

## Obtaining & Analyzing Documents — for Freelancers & Tiny Newsrooms

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### Free sources of key documents

The opportunities for obtaining documents are nearly limitless, but you need to know what you're looking for and where to look.

- **Building a profile.** For any story concerning a powerful person or political figure, finding documents to build a profile can be useful. Every city and county maintains property and mortgage records, many of which can be accessed for free online. Search civil and criminal cases on local courthouses. If the person owns a private jet, the jet might be registered by the FAA and you can use websites like FlightAware to track their movement. Search state business directories, which are typically maintained by the Secretary of State, for business filings.
- **Nonprofit data.** Nonprofit entities face an array of disclosure requirements. Nonprofit charities, issue advocacy groups, and foundations file annual tax information through the 990 IRS document to both the IRS and to any state in which they engage in fundraising. Some states, such as New York, require a greater level of disclosure. You may find most of these documents through state Secretary of State websites, as well as private sector aggregators, such as the Foundation Center. Some nonprofits, such as labor unions, file specialized disclosures. The L-M annual reports for NLRB-regulated unions file reports with the Department of Labor, which are also digitized and can be accessed on the web.
- **Social media.** One of the best places to find documents are online resources people use to share documents. Search public document sharing tools such as Issuu.com, Slideshare.net, Scribd, DocumentCloud, and other sites. You will be surprised how often companies and individuals upload public documents to these sites.
- **Google, public clouds.** Sometimes the best way to find a document is to simply use a Google search string. Use filetype searches (filetype:pdf or filetype:ppt, for example) plus quotations to search for exact terms within specific document types. Or, find a public cloud or domain such as Amazon or a website with many documents, and search the directory. For example (site:politico.com filetype:pdf "congressman").
- **Politician letters.** Finding and analyzing letters from lawmakers and other public officials can be very helpful. Although Congress is exempt from FOIA, federal agencies must comply with the law, and you can ask for letters to and from members of Congress, providing a useful window into which pet projects or policies have been favored by legislators. Also, once you find a document from a lawmaker, if it is in Word format for instance, you might be able to go into the meta-data and view track changes, and see if the letter has been edited by a third party.

### Select Public Records Strategically

If you have a small budget, you can quickly blow it on paying for public records. So it's important to be strategic about your public records requests.

Before you make a request:

- **Ask an expert** in the field you're reporting on which records exist and which you need first. If you need more, you can request them later
- **Order a sample first**, to confirm that you need the rest and start the negotiations over what will be redacted. It's also easier and quicker to get one record than hundreds or thousands.
- Try to find out if **other trustworthy sources** have the same documents and are willing to share them for free. Sometimes attorneys who want your story to succeed will not only give you court transcripts, they'll allow you to photocopy and scan them in their offices.

### Tricks for Getting Your FOI Filled without Institutional Backing

The cat and mouse game of dealing with public information officers can be really fun, but only if you win. Here are some tips for improving your chances.

- **Preempt the excuse that the record doesn't exist.** Send the PIO documents that prove the existence of the data you need. Ideally you can get an expert or a whistleblower to give you a copy of the record you need and send that with your FOI request. But if that's too hard, look for a substitute document. Something as simple as an agency report that alludes even once to a statistic related to the data you want can work, too.
- **Preempt the excuse that the record is confidential.** In some states, there are public agencies responsible for ensuring compliance with FOI laws. Develop some relationships with people in that agency and ask them to write an opinion of whether a specific records request is confidential. In some cases, they've already made similar rulings for other agencies. You can send these to the PIO too.
- **Know thy public records law** and use a friendly but firm approach to enforcing it. Keep a spreadsheet listing all of your FOIA requests and their deadlines and statuses. Check it daily and send a follow-up email/fax the day any deadline passes. Prompt action can be very effective but when it isn't, warn the PIO that you plan to seek legal counsel. And when the PIO has exhausted time limits under the law, ask the agency that oversees FOIA compliance to intervene.

### Build an Informal Team

Because investigative journalism can be very labor intensive, there are times when freelancers and reporters in small newsrooms need to rope in others to help.

- **Legal help.** Let's face it, often you can't get that FOIA filled without a threat of legal action. Before you send your first FOIA, consider calling up law schools in your state to see if any offer a clinic where law professors take on first

- amendment issues and write demand letters. In many cases, a demand letter is all you need to spur action. If that doesn't work, you might be able to get help from a law firm that does media work or has FOIA experience. Reach out or get introduced to an attorney and ask if they or any of their colleagues would work with you on this project on a pro-bono basis. Again, try to arrange this help before you start sending FOIAs so that your responses to agency inaction can be prompt.
- **Data entry.** After the excitement of a fulfilled data request wears off, having a trove of paper records in your living room can quickly become daunting if you don't have a plan for getting help with data entry. If you're a freelancer, consider using some of your story budget to hire a researcher or two to help with this. You'll be so happy you did. And if you're in a small newsroom, find some good interns and train them to do this. Just be sure you implement good controls and double-check everything to ensure complete accuracy.

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