

# Debating deceptions

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Was it only a couple months ago I was gushing in these pages about some state-level court rulings supportive of the press? Well, we're back to business as usual after the recent federal jury finding against PrimeTime Live's Food Lion story. That reporting won accolades, including an IRE award in 1992, but more importantly, it alerted the public in a vivid way to questionable, even disgusting meat-handling practices by the chain.

Nonetheless, the jury that heard the case brought by the chain found that the ABC producers who posed as supermarket workers and used hidden cameras to get the report were guilty of trespassing, fraud and misrepresentation. The veracity of their reporting never entered into the proceedings. What is wrong with that picture?

Not many of us in IRE are unconditional defenders of covert newsgathering tactics. At conferences, we've told each other that hidden cameras have been overused or employed for purely sensational reasons (like exposing the party life of Dallas Cowboy Michael Irvin, for example). We've warned about how dangerous, how open to misperception by a public already unhappy with news, it is for any journalist to play at deception. We've applauded organizations like the *New York*

*Times* when they publicize that "as a general practice" they do not allow reporters to misrepresent themselves.

It's the subtlety of that "general practice" clause at stake. As Hearst Newspapers columnist Harry Rosenfeld (among other commentators) noted, "infiltrating an organization suspected of committing some serious wrong is an old journalistic technique."

When there is no other way to get a story, when the story is of such a magnitude that public or official attention is important, when the "deception" is thought out and debated

carefully ahead of time and revealed to viewers or readers afterward, this effective news-gathering method should not be lost to us.

Those guidelines, by the way, come from Ira Rosen, a PrimeTime producer and IRE member. They were followed in the Food Lion case. To tick off one other prominent example, Tony Horwitz of the *Wall Street Journal* followed those guidelines in taking a job at a chicken processing plant for a Pulitzer Prize-winning piece on the dreadful working conditions of low-wage employees.

Juries, however, and the public we don't talk to enough about such matters, sometimes don't make the distinctions between important, solid journalism and sleaze. The really scary thing is that many newsroom decision-makers don't either. The Food Lion verdict could prompt outright bans on undercover reporting. That's what largely happened in the late 1970s when the *Chicago Sun-Times* was prevented from winning a Pulitzer Prize for its remarkable Mirage Bar series about corrupt inspectors and city officials. The reporters had "posed" as owners of the bar and used hidden camera to record bribery.

Worse, the impact of this ruling may well be further reductions in investigative reporting by any method as a way to protect against expensive legal actions.

## More digging rather than less

If you need any more persuading that we should be doing more rather than less digging, spend two weeks, as I've just done, in a car moving possessions from one job to a new one and with children home for the holidays from college. I kill miles listening to IRE conference tapes; the theme of them all seems to me to be we aren't asking enough questions and we're letting government officials decide what should be covered.

Alan Nairn at the Providence national conference in June talked about covering repressive regimes, the difficult assignment to which this freelancer has devoted his career. Over the years, he's found information about U.S. backing of disgraceful policies in Indonesia, Guatemala and other countries — in public records. Public records in this country. They are open to any journalist, but he repeatedly has been one of the few journalists reading those records. Mainstream journalists wait for the president to tell them what international stories they should be focusing on. That's why Bosnian war coverage has been so spotty and why so many publications printed "Where's East Timor?" features only after the awarding of the latest Nobel Peace prizes.

Speakers in a Providence session on organized crime sound a strikingly similar theme. They argued that we've spent way too much time and space on the Mafia because that is what federal law enforcement concentrates on. Meanwhile, organized crime among Asian and other ethnic groups is growing unchecked and largely unreported. We would never let local police dictate without question what their priorities should be and how to allocate resources, but we do let federal agents get away with that.

Those are only the grand-scale stories. On the local level, we, as a group, are not examining closely enough such matters as teachers' pay (the *Buffalo News* recently gave lie to claims that teachers are underpaid by studying and printing exactly how much they get in salary and perquisites for their nine-month jobs), expenditures of federal dollars (AP examined the not-so-impressive outcome of a new federal initiative to increase the number of police on the beat) and contract enforcement. (The *Miami Herald* has checked the size of palm trees and the effectiveness of sound barriers along Dade County