UPLINK
THE FORUM FOR COMPUTER-ASSISTED REPORTING
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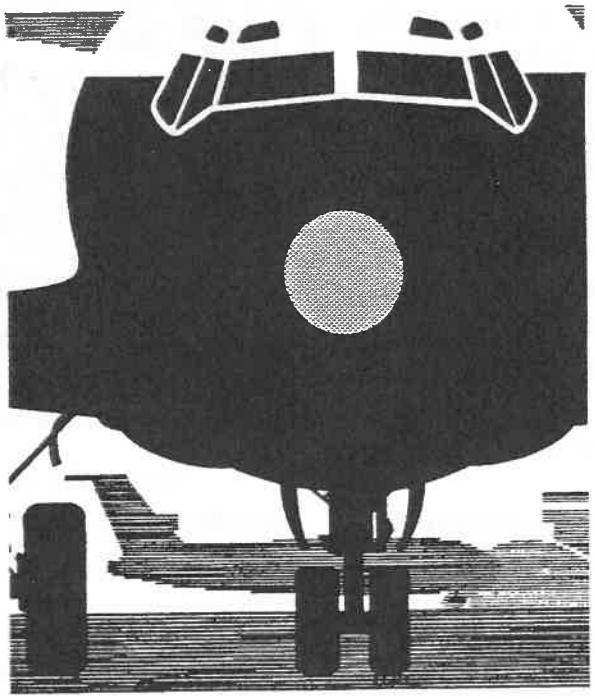
Plain Dealer's Overnight Success

By Dave Davis
Cleveland Plain Dealer

Imagine this: it's early Sunday morning, about 12:20 a.m., 40 minutes before the newspaper is put to bed, and a jetliner crashes at the airport.

You hear it on the police scanner.

Frantically, you call the rounds, the police dispatcher, the fire dispatcher, airport security. You manage to get a few details confirmed - a DC9 cargo jet crashed during takeoff at Cleveland's Hopkins International Airport. The two crew members on-board were killed. You even get a few paragraphs onto the front page.



But there's not another edition for nearly 24 hours, and the first full day you have to chase the story is a Sunday, a day of rest, a day when officials at the Federal Aviation Administration are not in their offices to look up the vital statistics on the aircraft for you.

Then imagine that the next day is a holiday.

That's the situation *Plain Dealer* reporters and editors found themselves in when an Emery Worldwide Airlines jet on February 17 became the first plane to crash in the history of Hopkins Airport.

By Monday, the day after the crash, we managed to print stories that included comments from the families of the victims - David M. Reay, a pilot who went to work for the cargo outfit just three weeks earlier after being laid off by USAir, and 28-year-old Richard J. Duney Jr., the first officer. We managed to publish eye-witness accounts that de-

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Census Data Seminar News

The Missouri Institute of Computer-Assisted Reporting and the U.S. Census Bureau are holding a conference for reporters on obtaining and using census data in early April.

The one-day seminar will be held Monday, April 15, 1991 at the University of Missouri-Columbia.

Speakers from the Census Bureau, MICAR and the University of Missouri, plus software and on-line systems experts will discuss ways to obtain census data. Featured are on-line systems, magnetic tapes as well as traditional paper records. Plus, ways to analyze census data, such as using mapping software, will be discussed. Panelists will also share information concerning how the media uses census data and notable demographic trends on the national, state and local levels.

The cost of this conference is $30, transportation, accommodations and meals not included. Attendance will be limited to 200.

If you're interested in attending the seminar, please call Michele Ward at MICAR, (314) 882-0684.

Census Seminar Schedule appears on Page 4

Overnight Cont....

scribed the jet taking off in a snow squall, rising briefly and then toppling into a fireball 2,500 feet from the end of the runway. The photographs showed the wreckage laying on its back.

And by Monday, with the assistance from Adam Berliant and David Hinchman at the Missouri Institute for Computer-Assisted Reporting, we managed to tell our readers that the aging DC9 had a recent history of parts defects and malfunctions that could have hindered the ability to operate safely.

With the tail number that our reporter at the crash scene had gotten early Sunday, Adam and Dave searched the 75,391 FAA computer records of defects and malfunctions in commercial airplanes. Bingo!

They found 32 of the so-called Service Difficulty Reports filed for the DC9 that crashed in Cleveland, including one problem that received the FAA's worst severity rating, a "5." The FAA assigns a severity level rating of "1" to "5" for the reported problems.

The database coveres a two-year period ending on October 1990. While the records did not provide a complete picture of the aircraft, but they did provide a good one.

For example, during a landing at Jacksonville on Nov. 28, 1989, the aircraft's landing gear malfunctioned. Said the report: "Upon gear extension, (the) flight crew heard a loud noise as the gear came down."

An investigation revealed that the right, main landing-gear rod end had separated from the wheel.

The DC9 was ferried in for repairs and returned to service the report stated.

The FAA reports detailed cracks and corrosion in the aircraft's body structure. Some of the cracks measured five inches, while the corrosion was sometimes described as "very heavy." They told of parts that were loose, cracked, stripped or frozen in the plane's landing gear, warning systems and cabin and cargo doors.

Craft had history of problems

Though the majority of reports did not detail life-threatening problems, they did tell of the wear and tear on an aging plane that had been in service since 1968.

After the Sunday night analysis, Dave FAXed me about 30 pages of the most important information. It was detailed and clearly presented, so I had the confidence to put it in my story.

I've since bought the FAA tape from the Institute (at $37 I wish I had done so sooner) and I'm looking at other DC9s used by Emery to haul mail for the U.S. Post Office. I'm hoping that the results will make for an even better piece.

My advice: Don't wait for a plane crash to get the FAA tape. It will be too late. And feel free to call me at the Plain Dealer if you have any questions, (216) 344-4808.

The FAA service difficulty records are continually updated by the Administration. New updated copies are availible through Myriad Systems, 3750 N I44, Oklahoma City, OK 73112, (405) 946-3395. Copies are also availible through MICAR.

CONTRIBUTE!

This space *should* be yours....

After all, Uplink is supposed to be a forum for computer-assisted reporting.

Tell us about your success stories, your defeats, your problems, your ideas, your insights...anything! If it concerns computer-assisted reporting, it is material for Uplink.

Send stories and ideas to: MICAR, 120 Neff Hall, University of Missouri School of Journalism, Columbia, MO 65211.

Or call us at (314) 882-0684.

Blaming the Bug, Computer Negligence

Lisa Touye

Your database management software omits data and gives you the wrong information for your story. But it's not until you start receiving angry phone calls that you learn there's a bug in your software. What happens if one of the angry callers turns to the legal system?

Who's to blame? You or the people who supposedly debugged the software?

Reporters who rely too heavily on software are to blame - bug or no bug. But as the legal system evolves to account for our computerized society, there are some strategies you can take to defend yourself, even if the software has a disclaimer on its label.

There is such a thing as computer negligence. If your software really is to blame, you might want to consult a lawyer. But here are some of the basics.

It used to be that computer negligence cases fell specifically under contract law, but today, because of the prevalence of computers in the workplace and their use by people other than the buyer, computer negligence cases have fallen in the realm of tort law.

What's the difference?

"Say you have car insurance," said John Jay Fossett an attorney at Strauss and Troy in Covington, Ky., who has published journal articles concerning computer law. "That's a contract between you and your insurance company. You pay them money and they provide coverage for you."

"If you're in your car and you run into somebody, well that's tort," Fossett said. "You've committed a tort because if you acted negligently and should have been watching where you're going, you've committed a tort against the person you hit. "

Fossett said that as computers are used more in society, especially in manufacturing, more computer negligence cases will move toward tort law - especially, in cases that involve physical injury.

For example, if a glitch in a computer program causes hot molten steel to be poured on a mill worker instead of where it was supposed to be poured, the worker has recourse under *tort* law. The worker does not have recourse under *contract* law because he or she was not one of the members who drew up the original contract.

"If there is an error caused by the computer, and whoever developed the program or machinery was negligent in developing that, they should be held liable for someone who is injured," Fossett said.

Most of the computer negligence cases that have been decided under tort law so far have involved physical injury, not the loss of information, Fossett said. Loss of information would most likely come under contract law.

Even though most cases have fallen under tort law, a case where a reporter has used faulty software would be a breach of contract between the reporter and the creator of the software he or she used.

"Then you'd have to prove how you or your business was damaged because of the loss of information," Fossett said

If the story causes damages to your organization, say you're sued for libel, you may then have a *contract* case against the software company. You will still pay damages for your libel case, but you may have recourse against the software company.

Even disclaimers on software packaging can not prevent you from this kind of recourse Fossett said.

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This newsletter is a publication of the

Missouri Institute for Computer-Assisted Reporting

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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.

- Adam Berliant, Editor

Census Bureau Media Seminar Schedule:

8:30 - 9:00 Registration
9:00 - 9:15 Welcome
- Dean Mills, Dean of MU School of Journalism
- Marvin Postma, Director of Census Bureau Regional Office, Kansas City

9:15 - 10:15 How the Media Uses Census Data
- Ray Bancroft, PIO for the Census Bureau, Washington, DC
- Byron Scott, Chairman of the Editorial Dept., MU School of Journalism
- Bill Elder, Research Associate of the MU Office of Social and Economic Data Analysis

10:15 - 10:30 Break
10:30 - 11:15 Subject Content
- John Kavaliunas, Chief of the User Training Branch, Census Bureau, Washington, DC

1:15 - 12:00 Trends to Track
National Trends: Pete Bounpane, Asst. Director of the Decennial Census, Washington, DC
State and Local Trends: Rex Campbell, MU Sociology Dept.

2:00 - 1:00 Census Products Availability and Support
- John Kavaliunas
- Marlys Davis, Census Data Center, Missouri

1:00 - 2:30 Lunch
2:30 - 3:00 On-line panel
- Elliot Jaspin, DATACORE, MU
- Cendata Representative

3:00 - 3:30 Breakout Sessions
Q & A Session on media uses of census data:
Byron Scott, Ray Bancroft and Bill Elder

On-Line Demonstration
-Elliot Jaspin,
- Cendata Representative

Mapping demonstration
- John Kavaliunas, Tiger Mapping System
- Tod Everett, Strategic Mapping
- Tim Haithcoat, MU Dept. of Geography

3:30 - 3:45 Break
3:45 - 4:15 Tape Panel
- Elliot Jaspin, NineTrack Express
- Tod Everett, Strategic Mapping
- John Kavalinnas, Census Bureau

4:15- 4:45 Breakout Sessions
How census date is obtained and used
- Emmett Morris, Census Bureau Regional Office, Kansas City
- Ryan Burson, Cnesus Data Center, Public Law Data File, MO

CD-ROM demonstration
- John Kavaliunas

Tape Demonstration
- Elliot Jaspin, Tod Everett

4:45 Closing Session

Bug Cont....

"They put in warranties and disclaimers," he said. "If I had a good case, I'd try to get around those limited disclaimers."

But the disclaimers are carefully written, so recovery would be limited, he added.

Claiming computer negligence is a tricky business. Do not expect that a bug in your software will relieve you from responsibility.

"For negligence you need to prove a duty to someone - a breach of that duty. That breach must be the cause of injury, and that injury has to result in damages," Fossett said.

"The hardest question to answer is duty," he said. "If some software you've used was not completely debugged and you lose information by using it, part of the case depends on the effort that went into debugging the program. The programmers have a duty to create a product that is relatively safe."