

Access denied?

Register reporters fight agency, obtain access rights to database

Robert Jackson
MICAR

If you were to ask Orange County (Ca.) Register reporter James Grimaldi for advice on how to negotiate with government agencies for databases on nine-track magnetic tape, he'd tell you one word — patience.

Grimaldi, and reporter Ron Campbell, had to display plenty of patience in obtaining a database from a state government agency that gave them a four-month-long runaround.

Because the Register is currently using the database in preparation for a series of computer-assisted projects, Grimaldi and Campbell requested that the data-

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News & Observer challenges N.C. for access to public information

Van Denton
Raleigh News & Observer

Some North Carolina agencies are throwing up roadblocks to anyone seeking access to the billions of bytes of public information in the state government's vast computer network.

In some cases, requests for public information are flatly denied. In others, agencies place restrictions on release of the information or ask extraordinary fees for it.

North Carolina's public-records law specifically applies to public information stored in electronic databases, just as it does to printed information tucked away in file cabinets.

But some top ranking state officials, wary of releas-

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Plugged In:

Morning News tackles teen violence, HUD in computer-assisted reporting project debut

Jon Schmid
Micar

Dead men tell no tales. But reporters at the Dallas Morning News know that death records can reveal patterns reflecting grave social ills.

In fact the News' first computer assisted project showed that an "epidemic of violence" is stalking Dallas' teenagers.

The process that led to this discovery began by sifting teen deaths out of the city-owned death records, which the News has on on nine-track magnetic tape. Then teen

homicides were pulled from that table, explained Allan Pusey, assistant projects editor at the News.

"Since there were no names, only dates and data, we worked backwards from police reports, developing a list of teen homicides from police reports," explained Pusey.

Using a computerized mapping system, this data was plotted by neighborhood and the high-risk areas defined.

It was discovered that "a

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Inside

✓ In St. Louis, Mo., crumbling neighborhoods in need of city government funding don't necessarily get the money they need to survive. The St. Louis Post-Dispatch uncovered this and more. For more details turn to p. 2

Post-Dispatch reporters find HUD abuses in investigation

Lisa Touye'
MICAR

Suspicious arose last summer when the reporters found that some city wards had a much higher concentration of abandoned lots and buildings than others.

In St. Louis, Mo., crumbling neighborhoods in need of city government funding don't necessarily get the money they need to survive.

That's what St. Louis Post Dispatch reporters Phil Linsalata, Tim Novak, and George Landau found in their investigation of city government's utilization of block grant money from the department of Housing and Urban Development.

Suspicious arose last summer when the reporters found that some city wards had a much higher concentration of abandoned lots and buildings than others. This led them to examine the city's use their annual \$20 million in block grant money, which the city uses to help

neighborhoods in trouble.

"We didn't know why certain areas had high concentrations of abandoned lots and buildings while others had low ones," Linsalata said. "We suspected the city had undertaken an unspoken urban policy of triage — dividing neighborhoods into healthy areas, areas that were saveable but at risk, and terminal neighborhoods that were so distressed they were not worth putting money into." The reporters first step was to obtain the city's Grantee Performance Report — a report required by HUD. The activity summary in the GPR told how much each program received but didn't tell what each program's

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ing databases, say the law is inadequate to guard against misuse or inadvertent release of confidential electronic information.

Here are where some battle lines have been drawn:

*The state Department of Motor Vehicles has a database containing driving records for 6.5 million drivers. Want a copy? It will sell you a copy at \$5 per record — or \$32.5 million for the whole database.

*Since September, the Office of State Personnel has refused to provide the *News & Observer* a copy of a database containing public information on state employees such as names, positions and salaries.

A legal opinion is currently being reviewed and a final decision will be made by Gov. James G. Martin.

At the same time, James Lofton, secretary of the state Department of Administration reversed his stance in allowing the *News & Observer* access to the the department's database.

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MICAR is interested in attaining any information, ideas or stories related to computer-assisted reporting for future issues of UPLINK

If you wish to contribute, please mail your story or idea to the above address. Or, call us for a fax number.

— Robert Jackson, Editor

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base and its origin remain anonymous.

That, however, doesn't make their story less interesting.

According to Grimaldi the **Register** discovered the database in late July, and he formally requested the it from the agency on Aug. 1.

Their troubles began immediately.

"This is a very large agency and I was bounced back and forth from office to office and was finally told we couldn't have the database," Grimaldi said. "Eventually I contacted the computer (technicians) and found that the agency had sold the information to another agency for \$2,870."

"We felt that (the information) was grossly overpriced," he added.

Grimaldi and Campbell requested the database, but didn't hear from the agency for a month. When they were finally contacted, they were told that their request would be granted — for a mere \$1,712.99.

"The more I thought about it, the more it sounded as if (the agency) just picked a price right out of the air," Grimaldi said.

Even more astounding was the reply they received when he asked about the basis for the high charge. "They informed us that the records were in the custody of the Stephen P. Teale Data Center and that the proposed charges were based on Teale's published billing rates," Grimaldi explained.

The Teale Data Center is a public computer information agency that stores various California public agency databases by contract, according to Grimaldi. Although Teale is a public agency they can include overhead costs such as building maintenance, in pricing the duplication of databases.

So Grimaldi and Campbell's next step was to contact Teale Director Chong W. Ha, and request the database. What they found was infuriating.

According to Ha, the public agency — not Teale — had custody of the database, and that their "representations were inaccurate."

"Our patience came to an end...when we learned that (the agency) had misinformed us about the location of (the database) and the basis for the prohibitive fee it proposed to charge," Grimaldi explained. "Since (Aug. 1) we talked to more than two dozen people and exhausted, several times over, the statutory 10-day limit for finding and duplicating the records."

More importantly, Grimaldi said, was that there was no legal basis for the agency to charge the public what Teale would charge. In a letter to the agency requesting the database, Grimaldi and Campbell based their claim on the California Public Records Act.

"Teale, as a self-supporting agency, claims considerable latitude in setting fees; it recovers every cost of its operation, no matter how tangential, from fees charged to other state agencies. Under the California Public Records Act, (the agency) does not enjoy such latitude," Grimaldi wrote. "The law is explicit: You may charge only the 'direct cost of duplication.'"

"In our letter we attempted to convey that we were operating in the public interest and that access to the information concerning the conduct of the people's business is fundamentally important," Grimaldi added.

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handful of impoverished, crime-ridden neighborhoods ... accounted for the majority of teen homicides in 1989 and 1990," according to the story by reporter Bruce Tomaso.

"The result, I think, is a genuine balance of statistics versus human experience," said Pusey. "The statistics told us a lot of surprising information we wouldn't have known without the computer. For instance, in a race-conscious city like Dallas, the virtual non-existence of cross-racial slayings came as a complete surprise."

Still, Pusey has not lost touch with the human element essential to every good story and recognizes computers as part of a good reporter's toolbox.

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HUD scandal

The News' latest computer-assisted project helped produce a six-part update on the HUD scandal.

The series looked at the 24 developers with the biggest HUD rehabilitation contracts. However, that information was not conveniently located on one database, which just goes to show, "there's no way around the legwork," Pusey said.

These developers and the

locations of their projects were identified from a database obtained through a government agency, which Pusey was "not at liberty to disclose."

Then reporters Craig Flournoy and Bobbi Miller contacted the local housing authorities where the projects were located. Through the contracts at the local housing authorities they figured out exactly how much money and tax credits the developers received.

Pusey also created a database on the size of the apartments in the developments. It turns out a lot of the units were single dwellings, which does little to help the families the HUD projects were supposed to target.

A further database, using information from the Inspector General of HUD, recorded which developers were audited, how much they were fined and how much they actually paid. "It was dismally small," said Pusey of the amount remitted on the fines.

And finally, Pusey cross-referenced the list of top HUD developers with FEC data available on nine-track tape.

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With this information, Flournoy and Miller set out across country to see what all this meant for the tenants who had to live in those buildings.

The investigation "found that these projects enriched a handful of politically connected private developers while consigning thousand

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injection was, or how much was spent, Linsalata said.

To answer those questions, according to Linsalata, reporters requested work program contracts under the Missouri Open Records Act.

After three weeks of negotiation, the city agreed to release the GPR and all the work program contracts — on paper. Stacks of the report and programs were sent to a local printer who copied them for the **Post Dispatch**.

"When we approached the city for the GPR and work program contracts, they initially wanted to charge for everything from copying fees to time needed to search for the records," Landau said.

According to Landau, the GPR was not available on nine-track magnetic tape so Linsalata and Novak spent three weeks entering information from the paper reports into a database they created in FoxPro.

Landau said that the city prepares the records and are required to provide copies for HUD. "HUD is not required to keep the records for more than a few years, he said."

Later they used Atlas GIS to map where block grant funds were spent in each ward. The end result showed that city administrators' claims were misleading.

"The city claimed that 45 percent of the block grant funding went to housing," Linsalata said. "When we looked at it most of the money was spent fixing broken gutters and giving residents paint to repaint their homes. In 1990, 17 percent of the funding was actually spent on devel-

oping homes for sale or rent; building new homes or renovating old ones. It blew away the city administrators' myths."

"Neighborhoods are revived with substantial renovation and construction not quick fix-ups like new paint and gutters," Linsalata added.

The reporters also found:

- That neighborhoods most in need of funding have received little block grant money for housing redevelopment or renovation.

- Block grant money that was improperly used to supply car phones for an agency run by the mayor's niece, which coordinates city wide flower distribution, recycling programs and city-wide cleanups.

- A corporation, run by a former city official, received more than \$80,000 in block grant money to teach homeowners to do minor repairs and train construction workers. The official hasn't held any home repair training classes in one year, and some construction worker trainees have been in the program for eight years.

City administrators countered that the **Post Dispatch** findings were seriously flawed because they examined spending and not what was budgeted. Those administrators said that budgeting showed the city's intent to improve those neighborhoods.

The reporters also discovered that renovated homes were sold in prosperous neighborhoods, while they were leased in the poorer St. Louis neighborhoods.

"Why should poorer neighborhoods not have the benefits of 'for sale' housing?" Linsalata said.

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families to inadequate and overpriced apartments," reported Flournoy and Miller.

The two reporters investigated 95 projects completed by the top 24 "mod rehab" developers. More than 250 tenants were interviewed.

Another project done by the News' involved a computerization of the civil rights data kept by every school in Dallas and helped writer Jonathan Eig produce two stories.

"We utilized the reporting from each individual school to produce a database that encompassed all the Dallas-area school systems," Pusey explained.

Computer examination of this data revealed that black students in the Dallas suburbs are assigned to special education far more frequently than their white classmates.

Using the same database, a second story was produced which illustrated a "wrinkle in the paddling pattern" for Dallas schools. In other words, minority students were more

likely to receive corporal punishment than white students.

"Again, I think the project would have been all but impossible without the computerization of the data," said Pusey.

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Pusey is putting together a project to join several different databases that, when combined, will provide reporters with a quick profile on a neighborhood.

Using this system, reporters will be able to plot the address they're interested in on a computerized grid mapping system. This, in turn, will correspond to census tracks.

With all these databases loaded onto the News' mainframe, information like crime statistics, birth and death records and census data for a particular area will be available in one package.

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The head of the agency agreed, and on Nov. 12, Grimaldi and Campbell received more than they could have hoped for — an \$81.18 charge for the database, and an apology.

"I want to thank you for bringing the matter of my department's overcharges for the sale of (the database) file records to my attention," wrote (the head of the agency). "At the same time, please accept my apology for the improper fees quoted to you."

Grimaldi said that because of the questions raised by the Register, (the agency) is reevaluating the methods used for calculating associated costs. They are also revising the fee structure so that it "accurately reflects actual direct costs incurred to produce either hard copy or computer tape reproduction of the files."

"We realized that we were the first news organization to ever request (the database)," Grimaldi said. "It was a situation that the agency had set precedent in pricing the cost of duplicating the database."