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QUILL

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Harold Weisberg
7627 Old receiver Road
Frederick, MD 21702

Dear Mr. Weisberg:

On behalf of Quill, I would like to thank you for your correspondence last month. You will find your letter published (edited for length) in this month's issue. I have enclosed an "early-bird" copy just for you. The challenge now is getting this one to you *before* you receive your regular issue.

Take care,
Jacqueline Myers
Quill/SPJ

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GREENCASCADE,
INDIANA 46135-0077
(317) 653-3333
FAX:(317) 653-4631
MODEM:(317) 653-8457

ligerence. The army of defenders has slowly been convinced to betray itself and the profession for the comfort of a hot meal and a shower.

This is why we need a revolution. There will be chuckles, I am sure, from those who say it's too big. Who are these dogooders who don't understand this is a business now. Journalism is a profession within a business. General managers and news directors need to understand this. More importantly, young people anticipating a career in TV or radio news must understand. Our universities must stop turning out "cookie cutter" reporters and anchors. They must train journalists and we must make sure when those young people start working in the real world they can live up to that title.

The real blame lies with journalists—those who know what's right and choose to ignore it.

I refuse to believe there are former colleagues working daily in the trenches who don't go home at night with a queasy feeling in their guts, wondering if they can live with their ethical compromises.

I could not. I walked away from the daily practice of my profession, but I will not walk away from the responsibility to change it.

Let us pressure universities which boast of their programs in journalism and mass communications to begin teaching the history of journalism more aggressively. These schools must give our young journalists the tools to resist compromise.

Let us challenge the broadcast licenses of stations that have abandoned their responsibility to the viewers and communities by blatantly allowing the compromise of journalism ethics. I abhor government interference in journalism, but when men and women who are given a license to operate by the government and trusted to use the power responsibly do not do so, then this kind of intervention is necessary.

We need a revolution. We don't fear confronting politicians, and wrong-doers in search of the story, so why do we fear confronting ourselves and our demons?

I would love to hear from other journalists who feel as I do. Let's start the revolution. Maybe Hard Copy will lead with it someday.

ROSS BECKER
Elizabethtown, Kentucky

Media circus in court

Bring a television camera into a courtroom: The courtroom becomes a movie set; everyone becomes an actor; and objectivity, the goal of a "fair, public trial," flies out the window.

What is left is a "media circus" designed to amuse a segment of our population that is, generally, more interested in the attire and antics of the attorneys than the case at hand.

From the Society's Code of Ethics: "Balance a criminal suspect's fair trial rights with the public's right to be informed."

BOBBIE HART O'NEILL
Yuma, Arizona

FOIA issue falls short

Commemorating FOIA and encouraging use of it are fine ideas, but the special issue (October, 1996) fell far short of what it could and should have been, as reporting, as commentary and in informing those who would use the act.

The omissions in its Hall of Fame are significant. Some members do not belong there. And although there are references to the really significant 1974 amendments, with credit given where it has nothing at all to do with those amendments, the issue contains nothing about those amendments. Can it be because of their political importance? Does SPJ duck on this?

What so many people who lacked the influence, connections, or the support of existing organizations did to give FOIA viability is not indicated in any way.

In the beginning, when it was so important, it was not as you say, that "The news media led the way...." They did not even report the efforts of those who did lead the way.

I think you may—in the future—find some of the actual history useful. To give you an idea of how it really was after Johnson signed the bill—what else could he do?—he and his administration did all they could to frustrate the act and its intent. I asked the Washington ACLU to represent me in my efforts to use the act to obtain withheld information relating to the assassination of President Kennedy and its investigations. That crime and that

investigation are not the fun-and-games the major media make of writing about them. That is the most deeply subversive of crimes. Mine is not theoretical writing about it; it is real reporting in books.

After several trips to The National Archives with me to see the kind of existing information that was withheld, instead of getting a lawyer to help me obtain the withheld information, the ACLU man got me a lawyer to defend me when—as he expected—the FBI would come after me.

In the end, a young friend, who had not yet taken the District of Columbia bar examination, did represent me in at least a dozen FOIA lawsuits. Some were precedential, including one on copyright, and one is given credit in the legislative history for the 1974 amending of the act's investigatory files exemption. Yet he, James H. Lesar, is not mentioned in your issue.

Of all the many in the Congress to whom we are indebted for those amendments that gave the act viability, the senator most responsible was the late Phil Hart of Michigan. He is not mentioned in this special issue, but he does belong in the Hall of FOIA Fame for that and for much of his political activity in support of the act.

In that early request, I could not get the ACLU's help on what I sought: the non-secret results of the FBI's testing of alleged assassination evidence. (The FBI prevailed on overt mendacity.) The senator who saw to it that the legislative history would be clear was the sole surviving Kennedy brother, Edward.

Your Hall of Fame quite properly includes Sheryl L. Walter for her role in getting fees waived—years later. But it makes no reference to the first to whom credit and thanks are due, Jim Lesar.

And contrary to the position of Jack Landau and the Reporters Committee, the judge who granted that fee waiver stated that the records then to be disclosed would not be brought to light if it had not been for my earlier litigation that was cited in the legislative history of the 1974 amending of the act. (Neither he nor Senator Kennedy credited ASNE and its counsel, Richard M. Schmidt, Jr. for that 1974 amending, as you do.)

Before my health problems compelled me to discontinue lawsuits under FOIA, I obtained more than a third of a million pages of once-withheld records, and in

the spirit of FOIA, have always given free and unsupervised access to them to all writing in the field. They have also been deeded to a college that will make them permanently available.

I want to call your attention to what can lead to considerable frustration if those who read it act on it. Under "How to file a FOIA request" on page 48, you say that "If an agency does not meet the time deadline [of ten working days], you may consider the request denied and appeal or sue ..."

If suit is filed without appeal of the denial, the judge can throw that suit out forthwith, on the ground that all administrative remedies have not been exhausted.

Gordon Winslow's failure to get compliance from the CIA after 17 years is not the record. There may be those older than mine, but I'm still awaiting compliance with requests I made of it in 1970 and earlier. Winslow's request relates to the late Rolando, not Ronaldo Masferrer. He was not known as El Tigre over his anti-Castro activities after he got to this country. He earned that nickname when he was part of the Batista regime Castro overthrew.

In the early days, when those with wealth and influence did not use the act, giving it viability was not a pink tea. It required some risks, much effort and faith, but there was no real help anywhere.

I'm sorry to tell you that the records of some of those you include in the Hall of Fame are not what you represent them to be, although what you report is the general understanding. While I have no reason for this, I guess it is because they did not like independent journalists doing what they should have been doing and were not.

HAROLD WEISBERG
Frederick, Maryland

Crime down? Try again

Attorney General Janet Reno announced this summer that youth arrests dropped for 1995. Our local media featured the story, pretty much unaltered from the version that seems to have run in every other mass media outlet that day.

No one asked if crime was going down, but the stories certainly gave that impression. The New York Times went further—they actually changed Reno's

reported drop in "arrests" to a drop in "crime." They made the illogical assumption (and reprehensible change of the facts) to say what Reno only implied—that if arrests were down, crime must be down too. (Arizona Republic: "...violent crime arrest rates ... dropped by 2.9 percent." USA Today: "...juvenile arrest rate for violent crimes fell 2.9 percent." The New York Times in the headline: "Crimes of Violence Among Juveniles Decline Slightly," and in the text: "The overall rate of juvenile violent crime, which included assault, robbery, and rape as well as murder, declined 2.9 percent last year ...").

The number of arrests is a measurement of police activity. It is not a measurement of crime. If you cut the size of the police force, you can expect a drop in arrests. If the DA is running a "get tough" program (or not), the system swells (or shrinks) with the flow of arrestees. The number of drunken driving arrests reflects political agendas, not beer consumption.

So I don't see why all the excitement over arrests being down. In fact, if there are now 50,000 more police officers on the streets as the politicians claim (and the media have dutifully reported), for my tax dollar, I would expect arrests to be up. The fact that people everywhere accepted the notion, "Arrests are down so now we must be safer!" is mind-bogglingly Orwellian.

Only a small percentage of crimes ever

leads to arrests. For example, FBI statistics for 1994 show that of 618,000 robberies reported, 472,000 lead to no arrest. There were 2.7 million burglaries, with only 320,000 burglary arrests. More vigorous policing and a higher percentage of solved cases makes more sense to me than hearing that arrests are down. And the authorities know this.

Oh, but then the court calendars would overload, arraignments would back up, the holding and detention cells would overflow, and with no bed space in the prison system, the arrestees would just be released wholesale, and we can't have that.

The media either missed or ignored the substance of this story (which is worse?), and basically parroted the official line. My hometown newspaper, The Arizona Republic, swallowed the usual wire story whole on page one.

The government's "Yea, we're winning!" tone sure felt good, but the facts would have supported the lead "50,000 New Cops, But Arrests Drop."

The biggest problem is that this is not just some isolated shade of gray; it's becoming the entire palette of the so-called "mainstream" media. Are reporters ignorant? complicit? incompetent? asleep at the wheel? How did the attorney general know that no one would question the blatantly deceptive implication? The big question facing us all is how we can fix it.

ALAN KORWIN
Scottsdale, Arizona

