



**DART** to the Cleveland **Plain Dealer** for failing to stick by its story. Last October, investigative reporter Bob Paynter,

at the urging of Editor-in-Chief Susan Goldberg, produced “Justice Blinded: Race, Drugs and Our Legal System,” a series of articles that, through rigorous quantitative and qualitative analyses, illustrated that in Ohio’s Cuyahoga County, blacks arrested on first-time, drug-related violations “were 66 percent more likely to be saddled with a felony record than their white counterparts,” who were more likely to get treatment as an alternative to conviction. Paynter’s series also showed that whites were more likely than blacks to have their charges reduced to misdemeanors.

The stories, which were published after a six-month investigation, drew sharp criticism from Cuyahoga County Prosecutor Bill Mason, who alleged that they unfairly pointed a finger at his office for its involvement in deciding which defendants would be admitted into treatment programs. In an op-ed published by the *Plain Dealer*, Mason wrote that “the reporter left out significant facts or information.” He suggested that his office alone was not to blame for the racial disparity, because, in fact, the decision to recommend alternatives to incarceration rested with judges. This was territory that had been well covered in Paynter’s series; it was a key part of Paynter’s point. It’s true that, by law, oversight rests with the judges. But in practice, Paynter reported, the prosecutor’s office had come to exert significant influence over who would be admitted into treatment programs, according to dozens of interviews with county judges and defense attorneys. Goldberg says Mason was notified of the series’ findings before publication, but Mason chose not to go on record about the perception that his office had influence over the programs.

Before granting Mason space for an op-ed, the paper’s editorial board met with Mason to hear his grievances. The *Plain Dealer* also assigned reporter Leila Atassi to produce an article that further aired Mason’s objections. In that piece and others that followed, Mason’s aides attacked the series, but Paynter was never allowed to comment or respond. The *Plain Dealer*’s editorial page was silent. Paynter, a Pulitzer Prize-winning reporter, took a buyout offer and left the *Plain Dealer* on the day after Mason’s op-ed and Atassi’s story appeared. He says he stands by his stories. Stuart Warner, an editor on the project, who left the paper shortly before the stories ran, says he has full confidence in Paynter’s reporting.

The *Plain Dealer*’s failure to aggressively back its reporter risked allowing Mason’s gripes to overshadow the outrageous injustices revealed by Paynter’s strong and painstaking

work. Still, change may come as a result of the series: Mason has ordered an investigation of the county’s handling of drug convictions.

**LAUREL** to the **Milwaukee Journal Sentinel** for exposing the federal government’s failure to regulate harmful chemicals found in household and personal products. According to the paper’s investigation, more than fifteen thousand substances, known as endocrine disruptors for their noxious effects on hormonal function, have yet to be screened, despite tens of millions of dollars spent since 1999 to create a testing program. The article, **ARE YOUR PRODUCTS SAFE? YOU CAN’T TELL**, pointed to more than \$75 million that the chemical industry spent on lobbying to delay testing or soften the stringency of the tests. Meanwhile, Europe, Japan, and South America have enacted testing protocols that have resulted in stricter regulation, such as a European ban on 1,100 chemicals found in cosmetics.

The article was one of several in the last one and a half years spearheaded by science writer Susanne Rust, who connected the rise of cancers caused by disruptions in the endocrine system with the increased use of plastics; she was assisted by reporters Cary Spivak and Meg Kissinger on the project.

The piece singled out bisphenol A, a controversial compound found in baby bottles, eyeglass lenses, and DVDs. Despite chemical-industry claims that the substance is safe, the *Journal Sentinel*’s analysis found that more than 80 percent of studies pointed to the chemical’s harmful effects on animals. As a result of the article, state and federal lawmakers have announced that they would seek a ban on bisphenol A.

**DART** to the **Daily Press** (Newport News, Virginia) and other newspapers that publish mug shots from local arrests. In 2008, the *Daily Press* put up almost three hundred photographs of people arrested for crimes ranging from trespassing to murder. As of December 1, a link to the mug-shot gallery was featured on the *Daily Press* home page. The practice of publishing mug shots has grown, both online at The Smoking Gun, and in print, with do-it-yourself publishers launching papers containing mug shots and nothing else, such as the *Jail* in Orlando, and *The Slammer*, in Raleigh, North Carolina. The *Palm Beach Post* also publishes a mug-shot gallery online, but prefaces it with an explanation that those pictured have not been convicted and are “innocent until proven guilty”—which is more context than the *Daily Press* provides. In all cases, the mug shots are displayed without consideration of news value or the cases’ outcomes. In the eyes of these publications, every person arrested deserves to be publicly humiliated. What’s next, the stockade? **CJR**