

ANALYZING INVESTIGATIVE JOURNALISTIC INTEGRITY: A  
CASE STUDY INTO THE POLITICAL AND ETHICAL  
IMPLICATIONS OF INVESTIGATIVE JOURNALISM

by

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In an age where journalism is highly scrutinized, it is important to look back on major journalistic cases and examine both the positive groundbreaking work, as well as journalistic scandals, to avoid such transgressions in the future.

High-profile investigative journalistic cases have shaped the public opinion on journalists and have impacted global social and political environments. Watergate, “Jimmy’s World” and *the Boston Globe’s* “Spotlight” investigation of 2002 all involve strong ethical considerations, consequences and, in some cases, ethical violations.

There are many ethical considerations that go into a story; journalists should avoid jumping to conclusions or making inferences that cannot be directly supported by the facts. There are countless examples of reporters stretching the evidence and damaging the reputation of investigative journalism in the process (Benjaminson and Anderson 13).

To understand how each case has affected the political and social conversations of the United States and the global community, it is important to individually analyze both the journalistic integrity and ethical questions in each case.

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## **Introduction to Investigative Journalism**

Investigative journalism refers to journalists who investigate situations and uncover previously unknown information, whether it be involving public events, the government, or private organizations; investigative reports have the potential to turn into huge scandals. Many investigative journalists carry the belief that most illicit acts cannot be covered up forever, and the truth will always surface if a reporter has the willingness to dig for it (Benjaminson and Anderson 1990). The book *Investigative Reporting* by Peter Benjaminson and Davis Anderson discusses the basic principles of investigative journalism including the ethics, sources, and techniques. Often, reporters get significant backlash from those persons that their reports “expose,” with criticism often surrounding the methods used in acquiring information for a story, as well as the journalists’ personal motives. However, many investigative reporters carry the “assumption that society has more to gain from an accurate, thorough reportage of events than it has to lose from the discomfort of the corrupt” (7 Benjaminson and Anderson 1990).

The most fundamental principles of journalism as a medium are ethics. Each journalist, when they begin the profession, and if they take classes at university, learn journalistic ethics which involve the processes of finding information, getting consent from subjects, and how to report lawfully and ethically; ethics are essential in journalism, and especially in investigative journalism because reporting can seem invasive. There is also often an argument surrounding when it is okay to break the law because not everything that is legal is ethical and not everything illegal is unethical; it can be a sliding scale considering the situation.

Ethics is a code that many live by, and it helps promote work that is beneficial to society. The most common code of ethics that journalists follow was written by the Society of Professional Journalists. The main principles are to “Seek Truth and report it; Minimize Harm;

Act Independently; Be Accountable and Transparent,” (Society of Professional Journalists 2014). This paper will discuss what ethics looks like when applied to real life investigative cases and what the implication of that work is, both positive and negative. To understand the fragile line between ethical and unethical practices, it is important to understand what ethical violations look like and why they are important to avoid. Not all journalists act according to this code of ethics, and that can harm the profession. Investigative journalism is necessary to the foundation of our global society, and without it, because of individuals who violate the ethical code, there will be consequences. This paper looks to unpack individual actions as well as highlight what is important and what really goes into an investigative case because it is no simple matter.

Within the rise of investigative journalism and the fight for finding the “best” and “most interesting” stories, some investigative journalists have turned their eye against ethical methods to chase the most appealing story. This has contributed to the growing mistrust in journalists and investigative reporting. As mentioned above, investigative reporting involves concealed information that could potentially involve public officials, corrupt organizations, and the federal government; due to the nature of this content, and the likelihood that journalists will become targets of those the articles were written about, journalists must shy away from obtaining the material for their stories in questionable methods (Benjaminson and Anderson 1990). “Reporters have been indicted, convicted, and jailed for stories they wrote, for acts they committed in gathering their information, or for refusing to answer a judges’ questions” (Benjaminson and Anderson 1990). Many journalists see themselves, and the desire of their stories to be released to the public regardless of lawful restraints, above the law.

Although it is important to weigh the importance of a story, and some do argue that some stories are worth getting in trouble for, like the Pentagon Papers and Watergate, the law is still

the law and to break it, is an ethical violation - one that is often heavily discussed within the investigative process, and depending on what law is broken, is not regarded negatively.

“Reporters are left in the position of attacking public officials for breaking some laws while the reporters themselves have broken other laws to prove the conflict of interest” (Benjaminson and Anderson 1990). This idea of persecuting those for breaking the law, while breaking it themselves, can create hostility around investigative reporters, despite the work they are doing being important to combating societal corruption.

Other common ethical violations seen in investigative journalism are simply publishing false information or inferences that have not been directly proven by fact. “All reporters at one time or another come across published or broadcast stories they suspect are untrue.

Unfortunately, it’s often a custom among journalists to look the other way,” (Benjaminson and Anderson 1990). Without holding colleagues accountable, journalists who wrote the story and those who turned a blind eye are both violating their code of ethics. In the case of Jimmy’s World, a piece written by Janet Cooke in 1981, which was later reported as a complete fabrication, involved reporters like Bill Green, who looked deeper into his colleague’s story and pressed her till she revealed it was false (The Council, 1981).

Janet Cooke’s ethical violations, as well as how they were handled by *The Washington Post* will be discussed further in the case study portion of this thesis. It is important in the field to not only report honestly, but to hold others accountable regardless of it seeming “incorrect.” To turn a blind eye violates “Seek Truth and report it; Minimize Harm; and be Accountable and Transparent,” (Society of Professional Journalists 2014). Due to the sensitive nature of investigative journalism, ethics is the most essential foundation. Without ethics, stories not only violate and expose those they are written about, but also violate societal laws.

Stories that cover institutions that contain corrupt practices, such as the Catholic Church, or the Federal government and certain levels of its institutions are arguably the most rewarding when published (Benjaminson and Anderson 1990). The processes that journalists use within their story writing processes have ethical considerations that will be seen and discussed in the analysis of Watergate, the Spotlight Investigation and “Jimmy’s World”. When reporting stories that involve private institutions it is important to consider how to go around breaking a story, gathering sources, and weighing the effects of the story exposing said corrupt organization.

Investigative Reporting goes into depth about reporters’ legal ability to access public record documents and use the information in their stories. Accessing public record documents, legally and ethically, is very important in understanding potential negative ethical and political implications of two of the cases: Watergate and the “Spotlight” investigation (Benjaminson and Anderson 1990). There are generally three types of court records: those the law entitles the public to see, those the law prohibits the public from seeing and those not mentioned by the law (Benjaminson and Anderson 1990). What this means is that there are records that are publicly available, such as property tax, but others like a person’s income tax return that can be accessed by requesting specific court documents. Court records such as unpaid taxes, money inheritance, commitment of people to mental institutions, and bankruptcy are all court records that can be accessed or petitioned (Benjaminson and Anderson 1990). Because information like this can be highly sensitive, the use of this information also has ethical considerations.

Not all information that is concealed or personal needs to be used in a story; for example, if someone had a prison record, but it was not something that is relevant to their job, it might not be seen as ethical to disclose that in a paper. In contrast, if it is a politician who had been charged, but not convicted, and has concealed this information, it might be something the public



feels they need to know. The line between what is and not ethical under the law depends on the situation and investigative journalists must heavily weigh the impact of their decision to publish. In the application of what Benjaminson and Anderson have listed as guidelines, I will later analyze how obtaining public records were used in my selected cases and if their use was ethical.

Ethical considerations in investigative journalism also involve sources and not only how they are selected but how they are interacted with on every level. Reporters must conceal their opinion on a case when talking to a subject and must refrain from revealing their opinion until after the interview because any assumed bias could potentially harm the interview or what a source might say or think (Benjaminson and Anderson 1990). If the content in the interview somehow sways the previous opinion of the journalist and will potentially change the direction the story was originally going with, it is ethically important for the journalist to change their original idea - putting their ego aside; “Going ahead with a story that has been robbed of its original justification will only make the reporter and the newspaper look silly” (Benjaminson and Anderson 1990).

Within the reporting process, consent within what can or cannot be used in the final publication is also highly intertwined with ethics. Many journalists do honor a source’s choice to keep what they said as off the record, but some journalists either do not assume that the honor should be upheld or will contact a source and try to persuade them to change their “off the record” to “without attribution” (Benjaminson and Anderson 1990). This is an interesting ethical case because although a name is not being used, the source is being persuaded; methods like these have been seen in both Watergate and *the Boston Globe* Spotlight Investigation. However, Watergate in contrast, had journalists Bernstein and Woodward conceal and lie about their

identity when interviewing sources, which was not present in *the Boston Globe* Spotlight Investigation (Aucoin 2005). There are benefits to lying to a source, for the benefit of content, but it also has ethical violations of being dishonest. There is no clear right answer when it is okay to violate ethics in certain cases. That is why it is important to look at journalistic cases and explain where ethical violations are present, and why that was justified, or why it could not be.

Investigative journalism is often seen as a method for helping prevent corruption or exposing it. Lada Trifonova Price, in her article, “Media Corruption and Issues of Journalistic Integrity in Post-Communist Countries: The case of Bulgaria,” goes into depth about how media is typically regarded as a pillar of national integrity systems that both expose and prevent acts of corruption (2019). This literature is important when applying it to my thesis because it demonstrates why investigative reporting, when done correctly while factoring in journalistic integrity, is so important because the ethical and political implications of a report could be so significant. Although this specific literature does not cover politics, what it discusses aligns with what occurred with the case of Watergate (2019).

Journalistic stories with content that is so significant and of such a large magnitude, specifically those concerning governments, have not only ethical considerations in the process, but ethical considerations when the story is released and if the public’s need to know is greater than the possible consequences of the story being published (Marshall 2011). To understand why my thesis is important, and why I am looking at case studies, the impact and scale of investigative journalism needs to be discussed.

*Journalism, Power and Investigating: Global and Activist Perspectives*, edited by Stuart Price, focuses on the larger implications, and reach of investigative journalism on a global scale. This provides context into the importance of ethical journalism because these cases, with the rise

of the internet, have global reach and global responses. In recent years there has become a growing distrust in journalism. This distrust is not new but is affected by news, investigative cases, and fabricated stories that journalists have handled poorly in the past. This distrust, illuminated in the literature I have chosen, emphasizes the importance of ethics.

To understand how much investigative journalism has not only changed as a medium but has changed the world around it, the evolution of investigative journalism must be discussed. The book *The Evolution of American Investigative Journalism* by James L. Aucoin provides context to how investigative journalism evolved into what we consider modern investigative reporting, and why it was seen as so monumental. Although Investigative reporting, in its most modern form, gained its highest level of fame after Watergate, it can be traced as far back as the 17th and 18th century and the “Muckrakers” who worked in the turn of the 20th century (Aucoin 2005). The Muckrakers and their investigative pieces did not advocate for a particular movement or social agenda, but rather published carefully constructed exposés about a variety of social issues (Aucoin 2005). Investigative journalism now is only seen as stemming from journalists being inspired by Watergate and wanting to share “groundbreaking news,” but it has a rich history that is important to its future. Investigative journalism in some form can be traced back far before the revolutionary war and the printing in the colonies (Aucoin 2005). The press also had a resurgence and was very important during the Civil War. In more modern contexts, investigative journalism, the form in which we see most often, began taking route during the 1960s due to both the Vietnam War and the Civil Rights movement (Aucoin 2005).

In the 1950s, there was an emerging belief within the press that they [the press] were the watchdog of the government and it was their responsibility to report on any corruption or unjust actions committed by the Federal government (Aucoin 2005). This idea of journalists being the

watchdogs of the U.S. Government, combined with reporters in the Vietnam War experiencing the gruesome war crimes that were being incorrectly reported to the American Public via the United States Government, created many journalists who were becoming disillusioned with American politics; in the 1960s and 1970s, revolutionary court cases surrounding the reporting of confidential documents, such as *The New York Times v Sullivan*, that allowed the press to become more bold in the cases they reported on that criticized public institutions and the Federal Government (Aucoin 2005). This led investigative journalism to become reestablished as a dominant news form and set the stage for the Watergate investigation (Aucoin 2005).

Journalistic Investigative cases cover very sensitive material. In the literature previously mentioned by Benjaminson and Anderson and book *The Evolution of American Investigative Journalism* by James L. Aucoin, they discuss the importance of handling investigative material carefully. This is important to understand and will be applied to my research and analysis because how sensitive material is reported and written about can impact the subjects and those affected by the story directly.

## **Introduction to the Case Studies**

The Watergate scandal of 1972-1974 is arguably the most groundbreaking investigative journalistic example in the 20<sup>th</sup> into the 21<sup>st</sup> century because prior to the publishing of the articles exposing and criticizing the Nixon administration, it was seen as taboo to “expose” and criticized the government and corporations; Watergate was a monumental turning point that set the stage for larger investigative stories to be broken in the future. To this day, over 50 years after the first Washington Post article was released, its impacts and political implications are still present and visible. The book *Watergate’s Legacy and The Press* talk about the lasting impact of Carl Bernstein and Bob Woodward’s groundbreaking investigation on investigative journalism today.

Although their publication is still discussed today, and countless books continue to reference their impressive journalism, Bernstein and Woodward did commit ethical violations in the publication of their writing, such as how they approached sources and the deception that was involved. There were also ethics involved in deciding whether the story should be published. When dealing with content surrounding a federal institution, the consequences are heavily considered. In the case study analysis of the Watergate investigation, I will connect the analysis of the lasting impact of Watergate and the ethical considerations of Watergate.

Jimmy's World was a revolutionary journalism story broken by a newly hired Washington Post Journalist Janet Cooke in 1980. Cooke pitched a complicated story about a young heroin addict and reported that she saw them "shoot up." Cooke had written detailed reports about "her interviews," as well as "what she saw" (The Council 1981). After the publication of the article, it was revealed that Cooke fabricated the entire story. There was no "Jimmy." Jimmy's World became one of the largest journalistic scandals, although it is largely unknown now, and violated all ethical journalistic policy. There were many ethical implications for both Janet, in a legal and moral stance, as well as ethical implications for *The Washington Post*. This case will detail how to catch ethical mistakes and fabrications, why practicing ethics and a moral code is so essential for the survival of investigative journalism and how situations of this nature could be handled.

In 2001, *the Boston Globe* broke a monumental story regarding systematic abuse within the Catholic Church surrounding priests and child abuse, and the systematic hiding of those actions. The Catholic Church, when finding out about priests' actions, would simply remove them and transfer them to a church in a different state, where the same thing would occur (Boston Globe 2002). This story has a vast number of ethical implications as well as ethical

considerations in publishing the story: whether it is appropriate to give names of sources, were people willing to talk, how much of the story were they willing to give? How the story is written and how it portrays those willing to speak can have lasting implications on the sources' lives as well as other people in potentially similar situations.

There is a lot to consider by analyzing the process of the Spotlight team using their book and the other literature covering the importance of ethics in the process as well as the ethical implications of reporting it. This will help create a larger understanding of potential implications of investigative journalism.

All three of these case studies will focus on different intuitions, as well as different ways the story was reported and how sources were approached. By evaluating the ethical process, it can not only teach a lesson on proper reporting, but how to improve modernized reporting to avoid ethical mistakes. Ethics is in every aspect of investigative journalism and journalists are constantly toeing the line between ethical or slightly unethical to a degree. Evaluating cases in the past can help understand how investigative reporting has evolved to its modern format.

### **Case Study 1: Water Gate**

On June 15, 1974, *Washington Post* Journalists Bob Woodward and Carl Bernstein published a book named *All the President's Men*. The book detailed a two-year long investigation that began with the break-in of the Democratic Party's National Headquarters at the Watergate Hotel in Washington D.C. on June 17, 1972. The book ultimately led President Richard Nixon to resign from his presidency on August 9, 1974. He became the only president to resign from office (Bernstein and Woodward 1974).

“Watergate,” as the scandal is referred to, involved the Committee to Reelect the President (CPR/CREEP), President Richard Nixon and his closest aides, as well as members

high up in the federal government including members of both the CIA and FBI, hence the name “All the President’s Men” (Bernstein and Woodward 1974). The team of journalists, consisting of Bernstein and Woodward, slowly uncovered a web of government corruption including secret tapings, blatant abuse of power, and money laundering (Bernstein and Woodward 1974). This demonstration of thorough investigative journalism revolutionized the style of investigative reporting that is seen today.

Watergate is highly researched, written about and evaluated in terms of the ethical outcomes of the case regarding federal operations and governmental corruption. However, there is little to be found discussing the ethics involved in writing and researching the story itself. In the context of Watergate, it is important to assess the journalistic ethics practiced throughout the building of the investigation. Ethics are heavily integrated into every aspect involving individuals’ decisions made when curating and writing a story. Those ethical considerations made by Bernstein and Woodward when talking to sources, acquiring information that was highly concealed, and keeping sources identity confidential when asked, is what made Watergate the revolutionary journalistic piece it is.

Much of investigative reporting aims to combat institutional corruption, and in this case the institution involved was governmental (Price 2019). Watergate specifically involved confidential and classified information on the FBI, the President of the United States, and the CIA (Bernstein and Woodward 1974). Watergate is a fundamental case in understanding how to use confidential and sensitive information and still conduct a truthful and ethical investigation. Watergate was one of the first monumental cases that covered government corruption, and if Woodward and Bernstein had not practiced ethical journalism, that would have overshadowed the information they reported on.

On June 17, 1972, Bernstein and Woodward were assigned to cover the, now infamous, break-in that consisted of five men being arrested at 2:30 am with a walkie-talkie, 40 rolls of unexposed film, two 35-millimeter cameras, lock picks, pen-size tear gas guns, and bugging devices that could pick up room and telephone conversations (Bernstein and Woodward 1974). Woodward went to the preliminary hearing, when one of the five men arrested, James McCord, revealed that he was a retired member of the CIA (Bernstein and Woodward 1974). The next day McCord was also exposed as the security coordinator of the Committee for the Re-election of the President (Bernstein and Woodward 1974). The involvement of someone who worked for CRP and was a former member of the CIA made Bernstein and Woodward realize the break-in needed further investigation (Bernstein and Woodward 1974).

McCord's involvement could suggest that the Republican party or even the President of the United States could have some connection to the break-in, however it would be unethical for the journalists to speculate or publish serious accusations without proof (Bernstein and Woodward 1974). They would need to find connections to McCord, to find a connection. A lead or helpful tip is not enough to write a story. This is the first of many ethical considerations of this nature throughout the investigation.

Bernstein and Woodward published their first of many stories about Watergate on June 17, 1972, about the initial break-ins, who were arrested and their attempt to bug the Democratic National Committee; at the time the article was written, the motive and who initiated the break-in were unknown (Bernstein and Woodward 1974). Many suspected Cuban involvement, however, to publish speculations would violate the journalist code of ethics by jumping to conclusions and making accusatory claims without evidence, as well as using non-objective language (Bernstein and Woodward 1974). To pursue all angles, and keep the story factual, Woodward and



Bernstein decided to pursue a lead on a White House consultant, Charles W. Colson, and his personal consultant, Howard Hunt. Bernstein's story that covered the four other arrested men who were from Miami, whereas Woodward had reported solely on McCord, revealed that they had possible CIA connections and anti-Castro operations (Bernstein and Woodward 1974). The police had reported that when arrested the suspects had "two pieces of yellow-lined paper, one addressed to 'Dear Friend Mr. Howard,'" (Bernstein and Woodward 23). Those papers linked the arrested members to White House consultant Howard Hunt. Hunt was contacted, who refused to comment on the arrests (Bernstein and Woodward 1974). However, after Woodward called Robert F. Bennett, president of a public relations firm, confirmed that Hunt was in the CIA from 1949-1970; This was confirmed by a call to the CIA (Bernstein and Woodward 1974). The double fact checking demonstrated Woodward following journalistic ethics and confirming statements made where they could be verified without simply reporting what he was told.

Woodward wanted to write a story that connected Hunt and Colson to the crime, but "anyone's name and phone number could be in an address book," and it would be unethical to publish a story headlined "White House Consultant Linked to Bugging Suspects" without concrete evidence (Bernstein and Woodward 1974). To continue his investigation, Woodward called a friend in the FBI who confirmed that Hunt was a prime suspect; the statement was off the record and could not be used in good conscience in the article, but it did give Woodward the momentum to look for more sources that could affirm Hunt and Colson's involvement that would allow the title to be used (Bernstein and Woodward 1974). That left *The Washington Post* staff to pursue a different strategy: going through old *Post* library clippings (Bernstein and Woodward 1974). The clipping's identified Colson as a 'guy who fixes things when necessary'; and Hunt as a consultant who worked in the White House for Colson (Bernstein and Woodward

1974). Now with solid confirmation, Woodward chose to headline the story “White House Consultant Linked to Bugging Suspects.” The next day, when the article was released to the public, Democratic Party Chairman O’Brien filed a \$1 million-dollar civil damage suit against CRP (Bernstein and Woodward 1974). This example successfully demonstrates Bernstein and Woodward’s ethical process that was used when dealing with information that was not easily accessed.

Bernstein and Woodward demonstrated proper journalistic ethics when writing and publishing the information on Hunt and Colson. They checked their sources, double checked the information they were given by contacting multiple sources when asking for the same, or similar information. The pair pursued a lead without making general or grand statements and assumptions; They also weighed the consequences of publishing an article with such an ambitious title. Bernstein and Woodward also gathered information from a source who provided information “off the record.” The journalists used this information, while honoring the request of the source, and found information that confirmed the source's comment through other legal and usable channels. The information will be there, it is the channels used to find it that is important.

The article, “White House Consultant Linked to Bugging Suspects,” also shows the effects and impact of investigative reporting. Had Woodward not been certain of the information he had published because of thorough analysis of the facts they have presented; he could have been facing consequences since the article made the Democratic Committee certain there was CRP involvement and filed the lawsuit (Bernstein and Woodward 1974). This use of ethical reporting can be seen in many different examples throughout the case of Watergate, but because

this specific example showed many aspects of ethics being utilized and approached appropriately, it was important to include in this case study analysis.

In investigative reporting, journalists must obey the law and obtain documents, court records, and other official documents legally. Bernstein and Woodward used publicly accessible information as much as possible, such as calling jobs to ask about employer status, finding addresses and phone numbers in address books. However, much of what was to be uncovered in Watergate could not be found in public documents and was actively trying to be erased by the higher-ups in the Federal Government. Finding sources, getting them to talk, and approaching it both ethically and legally was the biggest obstacle for the pair (Benjaminson and Anderson 1990).

Many people Bernstein and Woodward attempted to contact were warned and threatened by their agencies, therefore talking to the reporters put them in a sensitive situation (Bernstein and Woodward). In a situation where sources do not want to talk, but it is the only way to gather essential information about a case, reporters must demonstrate ethical reporting, such as keeping their word, or respecting boundaries set by the subject; this is how Bernstein and Woodward gathered most of their information while being heavily watched by the FBI and CIA (Bernstein and Woodward 1974). An example of this compromise between sources and reporters could be seen when Bernstein interviewed a bookkeeper who worked for Maurice Stans, the United States Secretary of Commerce at the time; He served in that role from 1969 to 1972 (The Washington Post). Bernstein had showed up at the bookkeeper's house when unidentified people said she knows a lot about the incident (Bernstein and Woodward 1974).

When Bernstein originally showed up, she identified him as being from *The Post* and refused to talk to him. However, Bernstein began asking her questions and reiterating that he

knew she was afraid and that there were a lot of people who wanted to tell the truth, but others did not want to listen (Bernstein and Woodward 1974). He began telling her things he knew, and she began revealing small amounts of information at a time, such as that they were in the right direction and needed to keep digging (Bernstein and Woodward 1974). In the following days after their original interaction, she expressed her fear to the reporters about the information she knew and was being asked to disclose (Bernstein and Woodward 1974). Bernstein and Woodward came up with a compromise: She was willing to confirm or deny statements if the reporters remained casual and gave her the impression that they simply needed confirmation on things they already knew, not primary information (Bernstein and Woodward 1974).

This was helpful for both the reporters and the bookkeeper as it demonstrated problem solving within ethical journalism. They needed information from her, but knew that they could be impacting her life, her income, and her safety. Because of that, they asked her questions within her bounds, and they got confirmation on things they knew without harming the well-being of the source. It is also important to mention that her name was not included in the book when explaining her role. She was simply referred to as the “bookkeeper.” This is another example of good ethical journalism (Bernstein and Woodward 1974).

Some investigative tactics that Bernstein and Woodward participated in, now in a more modern time, seem to toe the line of pushy, ethically muddled, and borderline harassment. However, the time of the investigation, and the lack of some present technology is considered when assessing whether something was ethical or questionable. Bernstein and Woodward detail in their book *All the President's Men* multiple times where they showed up to people's houses, repeatedly after being turned away, knocked on doors and called phone numbers multiple times (Bernstein and Woodward 1974). These methods are abrasive and questionable; to be so hostile

can cast a negative light on reporters, especially in this specific station where many people feared the presence of reporters and their job security.

The public also saw reporters regularly surrounding Watergate figures for interviews, going so far as to stake out people's homes in some cases (Marshall 2011). This cast a negative light on reporting and made many distrustful of reporter's intentions (Marshall 2011). Watergate provides an example of some reporting techniques for journalists to avoid if they want to improve the public's perception of journalists. However, it is important to keep in mind that sometimes the only way to get information is to be persistent. This creates an ethical dilemma: is borderline harassing people worth getting the truth? There is no concrete answer, but Watergate does provide an interesting moral situation to consider when dealing with sensitive information.

Despite the questionable tactics occasionally used to obtain an interview, Bernstein and Woodward did not let their ego and desire for a story triumph ethics when dealing with sources' ability to consent to what would be reported on; this included names and information provided. Many people were comfortable with talking off the records; these are still usable because they can create leads, even if the interview cannot be disclosed publicly. They did try to persuade some sources to go on the record, or be unattributed, but that is a common tactic among journalists and would not be seen as cohesion; to some however it could be seen as unethical since they are asking the subject to consider it (Bernstein and Woodward 1974).

Bernstein and Woodward interviewed Hugh Sloan Jr., who was the treasurer at CREEP during the Watergate break-in (Bernstein and Woodward 1974). He originally did not want to go on the record, but shared information that he knew about CREEP; he had resigned from the organization following the break-in because he was afraid people would find him responsible as he was the treasurer (Bernstein and Woodward 1974). He had no part in the scandal. Sloan

eventually chose to go on the record as well as testify in front of the Grand Jury (Bernstein and Woodward 1974). Had the reporters not provided him the option to go on the record, much information known about CREEP would not have been exposed to the public (Bernstein and Woodward 1974). The more sources that go on the record, the more credible the investigation would seem. The choice, and giving the source the freedom to choose, was not only ethical, but a helpful strategy to keep the trust between the journalist and the source.

However, unlike Mr. Sloan, many sources refused to be attributed, which meant the information they disclosed would be published, but not their name (Benjaminson and Anderson 1990). This created a situation where readers began to question the motive of the anonymous sources (Benjaminson and Anderson 1990). It posed an ethical question if the journalists should break the agreement they made with their sources and release names. However, Bernstein and Woodward kept their agreement with their sources. If they had violated it, since the only way to gain information about Watergate was through sources, not public documents, no one would want to talk to them going forward; the credibility in their personal integrity was important to the investigation (Marshall 2011). People would not want a journalist displaying questionable ethics or motives.

Arguably the most notable and famous ethical consideration in the Watergate investigation was keeping the identity of their key source, “Deep Throat,” who later revealed himself as Mark Felt in 2005, a few years before his death in 2008 (Weiner NYT 2008). Felt was the No. 2 official at the F.B.I at the time of the Watergate scandal (Weiner NYT 2008). He was an essential source, giving Woodward and Bernstein inside information involving the White House, Justice, the FBI, and CRP, including FBI documents (Bernstein and Woodward 1974). The journalists refused to reveal Felt’s identity for well over thirty years, which showed how

strong the ethics were in terms of source confidentiality, especially with sensitive government matters. This made some critics uneasy or felt *The Post* was being taken advantage of by refusing to expose his name till after he died (Society of Professional Journalists).

Felt gave Woodward and Bernstein FBI 302 forms, which are interview reports filed by agents after immediately talking to witnesses (Bernstein and Woodward 1974). Some ethical considerations of having these forms provided by Deep Throat were that it was illegal for the journalists to have the files (even copies of them), and to publish a story completely based on them would lead them to be subpoenaed and ordered to return all documents to the FBI (Bernstein and Woodward 1974). The 302s also were unevaluated and raw reports, so to use them as a sole source was unethical; The reporters made sure the information they used in their stories was well supported, demonstrating another ethical consideration that went into their thorough investigation of Watergate (Bernstein and Woodward 1974).

Bernstein and Woodward, although generally practicing exceptional ethics and fact checking while reporting on Watergate, made an ethical error that could have put their entire investigation and *The Post's* credibility at risk. On October 25, 1972, the journalists published an article claiming that Bob Haldeman, White House Chief of Staff at the time, was one of five high-ranking presidential associates authorized to approve payments from a secret Nixon campaign cash fund, which, according to the publish article, was confirmed in front of the Watergate Grand Jury (Bernstein and Woodward 1974) (Washington Post Marshall 2017). However, Bernstein and Woodward claimed that Hugh Sloan Jr. had testified to the grand jury; Haldeman had told the reporters about Haldeman, but not the Grand Jury (Washington Post Marshall 2017). Although a small error, it had potentially severe consequences, as President Nixon's team was looking for any excuse to change public opinion surrounding *The Post's*

legitimacy. Deep Throat described the incident as “a Royal Screw Up” (Bernstein and Woodward 195).

However, this was the only major mistake that Bernstein and Woodward made throughout the entire two-year investigation. They demonstrated poor organization and lack of double checking their sources because they got caught up in putting the story out to the public (Bernstein and Woodward 1974). Minorly mistaking facts in an article is a common journalist's mistake, and it is important to discuss when analyzing ethical considerations, mistakes, and outcomes of reporting. Had this not been their only error, the outcome of the investigation would have been very different (Washington Post Marshall 2017). It is Bernstein and Woodward's tight and very accurate reporting, as well as their dedication to keeping sources confidential that kept one minor mistake from ending their careers and the story (Washington Post Marshall 2017). In terms of Watergate on an ethical note, it exposed corruption in the government and demonstrates why investigative journalism is important on both a local and international level.

The outcome of Watergate is not the only important part of the investigation. The ethical considerations that Bernstein and Woodward considered and the techniques they utilized should continue to be evaluated and taught, not only to replicate outstanding and ethical journalism, but to learn from simple mistakes, so they can be avoided in future investigations: history is the best teacher.

### **Case Study 2: Jimmy's World:**

In 1980, Janet Cooke, a young Washington Post reporter, who had been recently hired, desperately wanted to break an interesting story (The Council 1981) (Sager 2016). The story she wrote ended up permanently changing investigative journalism and how stories are not only



reported on, but how they are also fact checked (The Council 1981). Many techniques and policies used in modern age journalism have been a direct effect of Cooke and her ethical decisions and violations. Her choices not only questioned her and journalists' personal integrity, but also the accountability and integrity of a publication. It brought ethical questions of to what extent is a publication at fault for a writer's deception, as well as to what extent will a journalist go to achieve fame? If journalists are just chasing the biggest story, can journalists, and their sources be trusted? In an age where journalism, starting with Janet Cooke, has been plagued with fabulists, how situations of this caliber are handled is important in keeping positive journalistic ethics and integrity alive.

Cooke had an impressive resume when she started at *The Post*: she graduated from Vassar, completed a master's at the University of Toledo and had worked at the Toledo *Blade* (The Council 1981). It is important to note that it was later revealed, as the scandal began to unravel, that Cooke had also fabricated her resume; she had only attended Vassar for a year and completed her undergraduate at the University of Toledo, with no master's degree (The Council 1981). *The Post* then implemented stricter policies surrounding checking employees resumes, which is something that is now common in present day (The Council 1981).

Cooke was assigned by her editor, Milton Coleman, to research a new type of heroin on the streets of Washington, D.C. (The Council 1981). While working on the assignment, Cooke stumbled upon a worker at a treatment center, who told her about an eight-year-old boy who was being treated for drug addiction (The Council 1981). Milton Coleman told her to find the child immediately and begin writing the story (Sager 2016). She began to desperately search for the child and initially went through proper channels to try to find the child; Cooke reached out to Dr. Alyce Gullattee, who was a psychiatrist and drug counselor at Howard University and asked her

to look for an eight-year-old heroin addict, which she was in the process of doing when the story was released to newspapers (The Council 1981).

Janet Cooke's story, "Jimmy's World" did start from something remnant of a truth. However, Cooke choosing to fabricate a story, with the hope of using "anonymous" sources, violates every aspect of journalistic integrity and not only violates the public's trust in anonymous sources, but the trust of reporters in each other (Sager 2016). This idea of Cooke's had begun when her editor Coleman mentioned that if the family did not want their name in the paper, the name did not have to be used, but rather a code name (Sager 2016). Cooke, unable to find any leads about the eight-year-old boy then created her character "Jimmy" who she referred to, to close friends at *The Post*, as Tyrone: that was his "legal name" (The Council 1981).

The use of anonymous sources was not new to *The Post* and was most famous during Watergate. However, their reliance on confidential and unattributed sources to secure a story made them vulnerable to journalist malpractice, which is the situation that Janet Cooke created for herself and *The Post* (The Council 1981). With the knowledge that she could use anonymous sources, provided by her editor, Janet figured that she could make one up and no one would find out because it was anonymous (Sager 2016). However, that was not the case. In fact, the irony of this situation, is the investigative piece about "Jimmy" that was ultimately false, turned into an investigative piece itself.

Cooke's choice to manipulate the policy surrounding confidentiality and ambiguity that was applied to stories on sensitive topics not only violated public trust but reignited the debate surrounding unattributed sources. Cooke demonstrated that sources' identities and content can be easily fabricated. It left many wondering if the same publication that brought the Watergate investigation could also allow a completely fabricated story about a young boy using heroin, who

could be trusted. Many journalists criticized *The Post* and their usage of unattributed sources and demanded that reporters either verified the information with others, or publicly attributed the information (Duffy 2010.) A larger issue that Cooke's "Jimmy's World" exposed, apart from reporters having blind trust in other reporters 'good intentions,' is that there are no universal guidelines governing the usage of anonymous sources (Duffy 2010). Anonymous sources should only be used in the case where it is the only viable method to gain important information that would stay hidden without it, such as in the Case of Watergate and Deep Throat (Duffy Freeman 2011).

In the case of Cooke, her story, which took the form of a feature piece instead of a traditional "hard news" investigative piece, should not have used unattributed sources because information could have been attained through correct channels, or a different story idea could have been made in its place; Cooke used "unattributed" sources because her sources did not exist, and that is the problem with no real verification of identity of the sources. To try to ease public uncertainty and distrust of journalists, many publications try to have the journalist explain why they need to keep sources hidden or their reasoning behind their decision to try to gain back public trust (Duffy 2010).

Cooke created elaborate documents, to create "truth" to her continued and elaborate lies, including a 13 ½-page double-spaced detailed report of her interview "with Jimmy," his mother and stepfather who all allegedly took drugs in front of her (The Council 1981). Bob Woodward, who was an editor at *The Post* during the time and oversaw this story, claimed that if he had seen the document, he may have questioned the "length" and "perfect quotes" (The Council 1981). However, he, and many others missed any obvious redflags until the article had gone to publish (The Council 1981). With details admitting mistakes of the editing team being released, it points

ethical responsibility of the publishing of the story not just on Janet but also the negligence displayed by *The Washington Post* (The Council 1981).

Cooke's false story caused greater issues than just distrust. As mentioned, in Cooke's "Jimmy's World," she claimed she had seen the boy and his guardians take heroin in front of her, which she described in great lengths in her article.

"He grabs Jimmy's left arm just above the elbow, his massive hand tightly encircling the child's small limb. The needle slides into the boy's soft skin like a straw pushed into the center of a freshly baked cake. Liquid ebbs out of the syringe, replaced by bright red blood. The blood is then reinjected into the child.

Jimmy has closed his eyes during the whole procedure, but now he opens them, looking quickly around the room. He climbs into a rocking chair and sits, his head dipping and snapping upright again, in what addicts' call "the nod" (Cooke 1980).

This is the quote which described the action, and admitted to watching a crime be committed, and then publishing it. She could have been subpoenaed when this went to press, which is an ethical consideration that she weighed, when the story was thought to be true.

Cooke not only violated ethics, and dealt with ethical consequences afterward, but she also had to deal with ethics surrounding her story being published, such as considering legal trouble, and First Amendment rights. This is one reason why the case of Janet Cooke and "Jimmy's World" is so interesting and one that is so important to discuss. When the story was published, Cooke claimed asylum under the First Amendment, and *The Post* claimed they would protect her because the story should be published (The Council 1981). When the story was released, there was public outlash, fearing for the life of the child and wondering why *The Post* would publish a story of this nature, and not involve the police (The Council 1981). "Jimmy's World" harmed journalistic credibility and integrity because Janet invoked the First Amendment to shield against disclosing her sources that never existed (The Council 1981).

*The Post* demonstrated gross negligence with how this story was handled, the lack of fact checking Cooke's resume and the allowance of ambiguity around anonymous sources (The Council 1981). Ultimately the ethical violations fell on the individual, but it did impact and embarrass *The Post*, who then set more concrete guidelines to prevent situations like this going forward (The Council 1981). They removed the ambiguity rule around unattributed sources, so an editor must know who the sources are, and reporters would go in teams to conduct interviews on sensitive stories to assure there will be witnesses to the interview (The Council 1981). This is a good example of a publication realizing its mistake and making important, and ethical amendments to prevent similar events to occur. Of course, there is the debate that the large steps taken by *the Washington Post* was just to save their reputation, but at the baseline is that they took the steps to keep journalistic integrity, regardless of motive.

It is stories like Jimmy's World that emphasize the practice of fact checking; things cannot just be written and put into *The Post* without thorough fact checking and confirmation of proof of sources. This was not done in the case of this story, and it led to the first news breaking fabricated story that was a precursor of many to come.

“At the end of the evening of strange questions about his life, Jimmy slowly changes into a different child. The calm and self-assured little man recedes. The jittery and ill-behaved boy takes over as he begins going into withdrawal. He is twisting uncomfortably in his chair one minute, irritatingly raising and lowering a vinyl window blind the next” (Cooke 1980).

This is a quote taken from Janet's elaborate work “Jimmy's World.” One thing particularly interesting in this quote is the lack of journalistic objectivity. The quote describes him being “calm,” “self-assured” and “ill-behaved” which are all descriptions that include opinions and are not facts (Cooke 1980). Although the piece was a feature, journalists, especially at publications like *The Post* should continue to uphold journalistic objectivity. It was interesting that not only

was the story false, but in the writing, there were ethical violations and considerations that were overlooked, even when the story was thought to be true.

Jimmy's World, although more than 40 years old, demonstrates the importance of journalistic ethics, as well as necessary adaptations in place to keep ethics at the forefront of investigative reporting. It is a case that demonstrates ethics in all aspects of the creation of a false story. Janet Cooke took the traditional ethical steps when putting her story to press, weighing the consequences of its publishing and "protecting the identity of her sources." However, while seemingly going through appropriate ethical considerations, she was also violating them by fabricating a story to potentially promote herself at *The Washington Post* (The Council 1981).

Cooke's story and the fallout that consumed it continued a conversation surrounding personal journalistic integrity. Some positive ethical changes that resulted from Jimmy's World was the implementation of fact checking, which is now an essential part of all newspaper reporting staff. In the past the word of the reporter may have been taken at face value. This story not only harmed the public perception of journalists, as does any fabulist who breaks a fake story, but also emphasizes the importance of genuine reporting. Journalism is not creative writing and the stories published reach real audiences who can be impacted by the words written. Jimmy's world should be seen as a cautionary tale that demonstrates why practicing ethics and a moral code is so essential for the survival of investigative journalism (Goldman 1997).

### **Case Study 3: The Spotlight Investigation at *the Boston Globe***

The Spotlight Investigation at *the Boston Globe* required heavy ethical considerations. The story, which won a Pulitzer Prize for 24 articles on the subject throughout the year of 2002, involved reporting on uncovering systematic sexual abuse by clergy members, and proof of a cover-up operation by the Catholic Church (Pulitzer 2002). The journalists had a few challenges

that required ethics to decide how far they should go. In terms of interviewing those who were affected, the journalists needed to have people feel comfortable with revealing their experiences, go on the record, and in some cases break a confidentiality settlement with the church. In journalism, one part of the ethical code is to minimize harm (Society of Professional Journalists 2014).

In this case, the Spotlight team had to decide if uncovering the large scale of the cover up was worth the potential harm it could do to someone who picks up the paper and reads it. They also need to ensure they minimize any potential harm to the interview subject by asking appropriate questions and not pushing the person too hard for the story; someone's life and mental wellbeing is worth more than getting a quote that might make a story marginally better.

In a community like Boston, where there is a high population of Catholics, there was a high risk, high reward outcome with this case: it could reach a lot of people, but it also could be highly scrutinized. It is important to assess the ethics in situations containing material of this nature, so others can avoid any mistakes, and take ethical reporting, demonstrated in this case, with them if they must report on cases similar in nature. This is also important to assess how this team of journalists-maintained interviews, and found information on a large, and highly protected private institution: The Catholic Church.

*The Globe* began working on their first story involving the possible cover-up in the Catholic Church in July 2001, after a new editor, Martin Maron, started overseeing the Spotlight investigate team at *the Globe* (Boston Globe 2021). He began discussing a story written by Globe reporter Eileen McNamara, who had published a column about the Boston Archdioceses' silence of three priests who had been accused of sexually abusing children (Boston Globe 2021). The court documents involving witness statements and other information about the incident were

sealed and the public had no way of knowing the extent of the situation (Boston Globe 2021). Baron took the suggestion to investigate the court documents to the Spotlight team to investigate the abuse (Boston Globe 2021). This was new for the Spotlight team because they were typically not assigned stories by editors and focused on large scale stories; to them, the story about the church abuse was not new, or worth further investigation (Boston Globe 2021).

This original dismissal can raise some red flags: ethically practicing journalists should not dismiss a story simply because it does not seem like it could be something bigger. *The Globe*, before 2001, never dug further into Catholic Church sexual abuse despite being aware of the issue of the abuse for over 15 years (Boston Globe 2021). Something unique about the story with *the Globe*, contrasted to Watergate, is that *The Globe's* investigation did not reveal the existence of abuse, but it did reveal the cover-up and the compliant behavior of the Catholic Church (Boston Globe 2021). Despite ignoring the story originally, *The Globe* still challenged a large institution and revealed a cover-up. It was unethical to avoid a problem that was right under their nose, but how they reported on the story, and being able to expose the operation, showed *the Boston Globes'* ethical integrity. No journalistic institution is always 100% ethical, mistakes are made, but it is how they are handled after a mistake is made that reflects the publication.

On January 6, 2002, *the Boston Globe* broke their first story of nearly 800 stories, detailing the Catholic Church allowing a repeated sexual offender work in the Church in various locations and roles despite there being over 130 testimonies against former priest John J. Geoghan (*Boston Globe* 2002) (The Guardian 2010). The story began when Cardinal Bernard Law, Boston's archbishop at the time, filed a routine court submission in response to allegations and a lawsuit against Geoghan (The Guardian 2010). Within the court filing, was the admission of knowingly assigning Geoghan to St. Julia's Church in Weston, a suburb of Boston, after



removing Geoghan from his previous parish for allegedly molesting multiple young boys (The Guardian 2010).

Law's action of filing the documents, allowed them to become public record and accessible to Globe reporters able to find proof of Geoghan being moved to multiple parishes and letters from Law's bishops, as far back as 1984, writing Law a letter in protest of Geoghan still being active in the church (The Guardian 2010). The journalists on the Spotlight team demonstrated ethical, and legal journalism by using documents that are well within their right to access. In Watergate, the investigation was more focused on interviews to uncover scandal. In the Spotlight investigation, the investigation relied heavily on court documents and well documented proof of the abuse. For cases that require heavy documented proof, this case is an essential one in looking at how the information was reported, what was considered, and why they felt it was so essential to get the story out.

*The Boston Globe* went through proper channels to get information, especially information that was sealed. While investigating, the Spotlight team realized there were 10,000 pages of church documents concerning four different lawsuits against just Father Geoghan that were protected by a superior court confidentiality order, and other records that were publicly accessible were missing (The Guardian 2010). *The Globe* decided to contest the confidentiality order; the Church fought heavily to keep the records, until November 2001, when the judge lifted the confidentiality order and ordered the missing files to be returned (The Guardian 2010).

Had *The Globe* not used their First Amendment right of Freedom of the Press to publish those documents, in the way that they did, they would not have become public information. The Spotlight team was successful because they challenged the confidentiality order by going through proper legal and other channels. This enabled them to get what they needed in the most

ethical way possible. Much of the information that is now known about sexual abuse in the Catholic Church and the Church's desperate attempt to preserve their reputation, to the point where people were endangered, would not have become public information.

After the first article, which was one of two articles published at the same time, hundreds of survivors of the sexual abuse began contacting the paper with their stories to be interviewed (The Guardian 2010). The Spotlight team, after conducting interviews, cross-referencing, and database-mining for five months, revealed that the Boston Archdiocese settled sexual abuse claims made by Catholic families against 70 of its priests, not just Geoghan (The Guardian 2010). Reporting of this nature, had monumental effects, and demonstrated the power reporters have in instilling change and fighting corruption in private institutions.

*The Boston Globe* and their Spotlight team, investigating the systematic covering up of sexual abuse by the Church to preserve their reputation rather than remove the predators, demonstrated many ethical considerations and techniques: responsibility; freedom of the press; independence; sincerity, truthfulness, accuracy; impartially; and fair play (Shobri Ikhtiari Humaam and Harry Susanto 2021). Despite any personal feelings about the Church, or the investigation, the reporters stayed impartial and reported the facts they were given objectively, which kept the integrity of the investigation and the journalists (Shobri Ikhtiari Humaam and Harry Susanto 2021). The team also demonstrated their use of a strong ethical code, both professionally and personally, with constant fact checking, cross-checking interviews and information, to ensure accurate reporting. If they had made a mistake, then the severity of the Catholic Church's actions would have been disregarded to a degree, and the public reaction to the investigation would instead focus on any mistakes, or ethical violations (Shobri Ikhtiari Humaam and Harry Susanto 2021). How the Spotlight team chose to research and report on

sexual abuse was appropriate and deeply intertwined with ethical reporting and should serve as an example to on how to successfully report on systematic abuse within a powerful private institution.

### **Conclusion and Closing Thoughts**

All three of the cases selected to be analyzed demonstrated why ethics in journalism is so important to honor and incorporate into every investigation. Watergate, Jimmy's World, and the Spotlight Investigation on the Catholic Church, now, are well over twenty years old, with Watergate being over 50 years old. The choice to use cases from the past brought up questions of why newer examples of journalistic ethics and false reporting were not used. These cases are well documented, have significant literature on their influence, and were some of the big "firsts" in their type of investigations. They set the stage for reporting that we now have, so it is important to go back and assess cases that have permanently influenced investigative reporting. The Watergate investigation, and the book *All the President's Men* was the first large scale journalistic investigation in recent years that exposed government corruption, in both the Federal Government and governmental organizations (Bernstein and Woodward 1974).

Jimmy's World, written by Janet Cooke, was the first large scale fabricated story and completely changed how *The Post* not only operated on investigative stories, but how they conducted interviews and how they hired employees. Cooke broke public trust in journalists and humiliated *The Washington Post*. It served as a lesson in how important ethics are in the process of investigative reporting, not just in the outcome of a story. How Cooke violated ethics in use of language, deception, and taking advantage of unattributed sources, is important to learn about how to not only prevent and troubleshoot situations like that in the future, but also how to spot

other possibly false investigative stories. Janet Cooke and Jimmy's World shows how a journalist destroyed her career and journalistic integrity, as well as validated public feelings of mistrust in the legitimacy of the press by trying to have the "coolest story." It should serve as a warning to other reporters on why ethics should be at the forefront of any investigation.

*The Boston Globe's* investigation and hundreds of articles on the Catholic Church is important to learn about when and how to begin investigative reporting because it exposed a huge private institution. The case, and the reporting strategies used by *the Globe*, and the extent they went to get confidential documents released to the public because it was the public's right to know, really resonated with people, and is still widely talked about even 20 years later. The case is also important because it discusses and exposed sexual abuse, and how it was intentionally being concealed at the expense of others. Their investigation, and how it was handled can be reflected in more recent cases, such as the exposé on Larry Nassar and the U.S. Gymnastics team written by the *IndyStar* in 2016.

It is those who come before us and show appropriate techniques, or techniques to avoid, that can aid in a successful future in reporting. These case studies are important because they show complex situations that all involve investigative reporting, and how vastly different each type of investigative reporting case is. Regardless of the material, the ethical considerations are often very similar, and the same ethical techniques are used within. Ethics are essential in investigative reporting because a journalist's job is to inform the public, but to do so accurately, objectively, and with compassion. To not have guidelines to reporting could lead to false reporting, biases, and publishing of unnecessary, or unsupported information that could destroy someone's life. In a time where many people do not trust journalists, and when the profession is being publicly attacked, it is important to show that journalists who practice the code of ethics

have the best intentions. By breaking down well known cases, it can help people begin to understand how well-thought-out investigative journalism is, and why it is important as a medium both politically and for the social framework of our global society.

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