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Anonymous Sources in Reporting

When they're yours, when they're someone else's

Nick LaFave

This case study looks at the use of anonymous sources by journalists for their stories. It also looks at the rare, but complicated instances when a reporter is asked to utilize another journalist's anonymous source for their own work, and not told who that source is. The situation is further complicated by supervisors who may either be pressuring them to use those anonymous sources, or may not have the background to understand the situation from a journalist's point of view. It will examine the ethical dilemma involved as an individual and as a reporter, which has ethical standards drawn out by different organizations. Chief among those ethical issues at play are those of transparency and trust. Transparency is inherently a murky issue when talking about anonymous sources. But, trust – that the work an audience is consuming belongs to the reporter presenting it and that the work seen is corroborated – will be explored. Finally, we'll explore what could happen when those ethics are not followed and what can happen as a result (loss of public trust, firing, blackballing). (Disclaimer: the names and locations used in this story have been changed from the actual names and locations involved)

THE RIVERSIDE JAZZ FESTIVAL

The annual Jazz Festival in Riverside has been an institution for more than 30 years. It takes place at Lower Harbor Park over a four-day period, during which close to 100,000 people show up to party, be entertained and – most importantly for the city – spend money. Total revenue generated by the festival in the city usually tops the five million dollar mark. It's a massive economic driver for both the city and the festival's organizer, Little River Productions.

In 2005, the contract between the city and Little River Productions was up for renewal. The details of the contract included the percentage of profit split between the two entities, the waiving by the city of parking fees to attract crowds, and the cost of security. As the festival had grown significantly in since the last contract renewal, Little River Productions CEO, Todd Fredericks was hoping for a larger cut of the profits. The city balked at the idea. Now, it was February. There was no contract. And, Fredericks was threatening to take the festival elsewhere. No one knew where that 'elsewhere' was. And everyone was trying to find out.

If anyone were to break this story, it would be possibly the biggest 'get' of the year and generate huge attention and ratings for the station. However, this is also the type of high-profile case that if someone were to get wrong, it would be a permanent black mark on their reputation as an individual and their station as a whole.

THE ARRIVAL OF A NEW ANCHOR

New Kid on the Block

Kristy Anderson got to Riverside in January of 2005. The 2nd place news station in town hired her to help rebrand the station as an investigation-based newsroom. She had extensive experience as an investigative reporter. In her previous jobs, she exposed a corrupt judge and got a small city to admit had been overcharging its citizens for garbage service. She knew how to dig up a story had a closet full of awards to prove it. Her new bosses hired her, in large part, because of that investigative background. However, this was her first full-time, evening anchor position and she was excited to prove herself both to her new supervisors and her new city.

She knew a lot would be expected of her. Before she even got on air, she was doing promo shoots, meeting power players in town (mayor, chief of police, etc.), getting to know her new co-workers. She was also assigned her first story. Her news director, Kevin, wanted her to find out where Todd Fredericks was threatening to move the Jazz Festival. And, he wanted her to have that story ready to lead her first newscast on March 3rd. She had two weeks to uncover thy mystery.

She was a bit overwhelmed. She had no problem taking on a lot to start her new job. But, she was hoping a little more ‘walking before running’ would happen, lest she fall flat on her face. And that wouldn’t be good for anyone.

A Failure to Communicate

Kristy didn’t know how to find the nearest McDonald’s. Now, she was being asked to break what would be one of the biggest stories in Riverside all year long. But, she had no connections. In her previous job, she’d developed solid contacts who could provide her with great leads. She trusted them and they trusted her because they’d worked together so often. Now, in Riverside, she was an unknown entity.

The first person she approached was Fredericks, himself. In no uncertain terms, he said he would not be telling anyone where he was threatening to take the Jazz Festival, let alone to a new reporter he was just meeting for the first time.

This was a common problem for Kristy. She spoke with local politicians, musicians who’d be performing, vendors selling food, even security personnel. Either no one knew where the festival was going, or no one trusted her enough to tell her. She was running out of time. If she didn’t deliver, she didn’t know what would happen. She was still in her probationary period. Would they get rid of her? Her first newscast was in three days. At this point, she began hoping the city and the festival would settle their contract so there wouldn’t be a story to break.

THE DILEMMA

Whose Source?

It's the day before Kristy is scheduled to debut as the new evening anchor. It's also the day before she's scheduled to air her story on where the Jazz Festival is threatening to move if it doesn't finalize a new contract with the City of Riverside. She has nothing. And that morning, she's horrified to see a new promo ad running which says the following:

"Join new anchor, Kristy Anderson, who will tell you exclusively where the Jazz Festival may be bringing its music this summer. Tomorrow at 5 and 6."

Horrified, Kristy runs into her news director's office the moment she gets to work. She tells Kevin she doesn't have the location and doesn't understand why they're running that promo. Kevin tells her, "It's ok. I know where the festival is going. If they don't get their contract, they're moving it to The Coyote Ranch."

The Coyote Ranch is a logical place for the festival to move to. It's a big hotel-conference center with about 30 acres of field just behind the building. It's not as scenic as Lower Harbor Park and would need a little developing. But, it would certainly work as a back-up if negotiations with the city fall through. But, Kristy checked with their management. "I had a one-on-one with their president two days ago," she told Kevin. "He assured me it wasn't them."

“Well, it is,” Kevin replied. “And that’s what you’re going to report.”

Kristy looked a little puzzled. “OK. Who’s the source?”

Kevin said immediately, “Someone I trust.”

“That’s good,” Kristy said. “Who is it?”

“I can’t tell you that,” Kevin said matter-of-factly. “I promised them anonymity.”

Kristy sat silent for a moment. “Well, we won’t reveal them. But, *I* need to know if *I’m* the one reporting it.”

“No you don’t.” Kevin shot back. “You can trust me.”

“But, I don’t know if I can trust your *source*,” Kristy answered. “If this person is wrong, then I’m getting my *first* story wrong in my new city on my *first* night on the desk. That’d be job-suicide.”

“That’s not going to happen,” Kevin tried to assure her. “This person and I go back a long way. They wouldn’t steer me wrong on this. Go home. Relax tonight. Tomorrow, we introduce you to the Riverside audience with a great scoop on a major story.”

Showtime

The next day, Kristy shows up for work still not feeling comfortable about fronting a major story based on a source she never personally confirmed. She didn’t like anonymous sources to begin with. They seemingly go against a major pillar of journalism:

attribution. David Boeyink said attribution “serves as an important truth-telling check on a reporter’s accuracy.” (Boeyink, 1990: 235).

Kristy walked into Kevin’s office, once again, asking him to tell her who his source is. He, again, refuses.

“Kristy,” Kevin said, “In a perfect world, I’d love to tell you who my source is.”

“No,” Kristy said, cutting him off, “In a perfect world, you’d tell me who your sources... and then I’d be able to go talk to them myself. But, now we’re two hours from the newscast and there’s no time. I’m willing to settle for the person’s name so I can determine for myself whether they’d have the information on which we’re basing this story.”

Getting frustrated now, her news director was more firm. “Kristy, this story has been confirmed. I trust the source. You have a team member – me – who has this, solid. I’ve been in this industry for 25 years, 10 as a news director and I have never – NEVER – gotten something like this wrong. And, I’ve never been surer of a story’s accuracy. You are a part of this team. You need to trust your team.”

“I don’t trust anyone,” Kristy said. “That’s why I’m a reporter.”

“You’re doing this story,” Kevin replied. “That’s the end of it.”

After a few moments of silence, Kristy said, “I’d like to take this to Mary.”

Mary Hennenberg was the station general manager. In 5 minutes, they were in her office pleading their cases. At the end of which, Mary looked at Kristy and said, “I don’t see any reason why you shouldn’t read this story, Kristy.”

The new anchor looked at her GM and said, “All due respect, Mary... but, you’ve never worked in news. Your background is in sales.”

Mary considered what Kristy said and asked her, “Are you willing to lose a job you just moved across the country for over this?”

Kristy nodded her head, “Yes.”

“OK, Mary said. “This is what we’re going to do...”

CONFIDENTIAL SOURCES

RTDNA

There are a few different organizations throughout the country that set guidelines for journalistic ethics. One of the most widely recognized is the Radio, Television, Digital, News Association (RTDNA). It has a detailed set of criteria for situations in which anonymous sources can/should be used and how those stories can/should be handled.

Guidelines for Using Confidential Sources

Be especially careful in the use of confidential sources. The reporter's job should be, as fully as possible, to conduct interviews and seek information on the record. The news managers job should be to ensure confidential sources are used only when absolutely essential to an important story.

Fulfill *all* of the following four criteria, then consider the other questions listed below.

- A story that uses confidential sources should be of overwhelming public concern.
- Before offering a source anonymity, you and your news managers must be convinced there is no other way to get the essential information *on the record*.
- You and your news managers must be convinced the unnamed source has verifiable knowledge of the story. Even if the source cannot be named, the information must be proven true.
- You and your news managers must be willing to publicly describe the source in as detailed a manner as anonymity permits, reveal to the public why the source cannot be named and what, if any, promises the news organization made in order to get the information.

Consider these questions:

- What does the use of a confidential source mean to the factual accuracy and contextual authenticity of your story?
- Does this source deserve the protection of his/her identity?
- What legal obligations do you incur by promising not to reveal this source's name? If you are sued, are you willing to go to jail to protect this source? If you are sued, will the source come forward and be named? Is the reluctance justifiable?
- How would viewers/listeners evaluate the same information if they knew the sources name and motivations?
- If you promised to protect a sources identity, are you using production techniques that will insure the protection you promised? What if a lawyer subpoenas the raw tapes? Would the person be identifiable in the tape outtakes?
- Do you understand your newsroom's policy on confidentiality before you promise it to sources? Consider a policy that requires you to obtain the consent of your news managers before agreeing to anonymity, and a related policy requiring you reveal the source's identity to news managers before the story involved airs. You should inform your source of this policy and that you might have to identify them to others in your newsroom.

In the second section of the guidelines, there are four criteria RTDNA says need meeting before authorizing the use of a confidential source. Three of those criteria include the partial phrase, "You and your news manager." The 'you' in these phrase fragments are referring to the reporter. It assumes the reporter is bringing the anonymous source to the table. In Kristy's case, it was actually her boss (the news manager) who was providing the confidential informant.

It also states that both parties (the reporter and the news manager) be convinced there's no other way to get the information... be convinced the source has verifiable knowledge of the story... describe the source publicly as much as possible... explain why the source cannot be named... and reveal any promises made to the source by the news

organization. Nowhere in the guidelines does it explicitly say that both parties (the reporter and the news manager) know the identity of the anonymous source.

But, the use of anonymous sources has its dangers. Phil Corbett of the New York Times says the following: “While anonymous sources are sometimes crucial to our journalism, every time we rely on anonymous sources, we put some strain on our credibility with readers.” (Hamilton Nolan, “New York Times Warns Newsroom on Anonymous Sources,” *Gawker*, September 1, 2010)

The counterpoint comes from William Blankenburg. He says “anonymous attribution can enhance diversity and competition of viewpoints in a mass communication system that tends to value authority and ‘responsibility.’” (William B, Blankenburg, “The Utility of Anonymous Attribution,” *Newspaper Research Journal* 13, no. 2 (June 2002): 170)

WATERGATE

Deep Throat

The most famous anonymous source in journalism history is arguably, Deep Throat. It’s well known that Deep Throat (who was later revealed as former FBI Associate Director Mark Felt) provided Washington Post reporters Bob Woodward and Carl Bernstein with information regarding what became known as the Watergate Scandal.

For two years, Woodward and Bernstein exposed the story in their work, which ultimately led to the resignation of President Richard M. Nixon. What was, arguably, the

most influential moment in US journalism history, was built on the back of an anonymous source.

However, only Bob Woodward had met Mark Felt personally (they were old friends). Felt revealed himself to the world in 2005. Carl Bernstein, while aware of Deep Throat's identity during the 1970s, still didn't meet him until 2008.

*"Indeed, Mr. Woodward was so scrupulous about shielding Mr. Felt that he did not introduce him to Mr. Bernstein until this year, 36 years after they cracked the scandal. The three met for two hours one afternoon last month in Santa Rosa, where Mr. Felt had retired. The reporters likened it to a family reunion." – **New York Times**, W. Mark Felt, Watergate Deep Throat, Dies at 95, By TIM WEINERDEC. 19, 2008*

Though Bernstein never met Felt until 2005, both reporters pointed out the day he revealed himself, that Felt was not their sole source. In fact, he confirmed what many other sources and court documents were only hinting at.

"W. Mark Felt was 'Deep Throat' and helped us immeasurably in our Watergate coverage. However, as the record shows, many other sources and officials assisted us and other reporters for the hundreds of stories that were written in The Washington Post about Watergate." – Bob Woodward and Carl Bernstein, Statement, 2005 <http://bit.ly/1QpON2b>

BACK TO RIVERSIDE

A Disputed Resolution

There was a lot for Mary to consider. If she sided with Kristy, she would be undercutting her news director on Kevin's first major decision with his new hire. If she sided with Kevin, your new, main anchor may feel like she has no one on her side.

That doesn't even take into consideration the veracity of the story. If Kristy is forced to do the story and it's wrong, that could mean the quick end to a brief tenure for her. Either public trust would immediately erode for her and they'd be forced to let her go... or, she'd just quit on her own after being hung out to dry by her superiors. But, if the story is accurate and Kristy fronts it, then they make an impact with a new face of their station who immediately impresses their viewership.

In the end, Mary decided if Kristy felt that strongly about it, she shouldn't have to do the story. Instead, they gave the story to a reporter in the newsroom, who had less of a problem fronting a story without knowledge of the key sources. Kristy said she still wasn't entirely at ease with the decision. It wasn't her, but it was still one of their reporters doing a story based on a source the journalist of record had not verified.

At a much later date (after the City of Riverside and the Jazz Festival resolved their differences and signed a contract extension), Kevin told Kristy who his source was. It was Little River Productions CEO, Todd Frederick, himself. The two went to college together. Kevin told Kristy he didn't tell her who his source was for the same reason she wanted it: journalistic ethics. He was protecting his source.

QUESTIONS FOR DISCUSSION

1 – Can a reporter or news manager fulfill all RTDNA criteria for using an anonymous source if one or the other does not know the source's identity?

3 – If every RTDNA guideline is followed, does that mean it's OK to use an anonymous source?

4 – If even one RTDNA guideline is not followed, does that mean an anonymous source should not be used?

5 – Was the compromise made by Mary (the general manager) an ethical decision?

6 – Whose argument had more merit? Kristy or Kevin's? And why?

7 – If you truly believe your boss is giving you unethical orders, what are your options?

8 – Was there a way for Kristy to ethically report the story without knowing the source's identity she didn't explore?

9 – Should Kevin's word have been good enough for Kristy to report the story?

10 – Are anonymous sources more trouble than they are worth?