

TV station's school 'test' story was worth doing, despite lockdown

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In late February, NBC's "Today" show hired two teenage-looking actors (both aged 21 or older) and sent them to a liquor store in New Jersey. The actors loitered outside, asking customers entering the store to buy beer for them. All male customers refused, but several women took their money and purchased their six-packs.

This was not a huge story and probably proved nothing. It did, however, stimulate discussion about the adult role in underaged drinking, especially when the "Today" staffers interviewed the president of Mothers Against Drunk Driving about the implication that women were more willing than men to provide teens with alcohol.

Television newspeople love this kind of story – and, because of their visual dimension, can do it very well. But news stories that involve reporters as active participants in making the news also raise ethical questions, as can be seen by the controversy resulting from KSDK's investigation of security at five St. Louis-area schools. KSDK, an NBC affiliate, was not alone in this caper. According to a report in the New York Times, WNBC in New York and the "Today" program did similar investigations of school security.

Were they wrong to do so? What ethical principles did they violate in producing these stories? Is this a case in which the ends – an investigation of security in our public schools

– justified the means the reporters used?

Investigative journalism has a time-honored place in the U.S. media system. Since Nellie Bly had herself admitted so she might examine conditions in lunatic asylums of the 1880s, reporters have gone undercover to discover the truth about the meat-packing industry, child labor, prison life, drug rings, supermarkets, airport security and a host of other disturbances in the American dream. Actually, Bly was not even the first; New York Tribune reporter Julius Chambers had arranged his own commitment to an asylum 15 years earlier. And just as the power and popularity of investigative journalism has grown with advances in computing and surveillance technology, so has the debate over the methods of investigation that are appropriate for reporters to use.

The first question to consider is whether the KSDK story was worth doing. Unfortunately, names such as Newtown, Columbine, Arapahoe and Roswell, and many others, have been hammered recently into the American consciousness because of tragic events in these communities. Gun control and school security have become matters of public concern and debate. While it might be questioned whether sending reporters to open school doors is the best (or only) way of reporting this story, it nevertheless is a story of public importance, and it might well be significant that the KSDK reporter found that four of the five schools he visited had effective security systems in place. Parents and pupils from these schools must draw reassurance from this.

What about the method KSDK used? In Tripp Frohlichstein's accompanying article, this is referred to as an "undercover investigation." In fact, it was nothing of the sort. Some years ago Edmund Lambeth of the University of Missouri published a fine article on the ethics of investigative reporting. Lambeth used the phrase "passive deception" for what KSDK did: the reporter appeared as a public citizen might, sampling a restaurant (food critic) or film or auto

repair garage – or, in this case, checking to see if anyone could walk into the school unimpeded. At Kirkwood High School, he could – and so could anyone else. Lambeth distinguished “passive deception” from “aggressive deception,” which involves role-playing (pretending to be someone else) or a form of lying. The “Today” program experiment described at the beginning of this article is a form of aggressive deception, which can be less acceptable in an ethical sense. The KSDK reporter was not in disguise and acted as could any member of the public, armed or not.

Lambeth also discussed the notions of “benign” and “invasive” deception. Benign deception refers to cases in which the reporter gathers information without altering the context of the situation, performing mainly eyeball surveillance. He distinguished this from “invasive” deception, in which the reporter misrepresents his identity or provides falsified information, such as incorrectly filling out a job application so the reporter might obtain a position. These invasive acts change the context – and, in doing so, might alter the story that is reported, and therefore raise a new set of ethical questions. Again, using Lambeth’s ethical standard, KSDK’s benign reporting did not alter the context of the situation in the schools, and therefore was not, on its face, unethical.

Frohlichstein castigates KSDK for failing to meet the standard of the Society of Professional Journalists’ ethics code that suggests “undercover and other surreptitious methods” should be avoided except in exceptional circumstances, such as when there is no other way of reporting the story. The SPJ code is only one ethical system available to journalists, among many – and, as shown above, it does not apply in this case, as the KSDK reporter was not “undercover” or using surreptitious means.

Ethicist Sissela Bok suggested that a “test of publicity” might be used in determining whether investigative methods are ethical. According to Bok, this is an issue of transparency:

to what extent is the reporter or news organization willing to assert and defend publicly the methods used in generating information? In this case, KSDK explained quite explicitly what its reporter had done in approaching the schools, seeking entry, identifying himself to authorities, and leaving the scene. This worked in four of the five cases. KSDK's procedures broke down when the reporter encountered the one school with no apparent security system in place. But this does not mean the station's work fails Bok's test.

In Frohlichstein's article, KSDK is taken to task for what happened after the reporter left the scene at Kirkwood. This is a purely consequentialist argument, trying to make the reporter responsible for what happened after he reported the story – a classic case of blaming the messenger. Is it the reporter's fault that the principal put the school on lockdown? That a teacher incited his students by promising to stand at the door and sacrifice himself in protecting them? That another teacher told a student to arm himself with scissors and be prepared to kill the person if it came to that (the student's mother reported this on Facebook)? That another student spent 40 minutes thinking she was going to die? Clearly, the school administration and faculty were caught unprepared, just as they were unprepared earlier when the reporter was able to enter the school, walk past several occupied classrooms, ask a teacher for information without being questioned, and the school was unable to locate the security officer when the reporter finally reached the main office. In this circumstance, should parents and students be angered by the television station that exposed this remarkable level of unpreparedness, or the school officials who failed to provide them with better protection?

KSDK probably was guilty of one error of judgment: selecting Kirkwood High School as one of its five schools. Kirkwood lies in the heart of middle-class St. Louis, the comfortable home of many members of the city's media industry. Frohlichstein

himself previously has been employed by KHS, and two of his children attended Kirkwood schools. Putting this obvious conflict of interest aside, one is left with two thoughts:

- We are given the impression that KSDK's reporting of this story led to a storm of public disapproval, but why do we not hear about the parents and pupils at the other four schools? Were they unhappy with the station and its reporting in the same way?
- Would the media establishment be attacking KSDK if it had substituted a high school in South County or North St. Louis for Kirkwood in checking on school security?

Then again, given the value of public attention to ratings, maybe KSDK knew exactly what it was doing.

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