

SAYS WHO? Is Your Attribution Lacking?

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Much reportage involves journalists quoting, or paraphrasing sources – humans of various stripes; documents, like reports or legal papers; or even evidence. The journalist is often not guaranteeing the truth of a statement, although one known to be false will usually not be published, and doubt about a dubious one will usually be included in the copy.

Obviously, some facts do not need to be attributed: there are 435 Representatives in the House. Election Day is Nov. 8. The World Trade Center was destroyed on Sept. 11, 2001. You get the idea.

But claims – of guilt or innocence, of sloppy practices by a government agency, even of something as innocuous as chronically late trains – are just that – claims, whose truth may not be knowable at the time of publication. They are newsworthy not because they are true, but for some other reason. But not infrequently, a statement or claim that should be attributed to a person or document is stated as a fact—sometimes in a complex sentence in which some other claim *is* attributed. When that happens, when there is no attribution, the writer and, by extension, his or her publication, are making the statement as one of fact. That can raise questions of fairness or accuracy and possibly exacerbate a libel problem.

Here's a simplified example. Imagine a president who has been coy about whether she will run for a second term, and who well might not do so, for health reasons. Now imagine the leader of the party out of power has been claiming that there's no doubt the president will run again. One day's copy reads this way:

Senator Blatz attacked President Howto again today as a “tax-and spend chief executive” who wants to “spend her way out of economic problems at taxpayers' expense.” He also criticized the president, virtually certain to seek re-election, for failing to rein in the chairman of the Federal Reserve Board.

Stop the presses! President to Run Again

That's what this copy says. It doesn't say that the senator said she would run. Look carefully. No one, other than the writer, is saying it. Breaking news! The lead is buried!

The solution to spotting missing attribution requires skills taught to urban schoolchildren—look both ways before you cross the street. In other words, scrutinize every claim, every assertion, to see who's making it. If the answer is no

one, it's time to ask yourself whether attribution is not needed, or whether it is and it's missing. If it's missing, the repairs are often easy. Writers usually know the answer to "says who?" – they just forgot to include it or didn't think it was necessary. That's why you're there.

Here is an assortment of real-life examples:

¶ Mr. D'Angelo was arrested in the Sliwa case in July 2004. He pleaded guilty to kidnapping, murder and other crimes before turning state's witness, hoping for leniency. He said he made about \$600,000 from loan sharking over his life as a mobster, spending it on "clothes, cars, dinner, drinks." After his arrest, he said, he, his girlfriend and his mother paid \$212,000 to a lawyer who refused to represent him when he began cooperating with the government. He was left with \$259 to his name, he said.

This is a good example of missing attribution in a complex paragraph. All is well until the lawyer walks off with the \$212,000. Not allegedly walks off, in this account, because there's no one doing the alleging. A simple "he said" after "lawyer who" would fix the problem.

¶ A Brooklyn rabbi and his three sons are accused of preying on four female relatives — and the sexual abuse may have started as long as 15 years ago.

What sexual abuse? The abuse that's alleged in the first clause, or the sexual abuse that's stated as a fact – without attribution – in the second clause?

¶ Mike Kennedy, a real estate appraiser in Monroe, N.Y. was examining a house a few years ago when he discovered five feet of water in the basement. The mortgage broker arranging a refinancing asked him to pretend that it wasn't there.

This is an example of missing attribution buried deep in copy. Who said the mortgage broker told the appraiser to lie? Look around. It's not the appraiser. It's not anyone else, either. It's the writer, stating this as fact.

¶ Mr. Karzai called for the disarming of a unit of the American-backed Afghan Local Police, whose members accused in the rape and abuse of an 18-year-old woman in the northern province of Kunduz.

....

According to a spokesman, Mr. Karzai told the Interior Ministry to make sure that the local Afghan Local Police unit being accused was disarmed, and that the woman's attackers be brought to justice, including the unit's commander.

This reporting, from one of the most dangerous places in the world for journalists, is fine, until the last phrase. Someone being brought to justice must be guilty. One person – the unit's commander – is named specifically. So he must be guilty. But who's saying that? Karzai? His spokesman? Maybe. But that's not clear. A simple fix is to add "whom he said was guilty" at the end.

¶ City officials missed a glaring clue that could have exposed a corruption scheme that resulted in the indictment of one of the Bloomberg administration's top housing officials.

What corruption scheme? The one that is stated as an unattributed fact in the lead? Or the one that is just an allegation until one or more official is convicted? Putting alleged before corruption fixes the problem.

¶ A plucky groping victim snapped a picture of the pervert seen here moments before he allegedly grabbed her buttocks in a subway station, police said.

He's not a pervert until he's convicted. The police can call him that. The woman who took his picture can call him that. Either of them can be quoted calling him that. But who's doing the calling here? No one. So it must be true. Except it isn't until after a plea, or maybe after a trial. In the same way that we shouldn't put words in people's mouths, we shouldn't take words out of their mouths, either.

¶ No Bail for Cop Arrested in Ghoulish Plot

A judge has ordered a New York City police officer accused of plotting to torture women and cook and eat their body parts held without bail.

The lead is fine. The headline isn't. What plot? If the officer is acquitted, there was no plot.

¶ A teenager who the authorities said started a fatal house fire last week now faces another murder charge after a second victim died of injuries relating to the arson?

Beginning to see a pattern here? In some cases, if there's no conviction, there's no crime. That's not always so, of course. For instance, it might be clear that a fire was arson, and what's in doubt is who set it. But that was not the case here, where the cause was murky. If the prosecution can't prove arson, the murder charge goes up in smoke, even though arson is stated as an unattributed fact in the lead

¶ During the trial, four men were charged with contempt for snapping images of the accuser on the witness stand and posting them online. Brooklyn District Attorney Charles Hynes charged other men with trying to bribe the girl to drop the charges. But she did not take the bribe, and testified for three days about the abuse.

Notice how the bribe has morphed from a charge, in the first sentence, to a fact – an unattributed fact – in the second sentence. The fix is simple. Make it: but she did not take what the prosecutor called the bribe.

¶ Two accountants, David E. Cohen, and his partner, Jeffrey C. Rosner, ran what tax officials described as a tax-return factory out of their office in the Empire State Building. Clients waited hours in the waiting room, then spent 15 or 20 minutes filling out forms that often used the same boilerplate numbers, like contributions to charity and unreimbursed business expenses, on every tax return, regardless of income.

“Tax officials described” may be placed too far away from “used the same boilerplate numbers” which would make that an unattributed statement of fact, rather than part of an accusation. Since that appears to be the heart of the charge and since the reporter presumably wasn’t in the waiting room to observe what the article describes — that has to be attributed.

¶ Eight current and former New York City police officers were charged yesterday with accepting thousands of dollars in cash to drive a caravan of firearms into the state, an act of corruption that brazenly defied the city’s strenuous efforts to get illegal guns off the streets.

Who’s calling this a brazen act of corruption? No one I can see. In fact, it was prosecutors, but the failure to attribute that claim makes this sound like an editorial—and one that convicts the defendants without a trial.

¶ An independent watchdog is investigating a hospital and two neurosurgeons who abandoned an unconscious patient in the operating room,.

The problem here is that rest of the article indicated that there is an investigation of reported patient abandonment. It hadn’t been concluded. But it’s stated as a fact, without attribution, in the lead.

¶ A convicted killer could be freed soon, after using a 2000 Supreme Court decision to force a new trial that excludes most of the evidence against him—including the fact that he was carrying the murder weapon when he was arrested.

Terry Brazil, who committed the crime near the Farragut Houses in Brooklyn, was serving time in prison when he read about a Supreme Court case that made it illegal for officers to stop and frisk someone based only on an anonymous 911 call – which is what happened to him.

What did Mr. Brazil get? His conviction reversed and a new trial. Which means that he’s no longer a convicted killer. And it’s no longer established that “he committed the crime near the Farragut Houses – or anywhere else. If the prosecutor want to make that claim, fine. A reporter shouldn’t.

¶ A jail inmate commanded a nationwide cyberscam from behind bars, prosecutors say. The inmate, Shaheed Bilal, ran it all from a prison phone for eight months in calls to his girlfriend, the Manhattan district attorney revealed yesterday.

Prosecutors don’t reveal things—which would make them facts — they claim things, which makes them allegations that have to be proved in court.

¶ The body of the girl, Nixzmary Brown, was found Wednesday at her mother's home. Investigators are trying to determine if the girl's stepfather, Cesar Rodrigues, killed her when he banged her head against a faucet in the bathtub.

There are two ways to read this – neither one of them good journalism. One is that the stepfather may not have killed the girl when he banged her head against the faucet. The other is that banging her head against the bathtub was not the cause of death. In the first reading, the killing is assumed to be true, because there's no attribution for it; in the second, the banging is the unattributed assumption.

¶ DNA from a cigarette butt confirms that Thomas, who was arrested last week, is the rapist wanted for attacks in four states.

This is an example of taking evidence at face value. It is, in the criminal-justice system, something that will be shown to a jury for the jurors' evaluation. In this case, a prosecution expert will likely testify to the link between the cigarette butt and semen found in rape victims. A defense expert may well rebut that link.

¶ A police sergeant on routine patrol in the Bronx shot and wounded a 27-year-old man who ran a stop sign and then tried to drive away after he was pulled over, the police said. The car had drugs in it, but the man did not appear to have a weapon.

Where's the attribution for the drugs?

¶ An upscale version of Thelma and Louise has been sued by a real estate broker for posing as wealthy apartment buyers to pilfer diamonds and other luxury items from Manhattan pads.

...

While touring the multimillion dollar apartments, the team would take turns distracting the brokers, swiping everything they could get their hands on.

How do we know what they did while visiting? Was the reporter there? If not, that second paragraph needs attribution. The real estate broker's claim in the lead won't do.

¶ A 25-year-old graduate student was struck and killed by a drunken driver early yesterday in a hit-and-run accident that occurred as she was crossing a street with friends in Lower Manhattan, the police said.

What does "police said" refer to? Struck and killed? Crossing the street? Drunken driver? All of the above? Ask yourself what's most controversial element of a string like this, and attribute that first. It's unlikely that the killed part is wrong. If she was crossing with people she just met, not friends, that's not critical. But the driver's alleged intoxication is. So make sure that that element is precisely attributed.

¶ Spirited out of Guantanamo Bay in the dead of night, an al Qaeda henchman fidgeted and smiled in a Manhattan courtroom yesterday as he was charged in a pair of deadly U.S. Embassy bombings.

Put your politics aside for a minute. The United States government has admitted that after investigations, it determined that some of the detainees held at Guantanamo were not terrorists, and sent them home. So the mere fact that this defendant was at Guantanamo does not prove that he is an al Qaeda henchman – a claim never addressed anywhere else in the copy.

¶ “I’m sorry, I’m sorry. I didn’t mean to shoot him,” the alleged gunman, Kingsley Newlan, told cops.

[Separate article]; He plays a chef on the Sopranos. but John Ventimiglia cooked himself a recipe for disaster when he was busted for drunken driving yesterday. The actor admitted to cops he drank four glasses of wine before getting behind the wheel of his 2004 Jetta and driving home.

The problem with these confession leads is not lack of attribution, but misattribution. The statements need to be attributed not to the defendants, but to the police officers who said that that was what the defendants said, which was the situation in both cases,

“Yeah?” I ask reporters who (all too frequently) turn in such copy. “How do you know he confessed? Were you in the stationhouse?” (The answer is always no.) If, on the other hand, the confession was taped, and the reporter heard or saw the tape, there’s no need for attribution in the lead, although the existence of the tape should be included in the article.

¶ A cruise ship passenger will testify in a civil suit against the cruise line this week that she was raped by a bartender who slipped her a Mickey, but prosecutors were stymied by cruise management.

If the passenger is going to testify that cruise management stymied prosecutors, all is fine. But if she’s just testifying about being raped, who’s saying that management stymied prosecutors? No one, which means the newspaper is stating it as fact.

¶ A woman and her companion have been charged by prosecutors with endangering the welfare of a child after leaving her 5-year-old son alone in a motel room for seven hours while they went to an adventure park, the police said yesterday.

One way to read this is that the police said the couple was charged with child endangerment – and all the other stuff is left as alone as the kid was, with no support. The right attribution is “after, the police said, they left her son”