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RE **THE PROBLEMS OF JACK KELLEY AND USA TODAY**

We begin this report with sincere thanks to the dedicated team of journalists, headed by John Hillkirk and including Mike Hiestand, Kevin McCoy, Blake Morrison, Rita Rubin, Julie Schmit, Ruth Fogle and Tom Ankner, whose professionalism made the difference in establishing the malfeasance of Jack Kelley.

We also want to acknowledge how impressed we have been with the talent, dedication and professionalism of the members of the staff with whom we have discussed the past, present and future of the newspaper over these last weeks. They are a source of the success of USA TODAY as the nation's most widely circulated daily newspaper.

INTRODUCTION

We have stated publicly that we did not intend to engage in “finger-pointing” in this final report to you. In the course of our research a significant number of people on whom we relied for information did point, not only to relevant problems, but also to those individuals they considered responsible for them. We have faithfully included many of their comments here and have incorporated the sense of them in our conclusions and recommendations.

Any appraisal of how Jack Kelley got away with years of fraudulent news reporting at USA TODAY, despite numerous, well-grounded warnings that he was fabricating stories, exaggerating facts and plagiarizing other publications, must begin with this question:

Why did newsroom managers at every level of the paper ignore, rebuff and reject years of multiple serious and valid complaints about Kelley's work?
In search of an answer:

We interviewed more than 70 present and former USA TODAY staff members, in addition to another half-dozen now working for other news

organizations. We closely reviewed a focused list of suspect news stories that appeared under Kelley's byline.

We examined at length whether Kelley's status as the acknowledged and publicly promoted star of the newspaper resulted in his editors treating his copy differently than that of his newsroom peers. In doing this we weighed whether the widely held perception that Kelley had close friends among the highest-ranking executives of USA TODAY helped create a "careerism culture." (That culture led some line editors to put career concerns above the integrity of the news report, reject criticisms of his work and fail to pass complaints about him up the editorial chain of command.)

We analyzed whether past and present policy guidelines and procedural editing safeguards were adequate to have exposed Kelley's multiple frauds before his admitted "one lie" forced his resignation. In this regard, we looked particularly at the policy on the use of anonymous and confidential sources to determine whether editors required Kelley to adhere to the source policy.

We inquired in some depth into the question of whether a so-called culture of fear permeated the newsroom environment and contributed to the failure to catch Kelley. We inquired into whether such a climate remains in the wake of his departure. As a subtext to the "fear" question, we also looked at whether lines of communication inside the newspaper were (and are) open and conducive to encouraging ongoing dialogue about the quality of journalism at USA TODAY. To put it another way, if the lines were down and broke, are they now up and fixed?

We also looked as carefully as possible, given the time available to us, at the institutional structure of the newspaper to discover whether corridors of authority are clearly defined, easily understood and optimally effective in promoting vitally needed communication and dialogue.

Finally, we looked at whether the earlier investigation of Kelley's work, launched in June 2003 after the receipt of the anonymous letter, was adequate and effectual.

We have concluded the following:

- 1) Jack Kelley's dishonest reporting dates back at least as far as 1991. There were more than enough serious cumulative concerns, challenges and doubts expressed about Kelley's work, to have triggered an intensive internal investigation of him years before the anonymous letter arrived.

2) The complaints about Kelley came from members of the newspaper's staff and from external sources, a number of them officials representing government and non-governmental institutions.

3) A virus of "fear"—defined somewhat differently by different staff critics—clearly infected some staffers in the News section and inhibited them from pushing complaints about Kelley. Some staff members said they were scolded or insulted when they expressed concerns about Kelley to editors. We did not find that "a culture of fear" blankets the entire newspaper or most of its departments. It is alive and sick in the News section.

4) Kelley's status as "the star" of the News staff, his frequent appearances on national television, his many speeches before diverse audiences, and the impression he conveyed that ranking executives of USA TODAY were his close friends gave him a special standing in the minds of many staffers. His severest critics believed that "the star" was untouchable.

5) Policies, rules and guidelines in place at the newspaper, and beyond that, routine editing procedures, should have raised dark shadows of doubt about Kelley's work, had his editors been vigilant and diligent. They were not.

6) Kelley's ability to routinely abuse rules governing anonymous or confidential sources—and the trusting attitudes of his editors as he exploited their confidence in him—is a harsh reminder that policies drafted on paper are meaningless unless discerning editorial gatekeepers at every level, apply them and enforce their roles as editors.

7) A perusal of Kelley's annual evaluation reviews reveals that editors gave him good performance marks, even as he was betraying the paper. The reviews do reflect admonitions that he was naïve and too trusting in dealing with his sources. There is no indication that these red flags influenced how editors dealt with him day-to-day.

8) Lines of communication running both horizontally and vertically among the sections (or "silos") at the newspaper are palpably defective. USA TODAY operates more as four separate newspapers in four separate "silos" (some staffers used the word "fiefdoms") than a single publication. Communications deficiencies promote turf problems among departments.

9) The 2003 investigation of Kelley, while it provided facts and impressions that were extremely helpful to us, failed to turn up fraud (beyond Kelley's "one lie") because the investigators set out to prove he had been guilty of nothing. Amazingly, editors who paid no attention to internal and external complaints about Kelley finally acted on an anonymous letter that was no more specific than many of the reports about him that had been ignored for years.

THE TWO FACES OF JACK KELLEY

In the weeks before Jack Kelley was exposed, as we talked with many people who had worked with him, we were confronted by a puzzling dichotomy. It was as if his former associates were speaking of two different personalities.

First, there were those who were his critics. They long have seen him as a fraud. They told us that they had sought to warn their editors. They were convinced that Kelley invented facts, embellished details and made up quotes.

Hear what we heard in our interviews with scores of present and past reporters and editors as they tell the story:

"If you complained about Jack's work, you were accused of just being jealous."

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Editor's Note: Here and elsewhere in the report, material has been deleted for confidentiality. Deletions are marked with a "(1)" if the material was from members of the staff; or a "(2)" if the deletion involved a confidential recommendation to the publisher.

"Jack and his work were held out to us as a model."

"When I said I was going to tell a senior editor I didn't believe Jack, I was told: 'You don't want to go there.'"

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"I heard an editor tell a colleague that he was a malcontent because he knocked Jack's work. I kept quiet about him."

Two reporters who thought Kelley's sources were questionable insisted that their bylines be removed from a story on which they had worked. They did not want their names associated with his. One of them told us: "At any other newspaper when reporters ask to have their bylines taken off a story, editors would want to know, 'why?' The editor we talked to on this story raised not a ripple. Nobody pushed to find out why we didn't trust him."

Three separate staff members who have worked at the paper for less than seven years recounted, in different ways, how other staff members alerted them in their early days with USA TODAY "to be skeptical of anything Kelley writes." **Deleted (1).**

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When it was learned that Kelley's stories were submitted for major awards, including the Pulitzer Prize, a reporter was told by a line editor, "I worry that we may get burned if Jack's stuff wins a national prize." At a meeting where Kelley's Pulitzer nomination was discussed, one staffer reported that an editor became angry with him when he questioned whether the nomination should be made. He didn't press the issue.

A reporter who had come to USA TODAY with a long list of high-placed sources, developed while working for another news organization, said that on two major stories he had reported to his editors that Kelley's "exclusive scoops" were wrong. He asked, "How can we run this stuff?"

Critics within the staff felt their feelings about Kelley were validated when they heard negative comments from sources outside the paper. A high-ranking Treasury Department official took the time in 1999 to advise a USA TODAY staff member with editing responsibilities that U.S. government officials were skeptical of Kelley's reporting about an alleged Russian money-laundering scheme that investigators were checking for links to International Monetary Fund money. The staffer said the government official warned that Kelley was embarrassing the paper with an erroneously high estimate of the dollar amounts believed to be involved. The complaint was passed on to an editor, but was ignored.

There also was a concern raised by a ranking Defense Department official who described Kelley's reportage with an expletive. The official described his news stories as harmless, since they did not endanger national security.

A national security analyst wrote this to USA TODAY shortly before we began our assignment: “Years ago I repeatedly complained about accuracy in Mr. Kelley’s reporting. I was met with insult and assured that his longtime standing with USA TODAY and his professional qualifications outweighed any concerns I might have voiced.”

A ranking intelligence official asked by our team to recall whether he had problems with Kelley’s reporting, first declined to cooperate with our team. He later denounced Kelley’s reporting with an expletive.

One formal, written complaint received from a foreign source, bluntly and specifically challenging the accuracy of Kelley’s work, was not responded to by anyone at USA TODAY for more than two years. We were told that the letter “somehow had been lost.”

The editors who “listened” to these internal and external criticisms of Kelley’s work never seemed to hear them -- or act effectively on them. Some of the reports of concern came directly to and were discussed by line editors. Some filtered up the line of editorial rank, but were dismissed as “gossip” or “rumors” from malcontents or those who were jealous of Kelley’s achievements.

While there is clear evidence that line editors regularly questioned his copy and worked directly with him to improve and make it accurate and more readable, there was never one of them who paid adequate attention to the numerous reports, rumblings and rumors that the overall thrust of his work was suspicious.

Occasionally, we were told, a line editor would ask a reporter to back-check a fact in a Kelley story or to determine whether other sources backed up his findings. **Deleted (1).**

Other journalists noted that sometimes when sources of other reporters had information contrary to his own, Kelley would back down rather than insist that his informants were right. There is no indication that such consistent signals of careless reporting created any lasting doubt in the credibility of Kelley’s work.

At still other times, editors actually asked other reporters to call Kelley to get his confidential sources to back up facts for their stories. The reporters told us they were suspicious when (1) Kelley would, within a very short time, find sources to give them exactly what they wanted, or (2) give them the job title of a source of his when no such job title existed in an agency.

Sometimes these suspicions about him were passed on; sometimes they were not. Most often, reporters thought no attention was paid to what they said about Kelley. Many of them felt that Kelley did not have to live by the same confidential source rules that editors demanded of them.

Kelley's ability to obscure the origins of his sources, or to quickly find secondary sources (that were suspect) should have been transparently suspicious to tough-minded editors -- especially because there were so many rumblings about him.

Reporters covering beats also heard cautions and concerns about Kelley from the White House, Justice Department, diplomats, the military, independent agencies and some foreign sources. Often members of other news organizations would pass on their own doubts about Kelley's work to friends who worked for USA TODAY so that his reputation for "piping" stories was widespread in the Washington press corps. Reporters from *Time*, *The New York Times*, *The Washington Post*, Bloomberg, *U.S. News & World Report*, among others, gave USA TODAY staffers their own negative views of Kelley's professionalism.

With all of that, it would be inaccurate to conclude that Kelley's reporting did not occasionally raise doubts of the paper's ranking news executives. A former publisher, worrying that a Kelley story was flawed, took the time to have a conversation with a high-ranking Intelligence official who confirmed its accuracy. He never entertained any serious suspicions that Kelley was a fraud. The fact that Kelley had talent and had done some good work on some stories no doubt helped buttress the confidence top news executives wrongly placed in him.

* * *

Newsrooms are populated with people of amazingly diverse backgrounds, who possess different abilities, strengths, skills and educational assets. Some are exceptional writers. Others have natural or honed abilities at interviewing, or at research, or at editing, or are more adept with computer utilization, or with graphics and visual images. Still others may be more comfortable in the difficult work of investigative journalism. Obviously their preferences and their instincts lead them toward different sections of the newspaper—hard news, features, sports, financial reporting, editing, opinions, and photography.

Ideally, all of them understand and share a culture of enduring journalistic values that motivate them to write and edit with accuracy and fairness and

aggressiveness—and with a dedication to the idea that what they do serves their readers.

In this exceptional universe of talented professionals, there are different, sometimes difficult, personalities, and managing a newspaper with this uncommon diversity requires motivational leaders who are tough, able, sensitive and fair in dealing with and encouraging the staff to produce each day a newspaper of superlative quality.

Inevitably from among able professionals stars will emerge. They need and deserve to be encouraged to perform at the optimum level of their considerable skills. But it is imperative that their work be subjected to the same rigorous rules for writing and editing that govern the entire newsroom. Because Jack Kelley was a star—a favored, even celebrated, star—he was permitted to escape the editorial scrutiny that must govern every staff member, regardless of his or her unique aptitudes. It was here that USA TODAY's leadership failed the newspaper, the staff, the readers and, not incidentally, Kelley himself.

For every critic of Kelley, we heard from others, both in and out of journalism, who admired him. Most of them swore by his integrity and credibility until the very moment USA TODAY exposed his fraudulent reporting. These loyal friends included fellow reporters, photographers, some editors and various news sources that had encountered him or were cognizant of his work. Kelley provided us with a list of a dozen reputable sources, all of whom vouched for his integrity. In one instance an executive of an organization in Europe, who had returned to the United States briefly for medical reasons, took the time to talk with us for two hours offering support for the work Kelley had done abroad.

His admirers saw him as a gifted journalist and a good man who cared about people and related to them. Photographers recounted how Kelley had cooperated with them on assignments, how careful he had been to check quotes from interviews he had conducted. Other associates praised him for taking the time to be kind to staff people at hotels and restaurants, or with the translators and “fixers” he employed. Editors who worked with him in the early days of his career recalled how Kelley seemed to have a special way with people, an ability to put those he was interviewing at ease and then extract from them details that other reporters might miss.

In the days since the newspaper disclosed Kelley's fraudulent reporting, some of them have expressed to us their sense of sorrow and betrayal and still find it impossible to reconcile the two faces of Jack Kelley.

JACK KELLEY'S FRIENDS IN HIGH PLACES

To both his critics and admirers Jack Kelley presented himself as a member of the USA TODAY staff with close friends in high places. In his soft-spoken, self-effacing, understated way he would tell his staff colleagues of a recent conversation with Publisher Tom Curley, or a visit with Editor Peter Prichard, or a compliment he had received from Bob Dubill, the executive editor. Several staff veterans recalled that when David Mazzarella succeeded to the editorship of USA TODAY in 1995, it was Kelley who escorted the new top executive of the paper through the newsroom, introducing him to reporters and editors. He later would recite anecdotes from the days he and Mazzarella spent together with Al Neuharth, the USA TODAY founder, on the 1988 JetCapade tour of foreign countries.

There can be no doubt that the top USA TODAY executives felt friendship for Kelley, whom they found attractive, talented and charming. Nor can there be doubt that Kelley made no secret of these friendships and found ways to let his peers and immediate supervisors know that he had a first-name relationship with their bosses. More than a few reporters told us they thought the image of Kelley as a reporter with close friends in high places made editors uncomfortable when they heard criticism of Kelley. Editors uniformly denied this.

WAS JACK KELLEY AIDED BY A CLIMATE OF FEAR?

At first blush we approached the "fear factor" with skepticism. No more. For those staffers who admit they feel it, it is real. Some may call it "apprehension," but something like "fear" found expression in many forms.

People in the newsroom who raised questions about Kelley say they were warned by peers "to just keep your heads down." One reporter, whose instinctive reaction to a Kelley exclusive would have kept it out of the paper had she been an editor, described the reason she did not challenge it earlier: "The culture tells you every day that you give your superior whatever he or she wants in order to look good." Another explained it this way: "I was told not to tell my editors because, 'They'll knock your head off.' Some staff members called the News department "the House of Mean."

One foreign correspondent expressed his doubts about Kelley's reporting from the Balkans to a Circulation department manager, but never

mentioned it to news executives. In the Washington Bureau where some reporters say they work beyond a climate of fear, one senior member still describes the culture as one in which, “People have their marching orders. If you don’t follow them to the letter, there’s not room for discussion. It’s an atmosphere where everyone plays it very, very tight. People follow orders—or else!”

One News editor, explaining to a colleague why a reporter’s complaint was not reported up the line, said, “My job is to think just like [my boss] so he knows I’m never second-guessing him.”

Another senior reporter appeared on a public panel and heard Jack Kelley tell of his incredible experiences of “rescuing babies from death and burying dead soldiers,” and decided never to listen to him again. Subsequently that reporter, pleading a scheduling conflict, spoke first and left the premises rather than listen again to Kelley’s unbelievable recitation. **Deleted (1).**

At one point in early 2002, four News editors met (one of them by telephone) to discuss their several concerns about Kelley’s work. A memo drafted by one of them described this as “a secret meeting to discuss the veracity of Jack’s reporting.” They talked over concerns that Kelley was “embellishing stories and making up quotes.” The meeting went on for approximately an hour, and there was a full, frank exchange about their concerns. The senior editor present asked the others whether the suspicions they aired were strong enough to justify his removing Kelley from his foreign assignment. The issue was given serious consideration. But, in the end, they decided that they had no proof on which to make such a recommendation and departed with an agreement not to discuss their meeting with others. One of them said, “The only fear involved here was the fear that we would damage Jack’s reputation because we couldn’t substantiate anything specific.”

While their empathy may be understandable, it would seem to be a failure of responsibility not to ask editors at a higher level to consider whether Kelley was, indeed, “embellishing stories and making up quotes.” Two of them recalled that they felt any further action was up to the senior editor present. “If it was going anywhere after our meeting it was up to him,” said one of them, adding, “I think we all are kicking ourselves now that we didn’t do more.”

An editor who was at the meeting told us, “All we had was gossip and rumors. We decided that we didn’t want to damage a reporter’s reputation

based on what we knew.” His comment says something about the corrosive atmosphere at USA TODAY. What he had heard was not false statements from gossips and rumormongers but serious allegations from competent journalists. Had the information concerned government officials or corporate executives, rather than their “star” reporter, the information well might have been the basis of investigative news stories and gone into the newspaper.

A higher-ranking editor, who never heard the “rumors and gossip,” told us that there were no short or easy answers to why Jack Kelley got away with his misdeeds. He considered Kelley “an aberration” and an exceptionally good liar. He wondered who the editors were who heard these charges against Kelley and failed to report them up the line.

The editor who failed to raise alarms after the meeting with three associates expressed astonishment to us that yet another reporter, who suspected Kelley, had kept a file on his reporting for five years, but said nothing about it. “How could he sit on something like that for five years and not tell somebody?” That editor well might have asked himself the same question with regard to his inaction following the meeting with his three colleagues.

Another editor that played a role in editing one of Kelley’s fabricated articles, said: “I remember thinking at the time that it was a great story if true.” The editor remembered an occasion when Kelley phoned to say he was outside a place in Cuba where people were being tortured. “I remember thinking that maybe he wasn’t calling from Cuba,” the editor recalled. But those doubts were never shared with higher editors. Like some colleagues the editor used the word “rumors” to dismiss complaints voiced by others in the newsroom. “None of us can deny we heard these rumors raised,” the editor said. “There were lots of questions, but Kelley always seemed to have the answers.” Both of these high-ranking editors assert that there is no climate of fear in the newsroom where they work and asserted that they were not afraid to have taken criticisms of Kelley to a higher level had they been more than “rumors and gossip.” The problem, of course, is that they were more than rumors and gossip.

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Yet another staff member said he complained to a higher editor of “an abusive” note he received from his immediate supervisor. He later learned that his complaint had simply been passed back down to the editor he had

criticized. He said he then was downgraded in his next evaluation and transferred to a lesser job.

There is still another answer to questions we asked about the “climate of fear.” We heard it expressed in different ways from five ranking editors and perhaps a half-dozen staffers from the News section. They obviously were spontaneous, but all said virtually the same thing.

In sum, their thesis is this:

There have been strenuous efforts by news executives in recent years to upgrade the standards of the paper and to replace journalists whose talent and performance did not measure up with more qualified journalists.

This effort has been most seriously centered inside the News section of the paper. Annual review evaluations have become more challenging. Goals are set with the bar of expectations raised.

The result has been notable personnel turnover in the staff. Many who were judged to be less competent were asked to leave or decided on their own to find jobs elsewhere.

The higher performance standards are putting intense pressure on some members of the staff. They may say they find a climate of fear because their own performances are marginal.

Thus, to the extent there is fear, it may be an expression that some on the staff feel upset or threatened and do not want to become casualties. Some staff members who have been quoted in other publications as criticizing the newspaper’s leadership are, themselves, aware that they are not meeting the higher standards.

No doubt, performance reviews have created a heightened sense of concern. Some people still are worried that they may be given lower evaluations in these annual reviews, or that they may be put on probation, or even asked to leave. The new hires have given the paper better editors and better reporters and a significantly improved USA TODAY. What may be expressed as “fear” may simply reflect dislike of a single editor. And what some other staff members are feeling is “anger,” not fear. They are upset because Kelley was not found out sooner. They may be blaming top news executives for the failure.

It was clear to us even before we heard this explication of “the fear factor” that staff turnover in the News section had been heavy, dating back several years. It well may be that an awareness among staff members that a number of their colleagues had been dismissed or chose to move on had a negative impact on staff morale. We acknowledge that this may, in fact, have triggered some of the fear we heard expressed.

On the other hand, the most direct response to that idea came from a staff member who said she is not afraid, who views the staff “dedicated, hard-working and congenial—the best I have ever worked with,” but adds that the fear is real.

“It not only exists, I believe it has been deliberately cultivated,” she said. She recalled an editor warning staff members, “We are going into a third generation. Some people aren’t going to make it.” Subsequently, she said, “A number of valuable reporters evaporated ... eliminated from the newsroom without any real explanation.” Had these journalists been incompetent it would have been understood, she said. “But some were perfectly competent people ... targeted for reasons that are hard to fathom. She concluded that “a small clique of managers” was responsible. She compared the annual evaluation process with “visits to the proctologist.”

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Others who criticized the work environment indeed may fear that they are under the gun of an annual negative review. At the same time, some staffers who spoke most stridently to us about the “climate of fear” include veterans whose evaluations reflect solid performance grades and others who have been employed recently who are not on the cusp of probation or dismissal. It was their view that the policy of critical annual evaluation was an effort to produce a staff of regimented reporters and editors who reported and edited and asked no questions.

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And then there is the case of the reporter who told us **Deleted (1)**. And so we find that fear—whatever its definition and whoever feels it—exists. And out of that fear reporters and editors, in effect, became enablers for the fraud Jack Kelley produced. And they did so, in part, because of the unwritten signs they read around them every day. As long as they had been around, Jack Kelley was known as the Golden Boy. He was seen as an untouchable. He was the most visible representative of USA TODAY on

the speaking circuit and on television talk shows. That, coupled with his “friends in high places,” sent the message that Jack Kelley was something special to the senior editors.

It also should be said that following our meeting with the staff we heard from journalists in and out of the News section who volunteered that, contrary to our suggestions, they enjoyed their work, were indeed “having fun” on their jobs, and experienced no climate of fear.

A larger number disputed this characterization. One of them: “This place has become a bureaucracy, not a newspaper. You have to pay more attention to what you manage to get into your performance review than you do about what you get in the paper. We ought to be thinking about what we need to tell our readers, not our editors.”

For those who acknowledge the fear factor, the most common thread in the comments was that the fear emanates from one editor’s office. **Deleted (2)**. We found a newsroom that worried most, not about what they were giving the readers of USA TODAY, but about giving the editors what they wanted to hear. That was an atmosphere that was bound to have its effect on an ambitious, cunning, driven reporter like Jack Kelley who, among his most obvious characteristics, had a deep desire to please those above him.

The effect of this culture, whatever it is called, combined with an organizational structure that creates walls between departments and reporting lines that divide management even in the same department, has been to silence the newsroom. In talking with reporters and editors, what we found absent from the newsroom at USA TODAY is the humming buzz of excited, disputing, energized reporters and editors.

In the newsroom with the reputation for the most diverse staff in the country, there is little sign of an open exchange of experience and ideas. All those diverse voices too often seem silent. Top down, silence seems golden.

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This is not a culture that promotes the give-and-take that sharpens and refines thought, the collegiality that magnifies the impact of resources, the spirit that shares rewards and ameliorates distress, out of which great journalism arises.

JACK KELLEY’S SOURCES AND QUOTES

If there was one aspect of Jack Kelley's flawed work that too many editors accepted on myopic faith, it was his handling of confidential, or anonymous sources.

At the time of USA TODAY's launch in September 1982, the newspaper laid down a strict rule against the use of any unnamed, confidential or anonymous sources. That decision was grounded on the belief of the paper's founder that widespread abuse of unnamed news sources had resulted in a loss of trust in press credibility. He banned the use of confidential sources, convinced that his decision would build reader confidence in USA TODAY.

This policy was altered slightly a few years later when it was decided that on major news stories, if the information was reliable, it was permissible to quote another newspaper's use of confidential sources in USA TODAY. In addition, there were rare times when staff members knew a fact and did not need to rely on a source to document it, when the newspaper simply said, "USA TODAY has learned..."

In 1995 the policy changed dramatically. The publisher and editor stated a goal of making the paper more competitive with other major news organizations. USA TODAY then permitted reporters to use confidential sources in an effort to consistently produce more front-page, high-impact news stories.

Kelley told us during our interviews that he suddenly felt great pressure from his editors to produce exclusive "scoops." If a news story appeared prominently in *The New York Times*, *Washington Post* or other major newspapers, the USA TODAY staff was expected to top it.

In reviewing his work it was clear that editing standards on his use of unnamed sources was appallingly lax. His ability to get away with obscuring any reliable trace of who his sources were is a testament to his ability to deceive and to the inability of his editors to demand that he prove their authenticity.

When we asked how he contacted smugglers of humans involved in a tragic story about a woman and her child drowning while trying to flee Cuba (a story he had concocted in every detail) he repeated to us what he previously told his editors: He had, he said, gone through the uncle of the boyfriend of Elian Gonzalez's dead mother who put him in touch with a man known only as "Blanco" who introduced him to the smugglers. While his explanations were not always quite that convoluted, he regularly layered

descriptions of his sources so that they often were untraceable by his editors.

One reporter, questioning Kelley about where he had gotten facts for a story, was told it was “a woman source in the FBI ... in counter terrorism.” The reporter checked and found there was no such person in such a role in the FBI. Again, a reporter went behind his claim that his source on another story was “the No. 3 intelligence officer in the Pentagon.” Defense Department officials said they had never heard of such a designation. While reporters were raising these questions, editors handling his copy, apparently feeling that same pressure to produce blockbuster scoops, did not bother to try to run them down or report their concerns up the line.

Kelley, of course, was not the only reporter who began to rely on the relaxed source policy that became part of the new culture of USA TODAY. He was, however, the reporter who consistently exploited the new policy as expectations increased for the paper to regularly publish stories with smash impact and to compete for major journalism prizes. Within a short time unnamed sources became commonplace in the newspaper.

The use of anonymous sources always has posed problems for newsrooms. There are moments when journalists are approached by so-called whistle-blowers with information of great moment that is in the public interest. These sources of information provide the facts, but want to remain unknown as the source of the information for fear of economic reprisal, social or political pressure and sometimes even out of fear for their safety. Sometimes these whistle-blowers are motivated by anger or revenge. Sometimes the information exposes some wrongdoing in government or in the corporate sector, or even in religious, educational or charitable enterprises.

Publishing that information can cause great good, but there are times, if the information is published frivolously or without ascertaining the credibility of the unnamed source, it can cause harm. Both reporters and editors have grave responsibilities in handling stories that rely on the use of unnamed sources.

In Kelley's case, he acted duplicitously for years in the way he handled unnamed sources -- and his editors let him get away with it.

In 1999 the newspaper division of the Gannett Company, parent of USA TODAY, adopted a code of ethics for its newspapers, including strict policy guidelines on the use of confidential sources. USA TODAY, even as

complaints about Kelley's work were swirling among staff members, opted not to adopt the code or the guidelines.

It was not until last August that the editor put down a "Best Practices" document for staffers that included USA TODAY's new Guidelines for Use of Unnamed Sources."

The one sentence preamble says, "While the use of an anonymous source is sometimes unavoidable, it also jeopardizes the paper's credibility."

The 11-point guidelines, and a critique of them, follow:

1. *Anonymous sources must be cited only as a last resort. This applies not to just direct quotes but to the use of anonymous sources generally. Before accepting their use for publication, an editor must be confident that there is no better way to present the information and that the information is important enough to justify the broader cost in reader trust.*

2. *The approving editor must be confident that the information presented to the reader is accurate, and not just that someone said it. This usually will require confirmation from a second source or from documents. When a single confidential source is cited without further support in the story, the editor must be confident that information presented is based on first-hand knowledge and is authoritative.*

3. *Accusations and speculation, in direct quotes or another form, are not acceptable except in extraordinary circumstances and must be approved by the executive editor or the editor. The issue of fairness should always be considered. Ask yourself whether you would consider the wording fair if something comparable were reported about you.*

4. *Extreme care should be taken not to identify unnamed sources in a way that exposes their identity, but that said, unnamed sources should be identified as precisely as possible. Additionally, reporters and editors should add any information that establishes the credibility of a source on the subject matter in question, and they should identify any bias the source might have.*

It is important that the unnamed source knows that he or she has the backing of the newspaper.

5. *For reasons of clarity, any story citing multiple sources, or with some sources who are named and others who are not, must make clear which information is attributable to whom.*

6. *The number of sources or their standing must never be exaggerated.*

7. *Unnecessary attribution should be avoided. Information that we observe ourselves or is common knowledge shouldn't be attributed.*
8. *Any use of sources must be approved at the Senior Assignment Editor level or above. Editors who approve use of sources will be expected to have full understanding of the need. In particularly sensitive cases, the section managing editor or the executive editor must be alerted.*
9. *Sources should understand that if information is attributed to them anonymously in the newspaper, an editor might need to know their identity.*
10. *Sources should be pushed to accept the lowest possible level of confidentiality. Both parties should understand the level of confidentiality agreed to.*
11. *Sources cited in wire reports or by other media should be used only when absolutely necessary and when we believe them to be credible. Whenever we use them we must attribute the sourced information to the appropriate organization, citing its description of the source.*

The executive editor has told us that he thinks these rules are as good as those in place at *The Washington Post*. Whether or not that comparison is accurate, in our view the rules put in effect last August by the editor are not good enough for USA TODAY.

The most obvious and glaring loophole is to be found in Guideline 9, which does not *require* that the reporter divulge the source to an editor in every instance. Sources and the journalists who deal with them *must* both understand that if information is attributed to the source anonymously the reporter *must* disclose the identity of the source to a ranking editor of the paper.

The higher the rank of the editor, the more certain the reporter and the source will understand the seriousness of the guideline. This disclosure to the editor will send an additional message: Both the source and the reporter will know that should legal proceedings flow from the publication of the information attributed to the source, that the editor as well as the reporter will defend the newspaper's position. Both the reporter and the source will know that the ranking editor and the newspaper will stand behind them.

At the same time, sources need guidelines that reassure them of the high level of confidentiality pledged. It is not enough to say to the source that his or her name will not be published. The source needs to be certain that neither the journalist nor the editor will disclose the identity of the source to anyone else without the express permission of the source.

Additionally, the guidelines fail to advise staffers that, while they must take care to protect the identity of the source, they must not mislead readers or invent news guises to hide the identity of sources.

Finally, when the paper picks up from a wire service stories attributed to unnamed sources, a request should be made to the wire service to confirm authenticity of the information before publication by USA TODAY.

A second loophole: The guidelines provide no notice to the source that he or she must deal honorably with the newspaper. It needs to be stated clearly that if the source knowingly gives the newspaper false information for publication, the commitment to confidentiality dissolves. The source must understand that nothing could be more damaging to a newspaper than to be duped into printing false information.

Deleted (2). We found more than sixty instances in which anonymous attributions appeared in USA TODAY since the guidelines were put into effect last August. Far too many do not meet guidelines, failing often to measure up to standards of either a “last resort” or “importance.” It is clear and disturbing that these guidelines are routinely ignored and violated by reporters and editors.

Here are some brief italicized examples and our comments: **Deleted (2).**

Examples from Sept. 4, Sept. 30, Oct. 1, Oct. 20, Oct. 22, Oct. 29, Dec. 10, Jan. 20, Jan. 12, Jan. 28, Feb. 2, Feb. 23, March 8, March 10.

In one 19-paragraph story last month, USA TODAY relies on the following anonymous sources: “...several top U.S. and law enforcement officials,” “the officials,” “Intelligence and law enforcement officials,” “analysts,” “a top Justice Department official,” “a top Homeland Security official,” “a top U.S. intelligence official,” and, finally, “European Union officials...” Most of these citations merely involve quotes and paraphrases that are no more than speculation. CIA Director Tenet uses one of them simply to confirm an earlier quotation. Yet another is to state that EU law enforcement specialists would meet in Madrid.

None of these examples, of course, bears any resemblance to the abuse of quotes foisted off by Jack Kelley on USA TODAY’s readers. But with this slipshod adherence to guidelines, there can be little doubt that were he still at USA TODAY he still would be getting away with his inventive use of unnamed sources. The guidelines are being regularly and routinely

ignored. They have been rendered virtually meaningless over the last seven months.

As abhorrent as Kelley's abuse of unnamed sources, even worse was his inventive use of fictional quotes and his effective lifting of quotes from other publications. Our team's check on comparative quotes uncovered quote thefts dating back as early as 1991. Technology in those days was not as advanced and making comparative checks would have been more difficult. Had any editor taken the time to make a search with the exotic technology now available, it would have produced shocking results.

LINES OF COMMUNICATION AND JACK KELLEY

It is ironic that staff members of the daily that communicates with more readers than any other publication in the nation, failed for years to communicate effectively among themselves about the problems of the reporter who disgraced himself and humiliated his newspaper.

For those editors who reject the idea that a fear factor muted and muzzled criticisms that echoed around Jack Kelley's misdeeds, there should at least be recognition that internal lines of communication at USA TODAY are down and broken. Indeed they are.

There are editors who say and believe that they have an "open-door" policy, but in some areas of the newspaper their assertions are narrowly shared with those who work under them. Even if the door is open and the threshold is crossed, candor and sensitivity must mark the discussions that ensue.

We do not want to be misunderstood here. In finding a communications disconnect we are not suggesting that a newsroom can be a debating society, nor can it become a substitute for complaints that routinely are handled by Human Resources. The very nature of reporting, writing and editing the news involves raising and resolving, every day and in every edition, differences of opinion over germane facts, or over style, or over the play of stories. Tensions in this environment are inevitable. A newsroom culture that cannot accommodate that sort of give-and-take mocks standards of professionalism. That sort of give-and-take did not exist when Kelley's reportage should have been subject to challenge.

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The characteristics of great reporters are easy to describe: independence, skepticism, curiosity and distrust of authority. While these qualities make great reporters, they offer a challenge to managers. The newsroom may not be a democracy, but it cannot be a dictatorship. The hallmark of a management structure that effectively directs this kind of talent is an effective system of internal and external communications.

Shared values in any large and diverse newsroom are difficult to establish and maintain under the best of conditions. For this reason it is imperative that management take advantage of every opportunity to remind staff of those values. It is especially important in a newsroom divided into separate “silos” run by editors who report up one line of authority to the editor who will determine their career advancement and up another line of authority in terms of the daily content of the newspaper. It remains unclear to us how communication occurs between silos and how effectively.

We have, on the other hand, seen a number of examples where reporters and editors enter into “private” discussions about transfers from one silo to the other. We have also heard of several examples where evaluations do not follow reporters moving from one silo to the other. In one case a junior editor did not follow up **Deleted (1)**.

We examined in great detail one effort by a staff member whose concern for the integrity of the newspaper caused her to go to extraordinary lengths to bring her concerns to top management.

The incident involves a story published in 2002 the staff member found “incredulous.” A lone correspondent operating independently abroad wrote it. It was too good a story to sit on long. **Deleted (1)**.

She brought her concerns to us because as she had asked herself: “I’m not sure when it became OK to run stories that are possibly not true, with people who possibly aren’t who they say they are, but apparently I’m the only person who has a problem with this.”

* * *

Our interview notes and the record of the investigation are replete with case after case when officials from the White House, the Department of Defense, the Department of Justice, the Department of State and the intelligence community have raised questions with reporters and other employees of USA TODAY about the credibility of reporting, particularly Jack Kelley’s.

So futile were the complaints in some cases that they ceased even making them. As one of them, a deputy secretary of Defense said, “We decided it wasn’t worth the effort to complain if the story didn’t put anyone in harm’s way.”

As one reporter who has covered the Defense Department said, “I don’t believe that’s the standard of credibility I think USA TODAY should settle for.”

All this evidence points directly to a defective system of communication. It is a system that could be fatal for an organization whose stock in trade is effective communication. Even in a structure of bifurcated authority and responsibility as this newsroom, small gestures can be as meaningful as the rewards and awards USA TODAY can bestow. While we find a much greater flow of some of this kind of information in other departments, in the News Department we have found too many missed opportunities for person-to-person communication.

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Current news executives are not alone responsible for this disconnect. Jack Kelley thrived as a dishonest journalist for a dozen years. Every executive who served during the years he betrayed readers shares USA TODAY’s embarrassment.

The lines of communication now must be repaired by news managers who understand that the newspaper is a human instrument, produced each day by human beings of different talents, gifts and personalities.

USA TODAY’S MANAGEMENT STRUCTURE

The question of whether Jack Kelley might sooner have been found out had the configuration of USA TODAY’s corridors of authority been less complex and reporting lines more logical is unanswerable. Our examination of the management reporting system suggests a level of dysfunction that hurts morale and communication and has encouraged minor but meaningful turf wars among departments.

Once USA TODAY determined in 1995 that it would more aggressively compete for recognition in competition with other major daily newspapers, a cultural shift began to take hold. The top-ranking editors at the time, eager to send a message to the staff, launched daily meetings in what was called “the bull pen,” designed to evaluate and vet the day’s top stories to determine what would appear on page one. While the sense of competition

was widely generated, some line editors say they resented being cut from meaningful participation in decision-making. Reporters found the bull pen sessions tense and demanding. Editors in various sections of the paper said their work was put on hold while the bull pen decisions were being finalized.

Four years later a new editor and executive editor did away with the bullpen, but control of page one stories continued to dominate the day's decision-making. Meanwhile a message was sent that there would be a shift of power back to the four departments, or silos, each of which became an independent seat of power. The result has been that staff members are left with mixed messages. Communication lines are not adequate to handle what seem to be confusing directions.

We acknowledge that our study of structure was inadequate to reach finite, long-term conclusions. We are convinced, however, that whatever the leadership problems that existed during Kelley's troubled time at the newspaper, they were exacerbated by complex structural deficiencies that dissipate authority and separate responsibility from accountability. Nothing that we have observed has happened since to change that. A thoughtful re-examination and logical streamlining of the corridors of authority, together with a cogent reallocation of personnel, would serve to enhance communication problems that are real. Persistent informed complaints suggest that USA TODAY's organizational structure promotes a lack of leadership, accountability and decision-making at the highest levels in the newsroom.

Much of that criticism focuses on a structure that, in effect, treats page one as something separate from the departments that produce the news. It is a structure that may be unique to USA TODAY.

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The page one oriented management system seems to require for its maintenance and support new editing positions that move senior management farther from the reporters. It does not seem to suit the needs of the newspaper that now challenges its staff to compete with *The New York Times* and *The Washington Post* on a daily basis. Like the loss of power that leaks from a faulty wiring circuit, it dissipates authority and interferes with the kind of deadline decisions inherent in journalism.

Deleted (2).

JACK KELLEY AND USA TODAY'S PERFORMANCE EVALUATIONS

It is surprising to us that our look into the life and times of Jack Kelley at USA TODAY has led the ranking editors of the newspaper to conclude that the staff distress and upset we have found (described by others as the fear factor) is, at the core, a problem related to the way annual performance reviews are handled. As a ranking editor described it to us, "this is a war" between the enemies and the friends of the managing editor, all emanating from performance reviews.

We have stated above that Kelley's annual reviews over more than a decade regularly found that his performance fully met expectations and sometimes was judged to be commendable to outstanding. There was not the slightest hint that his evaluators had heard anything negative about his work. The caveat that he was sometimes naïve and too trusting of his sources never got through to editors who routinely worked with him on stories. In fact, it was a misperception of his problem. What editors saw as naiveté turned out to be his cynicism. It does not appear that some editors who worked with him ever read the caveat in his written reviews, or, if they did, they felt no urgency to demand more of him regarding his unnamed sources. As it developed, those who were supervising him were naïve and too trusting.

We inquired into whether performance reviews are utilized all year in an effort to improve day-to-day writing and editing techniques. The answer we received was that if the daily supervisor is the same person who handles the annual review, then he or she is aware of what the evaluation contains and acts accordingly. In Kelley's case, it was not always the same editor. Staff turnover and transfers interfered with making certain that there was a continuum of monitoring his perceived weaknesses. One managing editor told us that when journalists transferred from one department to another, annual reviews were ignored.

Our case study of annual reviews was limited to a relatively few people. As the ranking editors have said, these reviews have created tension. Some on the staff see them as punitive, unfair make work, designed to eliminate disagreement in the ranks. Ranking editors see them as efforts to eliminate inferior staffers and replace them with more qualified people.

If details of a staff member's perceived weaknesses are not passed on from the file to supervisors (and we found that they were not), reports about

overall negative evaluations are. We found in conversations with staff members that rumors were rife about which reporters are “in trouble” or “on probation” or “about to be fired.” Journalists have trained ears. They are paid to communicate. Repeating what they hear and know is what they do.

It should go without saying the evaluations should never be conducted by a supervisor who has any sort of personal relationship that might create conflict of interest. **Deleted (1)**. Guidelines should be written to prescribe how to deal with what is an obvious ethics conundrum.

In today’s world of sometimes delicate, sometimes intimate relationships, there always is a need for sensitivity in dealing with such situations. It may be easier to ignore such ethical conflicts rather than deal with them. Some staff members who spoke to us about the problem did so fearing reprisal if it were discovered that they had complained about it. It was yet another pocket of legitimate fear.

These evaluations are meaningless if they are suspect. They must be a fair, honest and candid consideration of the progress of a staff member—or a lack of progress. If these reviews are conducted cavalierly, tampered with or used for punishment, the entire process will suffer.

We heard from an editor who told us that her supervisor **Deleted (1)**.

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We heard from several editors that evaluations are too detailed and time consuming and really reflect a sense of a “new bureaucracy” that now exists at the paper. Those who complained asserted that they had not received unfavorable reviews.

Obviously the system of annual evaluation has systemic value and, if applied thoughtfully and fairly, can enhance both performance and morale. It didn’t work that way for Jack Kelley—and it isn’t working that way universally for USA TODAY.

JACK KELLEY AS THE VOICE OF USA TODAY

There is, in this media-saturated age, a new genre of journalist—the reporter as media performer. Jack Kelley, at the urging of USA TODAY’s executives, took on that role and was a hit on television news talk shows

and at the public lectern. He was available to appear before audiences of advertisers, students, civic organizations, and religious groups and, of course, journalists. He excelled. He spoke with a sort of unassuming eloquence, laced with humor, often using props—memorabilia from the war zones he had visited. His performances were compelling stuff. The problem was that as he had fictionalized his news articles, so did he spice his speeches with stories that were falsified or exaggerated.

Had his USA TODAY sponsors taken the time to listen and compare what he said with what he had written, they would have known that he was betraying them and those who heard him. At least once, for reasons known only to him, he publicly castigated the newspaper that employed him and sponsored his speeches.

There are lies on many subjects that filter through his performances, but here are a few false statements he made about his newspaper, in remarks to the Evangelical Press Association in May 2000.

“... [A] reporter [with USA TODAY] placed a call to the Justice Department, only to be told that the person he was trying to reach couldn’t or wouldn’t talk to him. An editor asked about whether the reporter had reached the source. The reporter told him about the phone call. The editor ‘slapped him upside the face’ and told the reporter to ‘get up there... (and) wait for Janet Reno to walk out of that door.’”

* * *

“If you screw up on one thing [at USA TODAY] you’re out the door.”

* * *

“We’re written up and fired if something is wrong in a story.”

LEAKS AND LOYALTY AT USA TODAY

In order that this report and its recommendations be seen and understood in the proper context, a word needs to be said about the challenges of good management in a modern news company in which a corporate ethos of secrecy and a newsroom devotion to openness are bound together in an enterprise of fundamental importance to self-government. In the highly competitive atmosphere that exists today, it is crucial that managers of news companies recognize their mutual goals and responsibilities toward disciplined and conscientious distribution of independent, timely, verified information to the public. The revolution in communications technology has

made it more difficult than ever to manage the combined commercial demands of economic competition in an international marketplace of the commodity of news and the values of journalism in the public interest.

Personal computers, e-mail and Web sites have made it possible to penetrate virtually any organization and make the inner workings of organizations as transparent as the glass curtains that surround them. This technology and an increasingly skeptical citizenry have spawned a cottage industry of media watchers. Not only do major newspapers now have a career track called “media reporting,” but television companies produce special programs on the media, cyberspace is filled with media pages featuring 24/7 reports, comments and opinion on the behavior of the press; all of which is digested, collated and analyzed regularly in publications such as *The New Yorker*, *Nieman Reports*, the *American Journalism Review* and the *Columbia Journalism Review*. In other words, news organizations have become as transparent as they insist on making the other institutions of power in our society.

For an industry built upon openness, this is a welcome change. But like any change it presents a challenge. To be successful in this new competitive atmosphere it is important that news organizations become more effective and efficient in the management of the commercial enterprise of seeking, gathering, organizing and distributing the news.

Students of information management in government have taught us the cost to efficient and effective organization of closing off the normal channels of communications—the open give-and-take of diverse experiences, opinions, and ideas. Perhaps the most instructive examples are the Pentagon Papers and Watergate. One characteristic of both of these examples was an effort to control information by edict or intimidation that proved not only ineffective but also destructive.

In an Information Age, successful management of any organization, but most especially a news organization, is one in which information itself is the tool. The hallmark is open use of communication to forge a sense of common purpose between publisher, editor, senior managers, staff and audience, based on candor and mutual respect. It is a management that presides over a structure that keeps open lines of communication in all directions as the most effective means to resolve conflict, not by imposing unrealistic secrecy, but by the ultimate learning process of disciplined openness.

A press enterprise based on the free exercise of conscience within a diverse staff, one that welcomes debate, is the best hope for a successful journalistic institution that fulfills the obligation to the public envisioned by those who drafted the protections granted the press under the First Amendment to the Constitution.

We do not feel comfortable concluding this report without a comment on the high level of talent and professionalism we have found during our work here at USA TODAY. We have gauged that not only by the members of our team but by the interviews and written comments, insights and ideas we have received from the staff and from a careful reading of the paper from day to day. Many of their suggestions and ideas have shown extraordinary insight and unlimited confidence in the future USA TODAY can build with enlightened management that learns from the experiences with Jack Kelley.

We hope this report can help you in your efforts to create this sort of enterprise. An enterprise that will turn the troublesome Jack Kelley episode into an opportunity to make the news staff of USA TODAY more professional, collegial, creative and motivated. One that makes USA TODAY the kind of enterprise that meets the challenges of the 21st century to provide its readership the kind of independent, timely, credible information individual citizens demand and self-governing societies require.

Submitted April 12, 2004

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