



Investigative Reporting 101

The Challenges of Investigating 'People'

By

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Finding documents during a news investigation has changed a little bit since I started in journalism in the mid-1960s. We now have super-fast computers, smart phones, the Internet, and Artificial Intelligence. However, what hasn't changed is the 'need' to find documents that help support our investigations into governments and businesses.

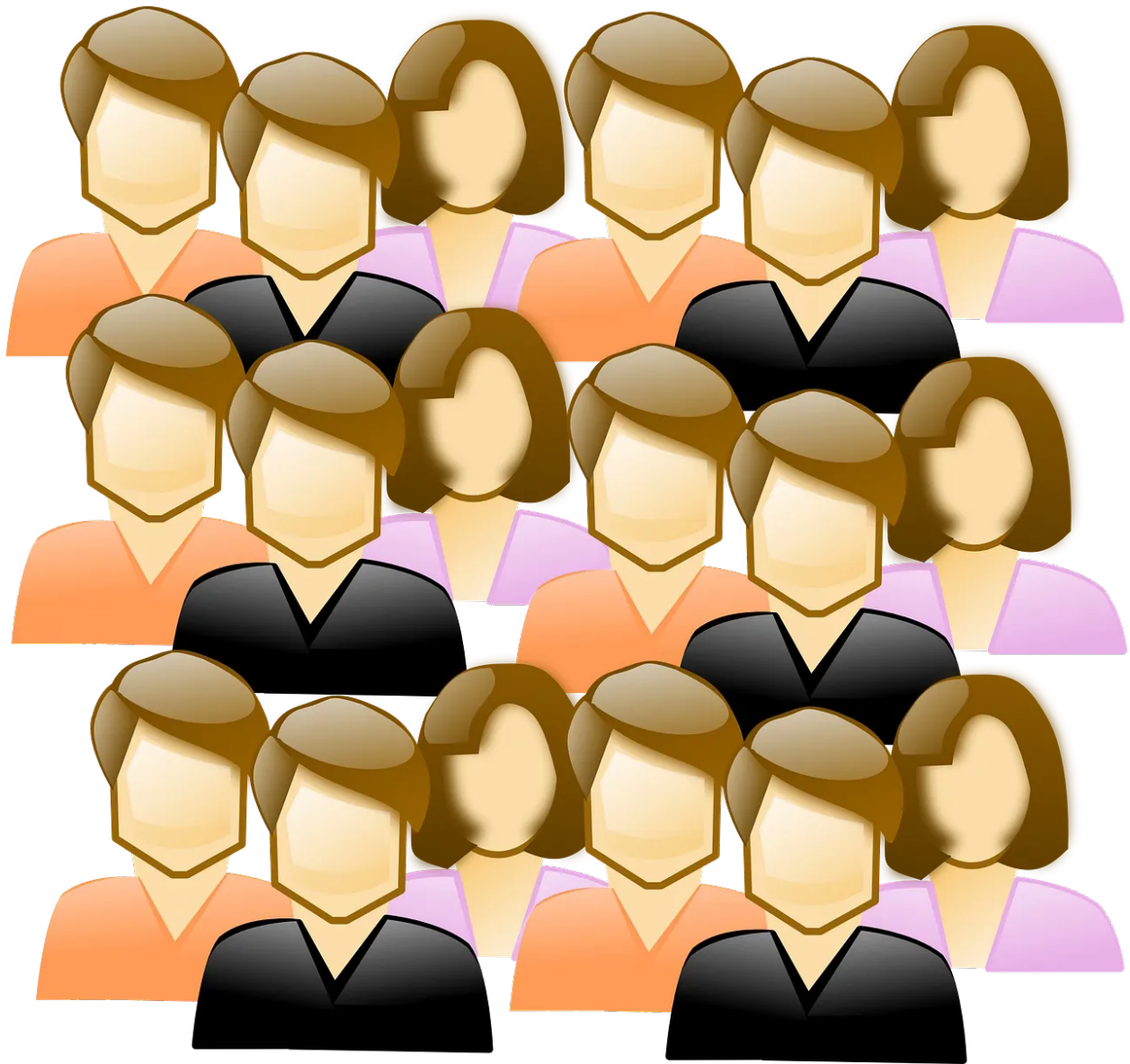
[Audio version at the end of this newsletter.]

I've shared recently how to find documents that support a journalist's investigation into governments and businesses. Question — who generates those documents? Who runs governments and businesses? Who are the 'experts' journalists contact to get information for their investigations? The answer is 'people.' The more you know about the people involved in those documents, the closer you are to finding the 'truth' that you want to report.

Reporting about the people involved in the documents you find raises many challenges. People in the United States are protected by different laws. Knowing those laws will help guide a journalist in what information they can report about an individual. I'll share some of those laws in a few minutes, but first let's place people in different categories to understand how we might go about investigating them —

- Known and Unknown
- Named and Unnamed
- Public and Private
- Alive and Deceased
- Near and Far

Known and Unknown



You will find many people in documents who are known. They may or may not be named in the document, but their existence is known. The method of identification of the person may help you determine their name.

There are also people in documents who are unknown. The 'unknown' people are harder to spot, but you can find that someone should have been listed in a document that is part of your investigation. For example: you are investigating a crime and find a police document that includes an officer's report that only one person (a man) was known to have been at a house when he was killed. However, you notice that the officer listed the presence of two glasses of wine on a table and that one of them had lipstick on the lip of the glass. That might indicate that a woman may have been with the man before or during the murder,

but that person is ‘unknown’ as your investigation begins. Detectives may use DNA from the glass to determine the identify of the ‘unknown’ person.

Another example is that you’re investigating a rash of burglaries in one area of town. Several of the victims and their neighbors told police about seeing a dark blue SUV driving slowly through the neighborhood just hours before the burglaries. The windows of the SUV were darkened, so the witnesses couldn’t describe the driver or any passengers in the vehicle. They also didn’t get a license plate number. The driver and possible passengers are ‘unknown’ people to the police at the beginning of the investigation, but may be known at a later time.

Those are just two examples of how you may come across an 'unknown' person in a document search. Make note of those 'unknowns' for your investigation. Law enforcement usually has more tools for identifying them, so stay in close touch with your police sources.

Named and Unnamed

You will find many ‘names’ in government and business documents. Keeping a record of those names, their positions in government or business, their work and home contact information, and calendar dates that fit with your investigation are important to keep in writing as well as digitally. Asking for copies of records is also a good idea. If a government agency refuses to allow you to have a document copy, you can talk with a supervisor, a highly placed source who has document access, or you can file an FOIA (Freedom of Information Act) to get copies of what you need.

Many government documents are heavily ‘redacted.’ That means some information in a document is either concealed or removed — usually to protect someone or some aspect of an investigation or ‘secret’ project. Getting those documents ‘un-redacted’ is often difficult, if not impossible. However, you can certainly report that documents important to your investigation were redacted. Your audience has a right to know that.

Even if governments or businesses won’t give the names of people involved in what you’re investigating, that is no reason to stop looking. Talk with sources, search for other documents that may help you connect the dots to put a name to the ‘unnamed.’ Do what police detectives do and ‘knock on doors.’ Put some ‘shoe leather’ into your investigation.

Public and Private

Some individuals you investigate will be ‘public figures’ or ‘public officials.’ Merriam-Webster defines a public figure as — “an individual or entity that has acquired fame or notoriety or has participated in a particular public controversy.” As for public officials, be sure to read 2 USC § 1602(15). It basically defines a public official as elected and appointed officials of a government (Federal, state, or local in the U.S.). There are some exceptions, so that’s why I recommend you read the legal code and ask your company attorneys for clarifications as they pertain to your particular investigation.

Public figures and officials usually have to prove actual malice in order to win a lawsuit against you for defamation, but lawsuits will tie you up in meetings with lawyers and courtrooms for weeks or months and cost tens of thousands of dollars. If you're going to take on the wealthy and powerful, be sure you're right and that your intent is pure.

Private figures (persons) are usually seen as ordinary people who have not voluntarily sought out the public spotlight. If you put a private figure into the public spotlight through your reporting, you could be liable for any damages to their reputation. Courts have generally supported a private figure's right to privacy, so they don't usually have to prove actual malice to win a defamation lawsuit against a journalist. The amounts that juries have awarded some private figures are sometimes into the hundreds of thousands or even millions of dollars. Be careful when reporting about a

private person. That doesn't mean you can't talk with them about your investigation. You just have to be careful about what 'light' you put on them in your report. Also, be sure whatever you say is true. Don't put people in a 'false light' (causing reputation injury and/or embarrassment) by trying to rush a story to print or air just to 'beat the competition.' Sloppy journalism won't protect you in court.

Alive and Deceased

Some of the people who generate documents you'll use in your investigations will still be alive. That means you can usually talk with them about the documents to verify and expand on information. However, some people who generate documents will be deceased. That makes verification and expansion of information more difficult, but not impossible. You can find out who else was involved in documenting something you're investigating and, if they are alive, you can talk with them. Some investigative journalists find themselves involved with investigations that may go back many years, even decades. There are many ways to verify and expand on information in documents even if the people who did the documentation are deceased. You can visit cemeteries, look online for information about

deceased, look at old documents at city hall, historical documents at libraries, etc.

Near and Far

Most local investigative journalists will find that talking with people involved in documents are near (physically close) to them. They can drive to their office or home, ask them to stop by your office, meet them for coffee, or in a private location (think covert). However, even if the person or persons are too far from you to meet in person — technologies like Zoom, Skype, FaceTime, phone calls, etc., are ways to talk with them. The more ‘secret’ or ‘sensitive’ the document(s), the more careful you will have to be in using technology to communicate with them (including email and text). Don’t let ‘distance’ hinder you from discovering truth.

Organize Your Search

Once you determine the categories of people mentioned in documents (named and unnamed), you will want to go through basic steps to organize all of the people and decide how you will approach each person. You can look back at [previous newsletters](#) where I describe the process of organizing documents. It's pretty much the same for the people involved in your investigation.

Depending on what kind of investigation you're conducting, you may have access to a large number of documents that will help you search for 'people' information. Here are some examples —

- Personal social media accounts (e.g. Facebook, X, Instagram)
- Published materials (e.g. books, articles, university dissertations and theses)
- Genealogy sites (e.g. Ancestry.com, MyHeritage.com, FindMyPast.com)
- Immigration records
- Voter registration records
- Motor vehicle registration records
- Birth records
- Marriage records
- Divorce records
- Death records
- Building permit records (including applications)
- Property ownership and tax records
- Property inspection records
- License records (including applications)
- Bankruptcy court records
- Tax court records

- Probate court records
- Election commission records
- Candidate finance records

People Who Know People

In addition to searching through records, talk with people who know the people involved in your investigation. That can include family members, neighbors, co-workers, former classmates, etc. People can often add ‘perspective’ about the people in your investigation that records can’t.

Audio Version



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