

## **A Tale of Five Cities: Why the Newspaper-Broadcast Cross-Ownership Ban Should be Preserved**

For more than 30 years, the Federal Communications Commission has had a rule in place that prevents one company from owning both the local newspaper and the local TV station in one community.<sup>1</sup> The reasons behind the ban on newspaper-broadcast cross-ownership are clear: A single owner deprives a community of important diverse sources of news, information and opinion.

As journalism professor Douglas Gomery wrote in 2002, there are even better reasons to keep the newspaper-broadcaster cross-ownership ban in place today than there were in 1975. A handful of media giants now owns most of the major sources of our information: newspapers, television stations, radio stations, and cable systems. The media behemoths are more concerned about pleasing shareholders and increasing profits than serving their respective communities. The number of layoffs at the New York Times Co.<sup>2</sup> and Tribune Company<sup>3</sup> attests to the power of Wall Street, not Main Street, to dictate the resources that are available to cover news, particularly local news.

The very reason that merging newspapers and broadcast outlets under one owner makes economic sense – the ability to maximize the productivity of news staffs by sharing resources, reducing competition, and cutting costs – often fails to serve the public interest when it reduces the amount of independently produced news and information available in a local community.<sup>4</sup>

A cross-owned media offers the following dangers:

- Giving the community inadequate coverage of the media business itself
- Ignoring diverse voices, particularly critics
- Avoiding enterprise reporting
- Confusing promotion with substantive journalism
- Choosing synergy over a quality product
- Compromising editorial values for business reasons
- Sharing resources and staff in ways that dilute, rather than enhance the quality of the cross-owned news staffs

Media that are not cross-owned can be guilty of the same sins, but in media markets with diverse owners, those sins are more likely to come to light, and less likely to harm viewers, readers and listeners, who have other sources of news and information about local events and issues.

*Comments submitted in 2002 to the Federal Communications Commission by Consumers Union, the Consumer Federation of America, the Media Access Project, the Center for Digital Democracy, and the Civil Rights Forum provided invaluable help in the preparation of this report.*

### **Going easy on a media outlet that shares a common owner: The Tampa Story**

If newspapers and TV stations share the same parent in one market, it is likely that each media outlet will go easy when the other media property is criticized.

Consider, for example, what happened when NBC affiliate WFLA-TV was excoriated by journalists across the country for its practice of charging guests on its morning magazine show, *Daytime*, \$2,500 for a four-to-six-minute segment with the program's hosts.

*Washington Post* media columnist Howard Kurtz wrote three stories about the incident. His first story was published on Oct. 16, 2003, and was headlined, "Florida TV Station Cashes in on Interview 'Guests'." Kurtz ultimately returned to the subject three times, and the *Post* also published an editorial calling the practice of posing advertising content as stories on the magazine format show as a "descent to pay-for-play journalism."<sup>5</sup>

But the *Tampa Tribune*, which shares the same parent, Media General Corp., with WFLA, took a kinder, gentler approach in its story, which was published on Oct. 18., two days after Kurtz aimed his first critical salvo.

The *Tribune's* 590-word story, which ran on page two of its metro section, describes *Daytime* as an "advertiser-driven talk show," and quotes only WFLA executives who countered Kurtz's criticism by asserting that *Daytime* was not a news show. "[H]e (Kurtz) inaccurately characterized *Daytime* as being journalism," WFLA's president and general manager told the *Tribune*. "*Daytime* is an entertainment program with no journalism elements," Land added.<sup>6</sup>

The *Tribune's* coverage so riled Elizabeth Rose, a former public affairs officer for the Federal Communications Commission (FCC), that she penned an op-ed for *Broadcasting and Cable*, in which she charged that the "co-owned newspaper did not break this legitimate media story unfolding right in its own building. When the paper did get around to reporting it, its version read like a corporate press release. This is a case study of why TV/newspaper cross-ownership is bad for democracy," Rose concluded.<sup>7</sup>

It was only after Senator John McCain (R-AZ) asked the FCC to examine the practice of selling airtime to advertisers that the *Tribune* gave any substantive coverage of the scandal at WFLA.<sup>8</sup>

### **Shutting out diverse voices: The Atlanta Story**

On March 25, 2002, a contingent of African-American civic and religious leaders staged a protest rally outside the entrance of the *Atlanta Journal-Constitution* to complain about the newspaper's coverage of the city's African-American political leaders. The protestors included the head of the

Atlanta Economic Development Corporation, the president of 100 Black Men of America, and The Concerned Black Clergy.<sup>9</sup>

But the *Journal* did not cover the protest demonstration. Neither did WSB-TV, although, according to African-American newsweekly, the *Atlanta Inquirer*, a WSB-TV cameraman taped the entire event. Both the *Journal-Constitution*, Atlanta's only daily newspaper, and WSB-TV, the ratings leader for local news, are owned by Cox Enterprises. Cox also owns WSB-AM, its leading news/talk radio station.<sup>10</sup>

Atlanta's major media also ignored another major story in its own backyard. When Federal Communications Commissioners Michael Copps and Jonathan Adelstein held a hearing in Atlanta, on the FCC's proposed media consolidation rules in May 2003, *Salon.com* covered the event, which drew 600 people.

But neither the *Atlanta Journal Constitution* nor WSB radio or television alerted its readers or listeners that a meeting was going to be held, nor did a story on the event, according to *Salon*. The only way the crowd found out about it was by reading the city's alternative weekly, or tuning in to two community radio stations, WRFG or WRAS.<sup>11</sup>

### **Confusing promotion with substantive journalism: The Phoenix Story**

Sometimes when a newspaper and a television station join forces on a community news/public service project, the reporting does not go deep enough. That seems to have been the case in Phoenix, Arizona, where Gannett owns the state's largest newspaper, the *Arizona Republic*, and television outlet, KPNX-TV. The co-owned media outlets teamed up to push a special effort on swimming pool safety.

The newspaper's promotion and the TV station's outreach both took the same approach: warning parents to watch their children around pools, particularly during the summer months. On Labor Day in 2002, the *Republic* pronounced victory, and declared a 50 percent drop in drowning deaths.<sup>12</sup>

But a thoughtful investigative story, the result of one year of research, by the alternative weekly in town, the *Phoenix New Times*, offered a different point of view. The *New Times* contended that the safety campaign's results were more tenuous, and that drownings did not end with the formal end of the summer season. Indeed, the total number of childhood drownings in Phoenix in 2002 was down by 3, from 15 to 12, a 20 percent decline. Further, a careful read of the statistics and historical record seemed to indicate that drownings were clustered in a number of neighborhoods in decline in West Phoenix, and that the lack of a proper fence around pools, rather than inadequate parental supervision during pool time, was a major cause of the deaths and near-deaths from drowning.<sup>13</sup>

Ironically, the same story extolling the promotion effort buried a much more troubling fact: Efforts by Phoenix firefighters to supply disadvantaged Phoenix families with free pool fences had fallen far short of their goal. Of the 500 requests for pool fences the firefighters received, they were able to help only one in 20 families. The firefighters resorted to a lottery to choose the winners. In a more competitive market, one of these leading news outlets may have seized on this disturbing fact.

Two years later, *The Republic* came to understand the importance of pool fences. While still championing the success of efforts by the newspaper and its co-owned TV news operation, 12 News, for its pool public awareness programs, the *Republic* cited statistics from the Arizona Child Fatality Review Team that found that from 1995 to 1999, “only four of 81 drowning deaths by children younger than 5 occurred in backyard pools that had an adequate pool fence and a properly functioning, locked gate.”<sup>14</sup>

### **Substituting synergy for a better product: The Hartford Story**

Meteorologist Dr. Mel Goldstein had all the professional credentials to write a daily column on the weather for the *Hartford Courant*, something he did for 17 years. A longtime member of the faculty of Western Connecticut State University, and director emeritus of its weather center, Goldstein had a TV weather gig at WTNH-TV, and in 1999 authored “The Idiot’s Guide to the Weather.” Nominated for an Emmy for an educational series on the weather, he was described by a *Courant* staff writer as “an icon of Connecticut weather forecasting.”<sup>15</sup>

But when the Tribune Company merged with Times Mirror in 2000, it acquired the *Hartford Courant*, which had been a Times Mirror paper. And that marked the end of Dr. Mel’s days as a daily weather columnist.

The media giant brought in Justin Kiefer of its Tribune-owned station and Fox affiliate, WTIC. Kiefer’s column, adorned with a Fox 61 logo, was a part of Tribune’s branding efforts, according to *Hartford Courant* columnist Roger Catlin. “Dr. Mel may have written a better column, but Kiefer took over because he’s part of the Tribune family, like us,” Catlin wrote in a column criticizing the FCC’s proposed approval of newspaper-broadcast cross ownership in one market.<sup>16</sup>

“Since the summer of 2000, when Tribune bought Times Mirror, readers and the newsroom have been adjusting to - sometimes struggling with - the new brand and affiliations, including those with WTIC, Channel 61,” wrote *Courant* reader representative Karen Hunter in 2004. “The replacement of weather columnist Mel Goldstein with Channel 61’s Justin Kiefer on the weather page was another Tribune cooperative effort that readers didn’t care for but eventually stopped complaining about. Synergy is here to stay,” Hunter concluded. “now, if only the tastes of *Courant* readers could be figured into the equation.”<sup>17</sup>

### **Ignoring conflicts of interest: The Milwaukee Story**

The worst part about the huge conflict of interest scandal at the *Milwaukee Journal Sentinel* is that it was barely covered in Milwaukee. The state's largest newspaper failed to run any stories about the serious allegations concerning Robert Kahlor, the CEO and chairman of Journal Communications, which owned the *Milwaukee Journal* and *Milwaukee Sentinel* (which merged in 1995), as well as WTMJ-TV and WTMJ-AM, both ratings leaders for local news.<sup>18</sup>

In 1994, Kahlor took on the high-profile and controversial position of chairman of the Milwaukee Stadium Commission, working to secure private and public financing for a baseball stadium. Kahlor was also one of four registered lobbyists working to promote the stadium on behalf of Journal Communications.

For Kahlor, who essentially controlled a huge chunk of Milwaukee's media outlets, to take this position would have posed substantial questions about the ability of the Journal outlets to cover the stadium issue fairly. What made the issue even worse was the fact that WTMJ broadcast the games of the Milwaukee Brewers. So Journal Communications had a direct financial interest in saving baseball in Milwaukee.<sup>19</sup>

Kahlor's actions caused were troubling to many Journal reporters. "We were totally compromised at that point," Sue Ryon, deputy editor of the *Milwaukee Journal's* editorial page, told *The Washington Post*. "We have no credibility. Anything we said, it was, 'Well, who can believe them? Look at the position they're in?' We felt as a newspaper, as an editorial board, handcuffed, and that was pretty much from the beginning."<sup>20</sup>

But no Journal Communications outlets explored the conflict of interest question, or questioned the tenor of their coverage. Indeed, when Madison, Wisconsin's *Capital Times* dared to ask Kahlor about his media outlets' objectivity on the issue, he responded: "Quite frankly, this is the first time anyone's raised the question," conceding, however that coverage has "been positive. But it's been positive for the right reasons – because our reporters and editors understand that [a new stadium] is good for Wisconsin."<sup>21</sup>

But the newspaper and its TV and radio outlets turned out to be more than handcuffed. "All four Journal media lost almost all objectivity," David Berkman, a retired mass communications professor and media columnist for Milwaukee's alternative weekly, told *Broadcasting and Cable* in 2001.<sup>22</sup> "The Journal Company's newspaper, TV-news shows and news-talk radio station all marched in lock-step supporting the public financing position," Beckman observed.<sup>23</sup>

University of Wisconsin professor David Pritchard agreed. "We had two daily newspapers then, both owned by Journal Communications, one liberal, one conservative. They both ran front page

editorials supporting the plan. The TV station fell in line. Even the very conservative talk show hosts on their radio station fell in line for a huge public subsidy.”<sup>24</sup>

There were virtually no dissenting voices in this debate. The other two TV stations largely supported the public financing argument. “[T]his case is a classic example of how a media monolith defeats the purposes of free and open debate...”<sup>25</sup>

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- <sup>1</sup> Douglas Gomery, "The FCC's Newspaper-Broadcast Cross-Ownership Rule: An Analysis," Economic Policy Institute, 2002:1.
- <sup>2</sup> David B. Wilkerson "New York Times Co. To Cut 500 Jobs, or 4% of Staff," MarketWatch, 20 Sept 2005.
- <sup>3</sup> "Tribune Plans 900 Job Cuts in 2005, CEO Says," Associated Press, 7 Dec 2005.
- <sup>4</sup> Douglas Gomery, "The FCC's Newspaper-Broadcast Cross-Ownership Rule: An Analysis," Economic Policy Institute, 2002:2.
- <sup>5</sup> Howard Kurtz, "Florida TV Station Cashes In on Interview 'Guests,'" *The Washington Post*, 16 Oct. 2003.
- <sup>6</sup> "Daytime Is Not A News Show, WFLA Explains," *Tampa Tribune*, 18 Oct. 2003.
- <sup>7</sup> Elizabeth Rose, "The Story Local Media Ignored," *Broadcasting & Cable*, 10 Nov. 2003.
- <sup>8</sup> Keith Epstein, "Senator Seeks A Review of Paid TV Spots," Tampa Tribune, 5 Nov. 2003.
- <sup>9</sup> Charles Black, "Community Groups Blast AJC," *Atlanta Inquirer*, 30 Mar. 2002.
- <sup>10</sup> Charles Black, "AJC Ignores Protest of 'Biased' Coverage," *Atlanta Inquirer*, 6 Apr. 2002.
- <sup>11</sup> Meredith Hobbs, "Just Say No to Supersized Media," *Salon.com*, 29 May 2003.
- <sup>12</sup> Judi Villa, "Summer Drownings in Valley Pools Cut in Half," *The Arizona Republic*, 3 Sept. 2005
- <sup>13</sup> Quetta Carpenter, "Kid Drownings: After decades of failure, the well-intentioned still don't get it," *Phoenix New Times*, 26 Dec. 2002.
- <sup>14</sup> "Anti-Drowning campaign Paying Off in Lives Saved," *The Arizona Republic*, 8 Aug. 2005.
- <sup>15</sup> Steve Grant, "Weather, By The Book," *Hartford Courant*, 6 Aug. 1999.
- <sup>16</sup> Roger Catlin, "FCC Decision Opens All the Wrong Doors," *Hartford Courant*, 4 Jun. 2003.
- <sup>17</sup> Karen Hunter, "If It's Not Broke ...", *Hartford Courant*, 1 Feb. 2004.
- <sup>18</sup> Eilien Davis Hudson, "Milwaukee," *Mediaweek.com*, 5 Sept. 2005.
- <sup>19</sup> Steve Fainaru, "Selig Plays Hardball on Stadium Deals," Washington Post, 27 Jun 2004.
- <sup>20</sup> Steve Fainaru, "Selig Plays Hardball on Stadium Deals," Washington Post, 27 Jun 2004
- <sup>21</sup> Rob Zaleski, "Paper's Ties To New Stadium Raise Eyebrows," Capital Times, 1 Apr. 1995.
- <sup>22</sup> Bill McConnell, "The National Acquirers; Whether For Better News Or Fatter Profit, Media Companies Want In On TV/Newspaper Crossownership," *Broadcasting & Cable*, 10 Dec. 2001.
- <sup>23</sup> Before the Federal Communications Commission, In the Matter of Cross-Ownership of Broadcast Stations and Newspaper and Newspaper/Radio Cross-Ownership Waiver Policy, Reply Comments of Consumers Union, Consumer Federation of America, Media Access Project, Center for Digital Democracy, and The Civil Rights Forum, 15 Feb. 2002:65.
- <sup>24</sup> "McCain Sounds Off on FCC's Upcoming Vote on Media," Anderson Cooper, anchor, CNN Live Sunday, 1 Jun. 2003.
- <sup>25</sup> Ibid.