

August 28, 2008

OP-ED COLUMNIST

## Media's Balancing Act

By NICHOLAS D. KRISTOF

By early 2002, it seemed clear that the United States government was muffing the anthrax investigation. Microbiologists interviewed by the F.B.I. reported that the bureau didn't fully understand the science involved and had allowed the destruction of anthrax stocks that might have provided comparisons with the spores used in the attacks.

In the spring of 2002, I wrote a series of columns about the anthrax investigation, including some in which I referred to a "Mr. Z" as an example of the flaws in the F.B.I.'s investigation. Some scientists had mentioned him to the F.B.I. early on as a candidate for closer scrutiny, but those trails weren't initially followed.

Later, after the authorities tipped off television reporters before a raid of his home, Dr. Steven J. Hatfill held a press conference to deny any involvement in the anthrax case. In the process, he confirmed that he was Mr. Z.

The government later named Dr. Hatfill as a "person of interest" in the case, and agents came to trail him constantly. Government officials leaked private information about Dr. Hatfill to reporters and this year paid him a multimillion-dollar settlement as a result.

Then, this month, the government announced that the real culprit was, Bruce Ivins, another scientist who had worked in the United States biodefense program at Fort Detrick, in Frederick, Md. The F.B.I. claims that Dr. Ivins, who killed himself as the investigation closed in on him, was actually the anthrax murderer, and it exonerated Dr. Hatfill.

So, first, I owe an apology to Dr. Hatfill. In retrospect, I was right to prod the F.B.I. and to urge tighter scrutiny of Fort Detrick, but the job of the news media is supposed to be to afflict the comfortable and comfort the afflicted. Instead, I managed to afflict the afflicted.

Dr. Hatfill sued me and The New York Times, along with others in the news media and the Justice Department. His suit against me and The Times was dismissed, yet even if I don't have a legal obligation, I do feel a moral one to express regret for any added distress from my

columns.

That makes this a good moment to look at the larger question of what principles should govern the collision between the public interest in aggressive news coverage and the individual interest in privacy.

Dr. Ivins is a case in point: Some of his friends and family are convinced of his innocence and believe the F.B.I. hounded him to death. And the evidence against him, while interesting, is circumstantial. Shouldn't a presumption of innocence continue when a person is dead and can no longer defend himself?

So don the mantle of a journalist for a moment and think about how you would handle these three hypothetical cases:

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You discover that police have seized barrels of chemicals from a group of young foreign men living in town and are questioning them on suspicion of planning to poison the local reservoir. The men's lawyer pleads with you to write nothing, saying that the matter will be cleared up and that publicity would exacerbate anti-foreign prejudices and make it impossible for them to remain in the community. Do you write about it?

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You find that police have a new suspect in the JonBenet Ramsey case and are interrogating him repeatedly. A friendly cop lets you peek at the man's file. The man's wife calls up frantically to beg you not to go public, saying that an article would set off a media feeding frenzy that would permanently traumatize their three children. Do you break the story about this suspect?

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You learn that the local high school girls' basketball coach has been repeatedly accused of sexual misconduct and has left three previous schools under a cloud of suspicion. The school authorities seem paralyzed and are encouraging the teacher to move again before the next school year, but the police have not been involved. The coach says he is leaving the area and probably teaching. He pleads with you to let the matter drop and hints that a scandal might drive him to kill himself. Do you write anything?

My own answers are yes, no and yes. In the first case, the risk to a reservoir is such a serious health concern that it demands coverage. In contrast, the Ramsey case is titillating but doesn't

involve serious public policy concerns (though any cable TV channel would break the story in a heartbeat). In the third case, the school system has failed and news coverage may be the only corrective oversight.

Naturally, it would be important to give the suspects' points of view and to humanize them by quoting friends. But my own judgment is that while the cost imposed on individuals can be huge, where crucial public interests are at stake, we in the press should be very wary of keeping what we know from the public.

*I invite you to comment on this column on my blog, [www.nytimes.com/ontheground](http://www.nytimes.com/ontheground), and join me on Facebook at [www.facebook.com/kristof](http://www.facebook.com/kristof).*

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