

Circuit attorney responds to Post-Dispatch's letter to the editor of GJR

Dear editor:

I am writing to offer my thoughts in response to the letter you recently received from the [St. Louis] Post-Dispatch regarding your publication's analysis relating to the Post-Dispatch's "Jailed by Mistake" articles. I believe Mr. Freivogel worked diligently to capture the perspectives of this complex situation in the Gateway Journalism Review (GJR). I am troubled by the response of the Post-Dispatch editors to this piece as it seems to be based on some substantial inaccuracies.

My position regarding the items included in the March 7, 2014, letter sent to the GJR by Messrs. Gilbert Bailon and Adam Goodman of the Post-Dispatch have been well documented over the past several months with both the Post-Dispatch directly and with the GJR.

- In a letter to the Post-Dispatch dated November 26, 2013, I shared the findings of my sample review of 10 percent of the cases reported in their article.
- I have clearly outlined the confidentially restrictions and closed-records laws that prohibit me from sharing with reporters specific documents they dismissively refer to as "too secret to reveal." Violating the law in an effort to prove the Post-Dispatched published inaccurate data is not on my agenda, as the accuracy of their publication is not my responsibility.
- I also offered to discuss this matter and the legal obstacles Post-Dispatch reporters face if Mr. Bailon was so

inclined. I have yet to hear from him.

- Last year, I dedicated more than 100 hours of taxpayer resources (at no charge) to assist reporters in researching data for this story because I believed the issue of mistaken arrests is an important challenge to the criminal justice system. I certainly wouldn't characterize this amount of effort as "stonewalling" or uncooperative.
- Contrary to claims, my office provided accurate information within the legal and ethical restraints placed on our system.
- I will not dedicate any additional resources to correct or clarify the Post-Dispatch data – most of which concerns matters outside of my office.
- In our office, we are constantly reviewing our policies and procedures to ensure the right people are held accountable for the crimes they commit. It is my understanding that other agencies, specifically those that arrest and jail suspects, are conducting their own review.

Over the last 13 years since I became circuit attorney, my office has provided substantial data, information and cooperation for Post-Dispatch stories at various reporters' requests. It certainly doesn't appear as though editors questioned my "bias" when using data from my office as a source in the hundreds of stories involving crime in the city. It is only when I offer criticism of their research methodology that I suddenly become a "biased" source.

In hindsight, if I could go back to when reporters first asked us to verify the data in their spreadsheet of over 100 people they claimed had been wrongly arrested, I would politely decline. We made a good-faith effort to cooperate and contribute to this story like we do with other reporter inquiries. Unfortunately, I now find my office in a position where our efforts to assist – rather than leading to accurate coverage of an important topic – have largely been

misrepresented.

As I've stated many times before, the issue of mistaken arrests is an important challenge to the criminal justice system that should be taken seriously.

Sincerely,

Jennifer M. Joyce

Circuit Attorney

City of St. Louis