehouse where there was allegedly a terrorist cell that had been operating. The whole country is going crazy. We hear that there’s this plot to blow up the Sears Tower, and I’m trying to call people at the Justice Department, figure out what’s going on. Suddenly forget about Mark Foley. It’s all about this terrorist cell in Miami, homegrown terror.

And by the time morning rolls around and our 9:30 editorial meeting happens, we’re in a frenzy. The Justice Department in its typically noncommittal way says there will be a press conference later that morning about a terrorism related matter. This is back when Alberto Gonzalez still had credibility and was still the Attorney General. And so we’re like at DEFCON 5 at NPR. Everybody has seen this footage. Should we break in the morning edition? Should we carry the press conference live? Should we update the show? Who is going to do which show, because we know it’s going to have to be on all the shows.
So I get to the press conference. It’s packed with reporters. The press people start handing out the packets with information that includes the indictments. And some of you may know where this story is heading. On page ten or page 20 of this indictment it describes these guys in Miami who basically decided they wanted to blow something up and they took some pictures of the Sears Tower and they never went to a terrorist training camp and they never had any explosives training and they never had any explosives. They went onto some website and said they were looking for somebody in Al Qaeda who could help them out. And, of course, an FBI agent offered to help them out. And the guys asked for boots and the FBI agent gave them boots.

And then in the midst of the Mark Foley scandal there was this big bust. And halfway through the press conference, we all realized that we had been duped. But by that point it didn’t matter, because for 12 hours the news cycle had been dominated by this plot to blow up the Sear Tower. We were all furious, but a lot of good that did. And I actually talked to some career counterterrorism prosecutors months later and they said they were all furious about this too, because they really felt like this hurt their credibility. It’s not that it wasn’t a real case. It’s that it was clearly presented,
timed, and brought forth in a way to manipulate the media.

It’s certainly nothing new. It’s certainly nothing that is limited to this administration. But I do think it’s something that is easier to do in terrorism cases than in other cases. Not only because it’s harder to criticize terrorism prosecutions. I think that’s less true today than it was a few years ago. But also because the nature of terrorism prosecutions where you’re stopping something before it happens gives law enforcement much more flexibility. They can monitor a cell for months or years even and they can decide to stage a bust either when the cell seems about to go active or when it seems politically, strategically convenient to have a big terror bust.

So, I mean, the result of this is that we at NPR and other news organizations I think have this constant struggle between what somebody else on the panel last week referred to as being the lapdog and being the watchdog. And either way you get criticized. I mean, if you’re the lapdog, you’re criticized for not being critical enough. If you’re the watchdog, you’re criticized for putting opinion analysis, whatever you want to call it, into what should be just the facts reporting. But it is a struggle that NPR constantly has
about what we’re being told the news is and what the news actually is. How blindly we follow what we’re seeing on the major newspapers, the major news networks. How blindly we’re following what the administration or other sources are telling us. How we’re presenting to our listeners what we get in context, because when people have been seeing for 12 hours on the TV that there is this major terrorism bust and then we don’t say anything about it, are we really doing our listeners the service we would be doing if we explained really what happened over the course of those 12 hours and how we were duped.

Just sort of as a final thought, sometime ago President Bush was explaining why he doesn’t read the newspapers, and he said that it’s because he doesn’t like the filter. He prefers to get the news straight from his cabinet without the filter. And at the time that was sort of interpreted as being pejorative, and he may have meant it pejoratively, I don’t know, but I think it’s clear that the news media does need to be a filter. What the public needs is not an uncritical funnel of what’s coming from the government or from wherever else. What the public needs is a filter of why you should care about what’s happening, what’s actually important as opposed to what you’re told is important, and transparency in
the process that we use to reach those conclusions so that if
the public disagrees with that they can understand why we’ve
made the decisions that we made.

BEALE: Bill, what do you think about all of this? He’s a
commentator. He’s going to comment.

RASPBERRY: I spent a lot of years in this position as a columnist. When
there were major stories, you often came to the story after
all the beat reporters had done their thing on it and all the
editorialists weighed in, and you still -- the story was so
big you had to say something about it. And I learned the
technique which I will now employ. You go through all of the
stuff that’s been said and find what the one thing that has
not been said and then you begin the column that says
everyone seems to have missed the real point.

I now bring you the real point, which is not journalism’s
lies, or its knowing failures, it’s unethical behavior. It’s
when we do -- when we do what we think is good journalism,
but we do -- we get ahead of ourselves in the...

I want to read something I wrote back during O.J. one, which
kind of makes this point. “Add one more item to Otto von
Bismark’s list of things no one should watch being made. Not
just sausages and laws, but also news.
America spent the weekend of the O.J. Simpson saga watching news being made and while it won’t make anybody swear off, it might leave a lot of people more skeptical than ever about the ability of professional journalists to get things right. It shouldn’t, which was Bismark’s point.

News, like sausages and legislation, usually comes out pretty okay at the end. We finally get it fairly close to right. Saving grace for those in the business is that most of the time our audience doesn’t see our goofs, our false starts, our confusions, our stupidity. We present nice, taut, professional looking sausages of news with little hint of the mess those sausages lately were. Last weekend provided a peek inside the butcher’s shop. A revelation of how awfully ordinary are the elegant and erudite men and women who bring us the news.

I think of that scene at Nicole Simpson’s condo. Some of you will remember this along with me. Where as it turned out hardly anything newsworthy was happening, but a few cops showed up then a few reporters, and suddenly TV crews were tripping over each other all of it instantly on our television screen thanks to the CNN helicopter. That piece of
action, though it turned out to be utterly meaningless at the end, didn’t look bad. In fact, it must have seemed exciting. Even a little glamorous to be right on the scene where something big appeared to be in the offing. But then came the sausage making, the rumors, the groundless speculation, the almost, almost sighting of Simpson’s body. Did anybody who watched that doubt that he had committed suicide and we’d stumbled upon his body pretty quickly?

Somebody had seen O.J. on the ground. Somebody had recognized the brown van as being very like that of the coroner. Still someone else thought there was something hidden in the bushes near where the police were putting up their yellow tape.

The point of all of this is that reporters on the scene usually trade their rumors and their speculation only with each other. The stuff that doesn’t check out or that becomes irrelevant to the story doesn’t end up on the air or in the newspapers. Most of the time writers calm down, editors edit, people whose job it is to exercise judgment, exercise judgment. But this was live television, and we got it straight. And you got a sense then of what reporters are up against.
Put yourself in the place of the reporter on that scene. This could be, could be, the critical point of the story of your life, and you haven’t got a clue as to what’s really going on. All you know is that your job is to find out as much as you can as quickly as you can while avoiding that bane of live television dead air. So you talk. You set the scene. You point out where the bodies of Nicole Simpson and Ronald Goldman are found. You recount the events leading up to the present action. You count police cars. Each little movement gets reported. And then what? It’s almost impossible not to lapse into speculation. Particularly the speculation that you and your colleagues at the scene agree seems highly likely. For instance, that there might have been a suicide or some other gruesome discovery.”

This is what bothers me about so many of the cases that make us crazy, including our famous case here at Duke. You stay with a story for a few days and it’s impossible not to start thinking you know more than you could possibly know. You’re smart enough not to put the unknowable in your story. You don’t make it up. You’ve got a sense of ethics. But because you’re pretty sure this is how it really happened, you would like to foreshadow the truth that you know so that later on when it turns out you’re right, you can point back to your
early stories and say see, that was what I was sort of hinting at, you see. You don’t dare write it straight. And the speculation not being speculation, the speculation from people who thought they knew what the story likely was and wanted to foreshadow that they knew what it was is what drove a lot of the coverage.

You start off thinking of the Duke Lacrosse case, for instance, if you’re convinced that this is a crazy woman who is bringing crazy charges, you focus on everything you can find out about her. If you think this is a story of race and privilege, you play that end of it up. You’re not doing nasty things. You’re not being vicious. You’re trying to set the table so you have a place to put new developments as they arise.

Worse you can’t play it just straight. You can’t say either in a newspaper or on a television program we don’t have anymore information about this thing than we had yesterday. We’ll get back to you when we learn something. You have to report. You have to advance the story. And that’s where you get photographs of the houses where the boys live. That’s where you get the speculation about the brown van. And that’s where you also get the other game we play, which is leap
frog. You can’t just catch up to what the competition had. You have to report what the competition had and go beyond that. So you play this insane game of leap frog because you have to.

How do you avoid this? I am not that sure you can. You can hire better people, smarter people, and give them better editors. Good editors can help an awful lot. But on the free for all that is the internet these days you don’t have editors, but the stories when they take on a life of their own on the net can force the hands even of good editors.

We’ll work it out, I guess, but it’s likely to get pretty messy in the meantime. If you don’t have a strong stomach, you better stay out of the shop where journalism news makes its sausages. It’s likely to get pretty, pretty messy in there.

I find myself very much like Hodding, though. Not all that sanguine about our ability to put it right at least in the near term.

BEALE: So I’m wondering as each of you has heard your fellow panelists and as you’ve been thinking about this, this
question of how good or bad are things and how much are things changing and why are they changing. So a couple of ideas about why they’re changing. This idea of the 24 hour news cycle, the cable TV, cable news networks, the internet, the ownership structure of news organizations changing, but also ombudsmen, are things getting better or worse? And if there’s a problem, what would you identify as the locus of the problem or problems particularly anything that could be made better. So any, all?

ADCOCK: I think as far as things getting better, one good thing we can point to is the prevalence of ombudsmen in the number of papers that are now willing to having someone -- those of you who don’t know that that is, it’s a person who is responsible for being sort of the readers’ representative on the paper, and The News and Observer has one and a lot of other papers do. And, of course, that stems from what was a really difficult time for journalism, the Jayson Blair case, when we, all of us I think, anybody in the profession, felt a great deal of loss of credibility from that. But I think just the fact that more people are -- more newspapers are having that kind of structure in place is a good thing.

BEALE: So somebody whose job is --

ADCOCK: Is improving.
BEALE: To think about whether --
ADCOCK: They -- yes, they --
BEALE: How good a job is being done (inaudible) --
ADCOCK: And they’re writing about it every week and they’re very
critical. And The New York Times’ Clark White writes a
wonderful column about that he will skewer sometimes what The
Times does and it gives you the other side in a sense.
Ari Shapiro: One worry I have that nobody has mentioned yet is the
changing news consumer, which is to say that I think there
will always be news organizations that are doing well and
that will continue to do well and strive for excellence. And
more and more I think there are places one can go for news
that don’t do it well. And what I worry is that there’s no
longer a sense that one needs to get news from a place that
does it well, but instead you can get exactly what you want
with the angle you want with the slant you want with the spin
and style you want, and it sort of drags down the whole
enterprise. If consumers aren’t coming to the news
organizations that do it well, if there isn’t even a sense
that these are the news organization that do it well as
opposed to sort of buffet ala carte style getting the kind of
news you want I fear that it sort of degrades the whole
thing.
BEALE: So in essence the competition of these other entities rather
than making things better potentially makes it worse or a least common denominator or --

SHAPIRO: I fear that on some level that may be happening. I mean, I don’t know if other people agree.

RASPBERRY: If it were a simple as some outlets, news outlets, doing it well and others doing it poorly, I think we’d quickly weed out the bad ones. Most news organizations, professional ones, mainstream ones, do their work pretty well most of the time.

And --

BEALE: Even in the big highly publicized cases?

RASPBERRY: Well, that’s what I was about to say. It depends on the nature of the case. You can’t avoid -- I don’t know how you can avoid the assumption that once you start on the story you know more than you do. Hodding this morning mentioned Whitewater. You ought to go back and look at some of those early stories for this confession from some reporter. “Ladies and gentlemen, I don’t know what Whitewater is. I don’t know what crimes and misdemeanors are being alleged in this case.” The fact is none of them did know, but we all wrote about it as though we knew more than we knew, because we thought everybody else knew more than we knew. And we commenced to play the leap frog game missing completely that there was no premise for the game in the first place.
I can’t imagine any rule or set of rules or press councils or ombudsmen that will change that. So I don’t think it’s getting better. I don’t think it’s getting worse. I think if what you’re looking for is a solution to these problems, looking to journalists is the wrong place. We can’t fix it.

BEALE: It does -- you said the Whitewater example and thinking about the Duke Lacrosse case and some of the issues that you’ve raised about the fact that journalists have to respond to certain things, one of those issues is that they respond to prosecutorial and investigative actions, which are public actions, and then do get reported. So how much of this would you turn back to the panel on the prosecutors and say we were going to report on Whitewater as long as that grand jury was going on, right? And as long as there, what, where there’s smoke there’s a fire. Where there’s an investigation, there must be something. Where there’s an indictment, there must be something. Where there’s a highly publicized --

RASPBERRY: Blow torch.

BEALE: Blow torch opening the warehouse. There’s kind of an implication that there’s a there there. Is it your sense that actually if there’s any finger pointing to be done, you’d want to point it back at the government? Is there a sense that if the game has to be changed, it has to be changed by the lawyers, by the courts, by the... Is there any consensus up
here that that’s where the problem comes from?

LIEBERMAN: I don’t think so. I mean, I think the system is setup to be a contest between the press and the government and --

BEALE: Who is winning?

LIEBERMAN: I think sometimes we win, sometimes they win. I think it’s up to the media to have discipline in situations where what -- question why the government is having the press conference now, question why you’re getting this leak now, question the source’s motives. Read the indictment. Make your own independent judgment.

They have their jobs to do, but your job is to be independent and evaluate the facts and when you’re writing a story about somebody who is under investigation or who has just been indicted, you know you have an obligation to signal to the readers high up in the story that these are unproven allegations. This is just an indictment. The Defense has yet to respond. The lawyers often don’t comment. You can’t do more than that.

BEALE: Well, I wonder about that, because some prosecutors’ offices have a no-comment policy or an almost no-comment policy, and obviously in the Nifong case one of the charges was that the impropriety of making various comments at various points in time publicly. Would it be better if prosecutors’ offices
didn’t comment or then would that be in Bill’s scenario there’d just be speculation at that point? What is your sense about how that should work, Loren?

GHIGLIONE: Well, I want to make several points here. One is I think the people in the legal system in general need to be helpful to reporters, because often journalists don’t know as much as you want them to know. And given what’s going on in journalism, I think some people may not choose to go into journalism that we wish would go into journalism, so it may be even more of an issue.

Several other things I want to mention come to mind. Resources. Others have mentioned this, but when we sold our paper, the first thing the new owners did was to dramatically reduce the size of the news staff. And we were already worrying about covering the courts in our community, the local court. The Metropolitan Daily that had its own edition it stopped covering the courts, so we were the only news organization covering the court. It took an inordinate amount of time just to find out what was going on in a regular case, so I think resources.

Third, I worry about the consumer, the change in what the consumer expects or wants. So now we train our journalism
students at Medill not only to be good writers and print reporters, but to be multi-media. We spend a lot of time so how do you operate the audio equipment, how do you operate the camera. And I was talking to a professor who is a journalist and who was saying -- just commenting, he wasn’t criticizing -- but he was saying so when he goes out as a journalist now it may be that the focus will be on the video clip and the comment of somebody who is not an expert, but offers something pretty titillating, and so I wonder what that means.

And then finally when psychologists inform us about how -- what we should know about the human brain as journalists, one thing that comes back is sort of emotion. If there’s some sort of emotional response, the person is more likely to remember the news story. So I wonder whether the consumer leads us to do some kind of reporting that isn’t necessarily that thorough, but does respond to what psychologists tell us and I’m not sure it’s better for the society of this kind of reporting.

MORAN: So 20 years ago at the World Series the St. Louis Cardinals had this pitcher named John Tudor who I don’t know if you might remember. I mean, he was a really good guy who was
having a really bad day, and he -- after a game he launched
into this tirade about journalists, which had one really
important thing to it that he reintroduced the word schmoe to
the American vocabulary, and it immediately created all of
this panic in the press box. Does it have an E? Does it not
have an E? And it’s not in my dictionary. But the point he
made was what do you guys have to have to do this. I mean,
what do you need? A driver’s license. I mean, what do you...

The underlying problem that is complicated by the
acceleration of everything going so fast is that in too many
places being wrong has become somehow related to this bazaar
risk/reward ratio. That everybody wants to hit the Dave
Kingman home run that goes out onto Waveland Avenue and
everybody oohs and aahs and they don’t look at the fact that
he’s hitting a buck fifty. I mean, nobody is paying attention
to the fact that being wrong is bad. And it’s filtering down
to the student journalist level, because that’s the culture
that they’re being brought up in. You’ve got...

And I’m not painting with a broad brush in saying all
traditional institutions are pure and all digital ones are
not. But we have to get back to the idea that there’s got to
be some accountability when you make these decisions.
GHIGLIONE: I just want -- you asked us to, and I didn’t. You asked us to grade the media and --

BEALE: It’s an academic question.

GHIGLIONE: And it’s always hard to answer that kind of thing, particularly when frankly we aren’t here to look at the news reports day after day after day, so I’m reluctant to do that. Obviously there were A’s, a few A’s perhaps, and there were F’s and probably there were the vast majority that’s somewhere in the middle and that’s the safe thing to say. But I think that the question has to be asked slightly differently, and that is just responding to what was said, okay, so how accurate was, and fair, etc., was the initial reporting. But then when a news organization screws up, what does it do then? And I think that’s important.

There was the Raleigh paper apparently had a writer who after her inaccuracies in columns apologized, and I think that’s what we -- we need to look at how news organizations behave. What they do differently as a result of screwing up. And I’ve been a critic of The New York Times from my experience in the News Council and other things, but when Jayson Blair happened, they certainly did some things, started doing some things differently and so I give them credit for that, for example.
SHAPIRO: I had a fabulous editor named Bill Maramo, who was at NPR a few years ago who told me something that he did when he was a novice reporter. He’s since won Pulitzer Prizes, but back when he started reporting, and he said he did it all the way through his reporting career, when he finished a story, he would call everybody who was in the story and ask for their feedback positive or negative. And he suggested that all of his reporters do the same thing. When I started doing it, people were so dumbfounded at this idea that a reporter would care whether they got right or not. I think that’s kind of sad. It certainly wouldn’t have occurred to me to do it had he not suggested it, but after he suggested it, it seemed like a really sort of basic, basic thing to do.

GHIGLIONE: Well, at a small town paper we used to send out -- I sent out a letter with eight questions on it. It was what we called the accuracy check letter, and it was to sources, and generally speaking the sources thought the story was accurate and we scored Brownie points for sending out the letter. But what I did learn was that most of the errors were not tied to the reporters’ work, but were tied to the people who wrote the headlines or put the cut lines under the photographs, so we learned something about our behavior and tried to compensate for those errors.

BEALE: Bill, do you want to have the last word?
RASPBERRY: Okay. I think it’s important to remember that we’re not talking about traditional journalism, traditional press. Most of the time the work is pretty good. Most of the time the systems we use, the sources we rely on help us get it straight. The cops on the beat when we get to know them give us tips that help. The prosecutors give us information that’s helpful. Everybody we work with it tends as a rule to help us put out a good product. And I’m nervous about our trying to make rules and guidelines based on hugely exceptional cases.

It’s like trying to run your personnel office, your human resources department, by reference to Jayson Blair and Steve Glass and the people who screwed up. They’re not many people who go around making stuff up. And -- but there are a few, and I don’t think there’s any real way to prevent it.

You’d like to keep the old guys around for as long as you can, because they’ve seen the stuff a couple of times come around in the past and the smell test may be as effective a device as you’ve got in this. I don’t think you can make rules to do it.

BEALE: Well, thank our panelists very much for their thoughts this morning.