

**HOW PILES
OF RECORDS
REVEALED
PATTERNS OF
JUDGEMENT**
– IN 1972

The use of computers to analyze data and strengthen major stories is so thoroughly ingrained in investigative journalism today that we almost forget that it was not always so. In the summer of 1972 two reporters at the Philadelphia Inquirer embarked on a story that would change the way they worked.

BY James B. Steele

Not so long ago, you were lucky to find a computer in a newsroom, and some journalists actually frowned upon their use as a reporting tool. In the summer of 1972, Donald L. Barlett and I, then investigative reporters for The Philadelphia Inquirer, embarked on a story that led us to discover the extraordinary capabilities that computers could offer to analyze complex public issues. It enabled us to look more deeply at a controversial public institution and shed light on its inner workings in a way that had never before been done in the city.

This is the story of how that project came about and a reminder of the remarkable tools we now use routinely that make it possible for us to report in depth on issues that were once beyond our grasp.

Here is how it started.

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Crime and punishment

Philadelphia in 1972 was roiled by charges by some politicians that certain judges were giving light sentences to violent criminals or letting them go free. When we tried to find out if there was any truth to these accusations, we learned there were plenty of anecdotes to support the claims, but no hard data.

Before we interview, we always look for documents to see what data and background information may exist on a subject. Educating ourselves beforehand gives us an advantage when we interview. We know something about the subject and, more importantly, we know whether the people we interview are lying – or, as is often the case, just don't know what they are talking about.

In this instance the documents were cases of violent crime that had been judged in the city's criminal courts. These documents were stored in a cavernous, out-of-the-way room located under one of the decorative towers of Philadelphia's Victorian 19th century City Hall. Called the "closed case room," it was stacked with decades of files that bulged with stories of the dark side of life in the city. We decided to review cases of murder, rape, robbery and assault during the previous year, 1971.

To be sure we were consistent in gathering the information we drew from the records of each case, we designed a one-page form that we would fill out for each case. It included the names of the victim, defendant, defense attorney, judge and prosecuting attorney; the type of crime; whether a weapon was used; the defendant's prior criminal record if any; the time and place of the crime; the decision by the judge or jury on the charges; and the defendant's sentence, if guilty. A total of 42 pieces of information could be entered for each case on our one-page form.

A mountain of data

Each morning we showed up at City Hall and made our way upstairs to the seventh floor, and then climbed a steep stairway up two more floors to the closed case archive. With its vaulted ceiling and darkened interior, it looked like the nave of an abandoned church, except for the cluttered shelves filled with case files. Two longtime City Hall political appointees oversaw the room, but we persuaded them to let us work from a table inside the file room itself so as not to badger them continuously to retrieve files for us.

Seated at a table under a round window that we opened for air, the sounds of the city rising from the streets below, we methodically began entering

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For Court Expose: Inquirer Reporters Win 1973 Broun Award

WASHINGTON (UPI)— Two Philadelphia *Inquirer* reporters, by the Newspaper Guild at the National Press Club, track of 100,000 separate pieces of information, won the 1973 Haywood Broun Award Monday for a series of articles exposing institutionalized discrimination in the Philadelphia criminal courts. Donald L. Bartlett, 37, and James B. Steele, 32, received the award, which includes a \$1,000 prize, at a luncheon held by the Newspaper Guild at the National Press Club. Their seven-part series was chosen by a three-judge panel from some 89 entries, Washington Post reporters Carl Bernstein and Bob Woodward won last year's award for their articles exposing the Watergate scandal.

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information from individual cases on the form we had designed. The files contained a wealth of data – indictments, police reports, prior arrest records, probation reports, pre-sentence transcripts, psychiatric evaluations and hospital and health records. For the most serious cases, such as murder and rape, we copied trial transcripts when they were available.

As voluminous as the court files were, we often found that some of the boxes on our data sheet remained blank, the information missing. To find these answers we turned to other public records. This was especially true in the case of background information on the victims of violent crimes, especially those who'd been murdered. For this we turned to the medical examiner's office, whose files contained the precise causes of death and graphic descriptions of the circumstances, the ages and races of those involved.

At first, we weren't sure how many cases we would ultimately review, but we decided early on to try to look at every completed murder and rape case, since those were the two most violent crimes. We settled on a percentage of the robberies and assaults. Eventually, we would review 1,034 cases –

39 percent of the violent crime cases in the city for that year.

Looking back, I wonder what we were thinking as we worked our way through the cases with completed forms piling up beside us day after day. We were obtaining fascinating information including some startling anecdotes. But what was the big picture? Were judges weak – or tough – or somewhere in between? Was the city's prosecuting attorney as tough on crime as he had long maintained? Or was he quietly reducing charges in some cases to lighten his caseload? How could we possibly analyze so much information and be able to answer those basic questions? We had previously used statistics and charts in our stories, but the work on those stories was performed by hand, using a small calculator. The mountain of data we were collecting for the court story went far beyond anything we'd done before.

We turned to a colleague for advice. He was Philip Meyer, then a reporter in the Washington bureau of Knight Newspapers, which also owned our newspaper. Phil had been a Nieman fellow at Harvard in 1967, where he became intrigued by the



computerized research methods social scientists used to delve into and quantify some of the big issues of the day. Long frustrated by newspapers' use of anecdotal stories to illustrate points that he felt were often misleading, Phil was convinced that journalists needed to adopt a more scientific approach in their reporting, and computers offered that potential.

Phil learned programming at Harvard, and when he returned to reporting he helped the Detroit Free Press, another Knight newspaper, win a Pulitzer in 1968 for its computer analysis of those who were involved in the Detroit racial riots of 1967. Phil became the apostle for using sophisticated computing techniques in newsrooms, and his groundbreaking book, *Precision Journalism*, published in 1973, is a classic for journalists who seek to use social science research methods to look more deeply and accurately into major issues. Investigative Reporters and Editors (IRE) has named a national award in his honor.

9618 punch cards

When we told Phil that we had compiled data on hundreds of cases, he was ecstatic. The sheer volume of the data we had collected represented a rare opportunity to employ on a large scale some of the methods he had learned at Harvard. Without hesitation, he offered to write a computer program that would allow us to systematically assess what was really happening in Philadelphia's criminal court system.

What followed was an education for us. The

program Phil wrote used a computer language called Data Text that had been developed at Harvard in the 1960s and which he had learned while a Nieman fellow. The first step in the computing process was to transfer the information on each case that Don and I had extracted from the court files onto paper coding sheets that resembled graph paper. With the help of secretaries and clerks at The Inquirer, we followed the program Phil had written by penciling in certain squares of the coding sheets to correspond to the program. The process of transferring the information to coding sheets was incredibly tedious, but we were spurred on by the belief that the end result would produce something unique. Once the coding sheets were completed, they were turned over to an outside company where keypunch operators converted them to IBM punch cards.

Punch cards? A young journalist accustomed to working on a laptop probably has never seen a punch card. But these cards – 7 3/8 by 3 1/4 – inch sized pieces of stiff paper that resembled index cards – were at the heart of the process because each one was perforated with holes that represented points of data. Once they were fed into a big mainframe computer, they would enable us to tabulate and analyze the vast amount of data we had collected.

By the time all the information had been transferred from the coding sheets onto punch cards, we had 9,618 individual punch cards. Years later, The Newseum, the Washington, D.C. museum dedicated to the history of journalism, asked us to donate

By Inquirer— **Phila. Justice Blasted**

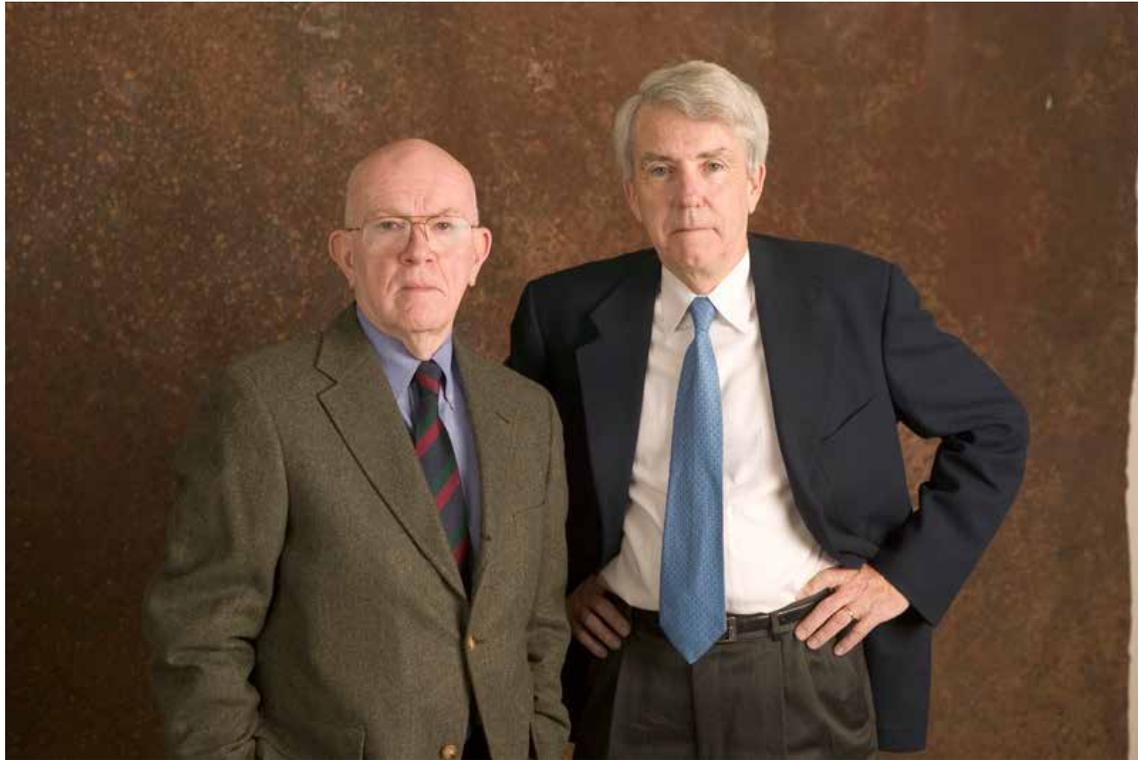
PHILADELPHIA (AP) — The Philadelphia Inquirer in a copyrighted seven-part series last week blasted the administration of justice in the city, particularly in the district attorney's office.

The Inquirer said, "The Philadelphia criminal justice system is engaged in the most massive paper shuffling operation in the nation, with the district attorney's office supplying the paperwork, churning out indictments indiscriminately."

the cards for an exhibit. They remain there today.

With the program written and the punch cards punched, all we needed was a computer. As it turned out, our newspaper, one of the largest newspapers in the U.S., did not have a computer that could handle the amount of data we had collected. But one day Phil called to say he had some good news and bad news: The good news was that he had found a computer, an IBM 7090, that we could rent for a reasonable price to perform our analysis. The bad news was that the computer was located in the Maryland suburbs of Washington, D.C. – 125 miles from Philadelphia – and we could only use to it from midnight to 5am. We learned later that this huge mainframe was owned by a contractor to track the Navy's ships.

Once in Maryland, Phil, Don and I spent in the early morning hours running tabulations. It →



→ was there with the big mainframe humming and a large printer offloading huge volumes of tables that we finally realized what we had. Because of the program, we were able to pose many questions and then chart trends showing how justice was being administered in Philadelphia. We were able to show, differences in the way cases were decided by white and African-American judges, by Republican and Democratic judges, by white judges presiding over the cases of African-American victims, by African-American judges presiding over cases in which the victim was white, and by white and African-American judges presiding over cases in which the defendant and victim were of the same race. We also compiled conviction rates and tabulated the sentencing patterns of individual judges.

Patterns revealed

As hard as it is to believe, all the calculations that were done on the noisy 7080 mainframe with its whirring tape decks could be done on a notebook computer today.

With our cars stuffed with these printouts, we headed back to Philadelphia to interview defendants, lawyers, police and others and to start the writing.

In February 1973, more than seven months after the project started, The Inquirer pub-

“We were able to show, differences in the way cases were decided by white and African-American judges”

lished “Crime and Injustice,” a 25,000-word, seven-part series that provoked widespread reaction in Philadelphia, among newspapers elsewhere and in the national criminal justice community. Many local officials who did not fare well in the articles criticized the work, especially the city’s prosecuting attorney who did not like the way his office was portrayed. But overall the reaction was favorable, in Philadelphia and elsewhere, especially from judges, legal scholars and criminal justice officials across the nation.

What impressed many readers was the level of sophistication in the findings, which of course were only made possible by the computer analysis. One such conclusion showed that 64 percent of African-American murder convicts received sentences of more than five years when their victims were white, but only 14 percent were given such long sentences if the victims were black.

As the largest computer-assisted reporting project of its time, the series had wide influence in journalism. James Aucoin, in his book, *The Evolution of American Investigative Reporting*, said *Crime and Injustice* “set a new standard for other investigative reporters embarking on investigations of local criminal justice systems.”

The series won major journalism awards and was cited by the University of Missouri School of Journalism for its “pioneering use of computers.” We learned later that it had apparently provoked a controversy among Pulitzer deliberations in 1974 after it was entered in the Pulitzer competition. During the selection process, a juror or board member – it was never clear who – was apparently disturbed that a computer had been used in the reporting, and declared to one of his fellow Pulitzer participants that no story using a computer would ever win a Pulitzer if he had anything to do with it.

We’ve all come a long way. ✱