

USC Institute for Justice and Journalism Story Behind the Story

"An American Family"

Celeste Fremon

Published in the *LA Weekly*

A year long series

THE STORY IDEA

The "American Family" series was not originally conceived as a criminal justice project. In the beginning, my editor at the LA Weekly, Alan Mittelstaedt, proposed a year-long series following a family of working poor in which we'd report in regular installments on different aspects of the family's day to day struggles. He sold the Weekly's editor, Laurie Ochoa on the notion and they approached me.

I agreed to do the series on the condition that I could find the right family. I also wanted to up the ante. At the time I'd been gathering information about California's recidivism rate, which had blown through the roof since the mid-1980's when the state's corrections policy moved away from rehabilitating prisoners, and toward punishment. I'd also recently read Joan Petersilia's, "When Prisoners Come Home," in which she analyzes parole and reentry policies and their impact on recidivism....and wanted to do something on the subject. Yet I'd not been able to interest my editors. They thought the subject worthy, sort of, but essentially boring.

It occurred to me that if I could find a family where the husband or wife was a recent parolee, the series could be a back door way of exploring the prisoner re-entry problem through one parolee and his family.

THE PROPOSAL

Finding a family (or a person) one can follow around for a year is fraught with lurking bear traps. For example, one might find a family that seems fairly average, but turns out to have deep hidden problems or colossal quirks that don't surface until partway through the series---and then threaten to drag the series down some rabbit hole. Plus there's the pesky fact that a lot of people tend to freak out when they see their lives---human blemishes and all---put into print. In most forms of reporting, such freakouts occur only after the fact, when the article has already been published. In the case of a year long series, with updates being done in real time, if in, say, month four,

the family got upset with having a reporter stalking their every move....we could be in real trouble.

I interviewed a number of potential families elsewhere in the city before I found Frances and Luis Aguilar through Homeboy Industries, the East Los Angeles gang intervention program run by Father Greg Boyle. On first bounce, they seemed ideal. Frances and Luis were each former gang members who had now matured out of the gang life and were trying to build a stable home for their five kids. Frances was 30 when I began the series, Luis 31. Luis had just been paroled from prison two weeks before I first spoke to him. I liked Frances right away. She seemed able to articulate the wounds and mistakes of her past without pulling punches. It helped that Father Greg had known both Frances and Luis for a year or so and thus was able to assure me to some degree that what I was seeing was pretty much what I would be getting. Moreover, Frances seemed to understand what she'd be getting into with the series, and didn't seem---at least on the surface---to be intimidated by the fact that some of her personal blemishes would be on display.

There was, however, one big problem: Although Frances agreed to the series fairly quickly, her husband Luis said, no, absolutely not. After some negotiation, he agreed to meet with me. We talked for an hour at the Homeboy offices during which time I told Luis what I hoped to do with the series, and asked him how he was doing with the whole reentry thing. He began opening up about his fears. And once he started talking, he didn't want to stop. At the end of our conversation Luis had agreed to go ahead.

Choosing a husband and wife who were both former gang members, now *really* upped the ante on the Weekly's original idea and I worried that the editors would object---feeling that the couple was too unsympathetic to sustain a series. But, both Alan and Laurie were enthusiastic.

THE PROCESS

The plan was for me to do a 5,000 word feature for the first "chapter" of the series that would introduce the family---and the problem of reentry--- to the readers. After that, I'd do updates every month or two of about 1200 to 1500 words in length. After months of interviews et al, the first installment was finished, making its way through the editing process and set to run the following week when an event occurred that turned the whole thing in a different direction: the Aguilars' house was raided by the police, and Luis was arrested and charged with drug dealing.

For one awful weekend, e-mails flew back and forth between me and the editors (and between the editors themselves). No one was thrilled that our nice, sympathetic parolee seemed suddenly to have returned to criminal behavior---making him not at all the subject the Weekly had in mind following for a year. At first, there was talk of killing the series. I pleaded with my editors to allow me to follow the story wherever it went. I figured that, whatever was or was not true about Luis, we could focus on Frances and still have a valid series. In the meantime we could explore Luis' case. After several more flurries of e-mails, the Weekly made the brave decision to go ahead with the project, come what may.

At the beginning, it appeared that Luis must be guilty (although he steadfastly maintained his innocence). The case against him looked pretty solid and damning in that it was based on the testimony of a police officer who said he observed Luis making a drug deal. Plus there were three additional witnesses who implicated Luis in various police documents.

But as I began to look into the case that the police had against him, another picture began to immerge. During the six and a half months Luis spent in jail awaiting trial, I tracked down and spoke to the primary witnesses who had supposedly implicated Luis in those reports, plus other witnesses who had knowledge of the case. From witness after witness, I learned of coercion, threats and gross misrepresentations on the part of law enforcement in building the case. When I finished my investigation, my editors and I concluded that all or part of the case against Luis Aguilar had been falsified by the arresting officer, Rudy Chavez, who was the prosecution's main witness.

So what began as one kind of criminal justice series with reentry at its core, now was a story that included an investigative story of police corruption.

ORGANIZATION

Organization was one of the biggest challenges of this series.

Since it was unclear if Luis was guilty or not, while I investigated his case, I shifted much of the focus of the series to his wife Frances, and began to anchor most of the narrative around her and the kids as she struggled to keep herself and her family afloat while Luis battled his case. At the same time, I couldn't lose track of Luis, who was now locked up.

This meant that each installment had to track multiple themes.

1. The unfolding investigation into the charges against Luis: did he do it or not?

2. The unfolding of case itself---each court appearance, and the strategy of his two lawyers, and of the prosecutor.

3. The events in the family's life as they coped with the collateral effects of his incarceration---social, emotional, financial and legal.

I found that if I tried to juggle all of the above in any kind of straight chronology, it led me to write "chapters" that were annoyingly episodic in nature. Instead I used a modified 3-act structure for each chapter, where chronology played a part, but events were also grouped according to subject (kids, trial developments etc.), with some sort of cliff-hanger at the end. (More on that later.)

It also helped for chapter to have its own overriding theme, in addition to the ongoing themes that the series as a whole had to track.

For example, Chapter 2 detailed Luis' arrest, and subsequent charges, but its *uber* theme was Frances' sixth pregnancy, the realization that she'd have this baby alone, and at the end of the chapter the birth of the baby, and Luis' first glimpse of his baby girl through the jailhouse glass. Similarly, Chapter 4 covers Luis' ongoing case, and Frances' money troubles now that the family's main breadwinner is locked up. But Chapter 4's *uber* theme is the effect of Luis' incarceration on the kids, the oldest two of whom are crashing and burning in school, after having just started to regain stability before Luis was arrested. It follows as the 12-year-old, Bola, suffering from Luis' absence, attaches himself to another man as a sort of father surrogate. When that man is unexpectedly murdered in a gang-related incident, the chapter ends with Bola's devastated reaction.

In the meantime, I did my best to lay out the investigative elements throughout the narrative as one might in a mystery so that the readers might be able to eventually form their own informed conclusions regarding Luis' guilt or innocence.

In addition to the above, there were other organizational problems: Once I suspected that we had a dirty cop on our hands, it was important to continue to give the LAPD's POV as the series unfolded. Although several officers are quoted at various points throughout the course of the series, I settled on one officer---the Senior Lead Officer for the area in which the Aguilar's live, a guy named John Pedroza---whom I decided to use as a sort of consistent Good Cop voice. This worked well as a strategy. He was smart, articulate, candid and fair minded---yet fairly convinced that Luis was guilty,

so able to give the department's point of view, but was also a sympathetic individual. Pedroza and I easily worked out off-the-record/on-the-record rules we could both live with.

But then when things started to heat up in the series, Pedroza's boss told him he could no longer talk to me---although Pedroza himself was still willing. (I think by this time Pedroza was enjoying his Good Cop role.) With his permission, I went over his boss' head to the area's commanding officer and made a pitch, saying that the department was shooting itself in the foot if it didn't permit anyone to talk to me in order to voice its perspective. The commanding officer agreed and Pedroza was allowed to continue to talk.

Another, more personal challenge was the fact that, since the series utilized immersion journalism as a technique---this meant that, as time went on, I become very close to the family. Thus, finding a balanced and even-handed approach was always a tricky issue....since I'd grown sympathetic to Aguilar's perspective. Quoting lots of countervailing opinions---like the police and disgruntled community members----solved this problem to some degree. But it helped tremendously that, in Alan Mittelstaedt, I was working with an editor who is far more skeptical than I am by nature, and he provided an essential counterweight as I bushwhacked my way to some modicum of equilibrium in writing each of the chapters.

INVESTIGATION

The real launch point for the investigative elements in the series kicked in when Luis' wife, Frances, called me and said that one of the witnesses against Luis---a man we called "Gus"--- approached her outside Luis' arraignment and told her that the arresting officer, Rudy Chavez, had threatened him with prison if he didn't testify (falsely) against Luis.

If true, this was quite a revelation. On the other hand, Gus was an old base-head/wino who also happened to be homeless, so hardly an ideal source. He might have been merely making up the "cop pressure' story out of fear of testifying against a former gang leader. Plus Frances was anything but a disinterested party.

Gus was terrified of police reprisal, so was very reluctant to talk to me at first. But over time, he did talk on multiple occasions, and repeated to me what he'd told Frances, but in far greater detail. His statements led me to attempt to locate the other witnesses who had allegedly implicated Luis in the police reports, and the rest of the investigation followed. (Various witnesses involved with this case were homeless and very skittish thus challenging to find.)

In addition to the primary sources, I talked to well over two dozen other sources with information on various aspects of the case, including other gang members---past and present--- probation and parole officers, community members, police officers, gang intervention workers, and others. In addition, I tracked down citizens who had filed complaints regarding the actions of Officer Rudy Chavez in the past, when he worked at another LAPD division. (These people were also extremely difficult to find and, when I did find them, difficult to convince to talk. Eventually several of them did talk at length, and although their stories ultimately didn't wind up in print, they lent credence to what we'd had already uncovered about Officer Chavez' actions with regard to the Aguilar case.)

THE PRODUCT

The series was published in seven installments or chapters. Along with the last chapter, there was also an analysis that looked at what the whole thing meant. In the beginning the first chapter was to be feature length---3000 to 5000 words. The follow-up installments were to be 1200 to 1500 words. As it turned out, I don't think I ever turned in an installment under 5000 words (the last installment was over 10,000 words)---and the Weekly, to my everlasting gratitude, went with the additional length.

I was extremely blessed to work with a wonderful photographer throughout the series, Ann Fishbein, and I believe her photos added a tremendous amount. She checked in from time to time with the Aguilar herself plus, when I knew something was about to occur that would be an important photo op, I'd alert her. (For example, we were both in the hospital when Frances' and Luis' sixth baby was born.) And as I got an inkling of the various unfolding threads and themes of each chapter, we'd brainstorm as to how they could be illustrated.

RESULTS

The series had several direct results: The first result was the launching of a criminal investigation by the LAPD's Professional Standards Bureau (Internal Affairs) against Officer Rudy Chavez. The investigation is presently ongoing.

The second and most important result occurred when the charges against Luis were dropped and not refiled. Without our investigation Luis Aguilar would almost certainly be in prison today.

The third result was the return of the Aguilar children to their parents after they were taken into LA County custody. One of the social workers most

familiar with the case told us that, had it not been for the Weekly's series on the family, the police view of the Aguilars might have prevailed, and the children might have remained in county custody for the indefinite future.

After the publication of the second chapter, I was told that both the Weekly and I would be sued by the Los Angeles Police Department because of the allegations we made against Officer Rudy Chavez. But, although the series continued to make additional allegations regarding the falsification of evidence against the same officer, no law suit ever materialized. Nor has anyone directly challenged the allegations, or offered any kind of factual rebuttal. Interestingly, we have, however, gotten quite a number of notes of praise for our work from other LAPD officers, several of them top level members of the department's command staff.

Separate and apart from the more concrete effects of the series, it was fascinating to see the response from readers who got surprisingly involved in the Aguilars' lives. After every chapter I got a slew of impassioned e-mails from people asking for additional details about Luis, Frances and the kids. Now that the series has finished, there have been lots of requests for updates.

There were also the inevitable negative e-mails complaining that the Weekly and I were glorifying criminals. But they were few and far between.

Finally, quite a number of folks suggested that I turn the series into a book, and I'm in the process of doing so. Although the proposal has yet to go out to publishers (I'm currently working on it), I've already had one editor from St. Martin's Press contact me to express strong interest in buying "An American Family" as a book.

MISCELLANEOUS TIPS

When working on a long narrative series or feature of this kind, here are some tips that might help.

1. Prepare your subjects for what's going to happen.

I find it's important to explain the rules of the game: For example, I told Frances and Luis that their warts and downsides would be appearing in the series as well as their strengths. I said that it was essential to answer the reader's most skeptical questions before they asked them, and that if I didn't take a critical view, the reader would do it for me, and we'd lose the reader's sympathy. I've found that most subjects, no matter how

inexperienced, readily understand this logic. If you don't prepare them, you risk your subjects being undone when the first installment hits print.

2. Waste time with your subjects.

It'll pay off. I talked Frances and Luis every day, and went down to see them a minimum of once a week, often three and four times or more, when things were at their most intense. Plus I spent time with lots of folks with whom the Aguilar's lives intersected. A certain amount of this time consisted of hanging out. Often it was then that the best and most telling things would happen. Not everything got used. Some of my favorite moments just didn't fit. But everything gave me a richer context from which to work. And sometimes an incident that didn't fit into one chapter, became important reference point in another.

3. Even when you tape, also always take notes too---if at all possible.

I tape record a lot, but in many instances cases never go back to the tapes, because the notes are enough. Other times, the notes act as an index to the contents of the tapes. In a long project such as this one, I'd have driven myself transcribing if I hadn't had written notes that pointed me to the relevant parts of my tape recordings.

4. Have more sources than you need.

For each the sources that I quoted regarding Luis' case, there were three to five additional sources that verified the information in one way or another---whom I never quoted.

In addition, I had two LAPD officers whom I used as back door reality checks when I was getting ready to run another chapter that accused the main officer in Luis' case of falsifying evidence (or falsifying more evidence), I felt if these two officers could still challenge me on something, or find fault with my logic, then I had to keep digging.

5. When working with jittery sources---particularly when investigating possible criminal acts---be creative.

For example, it helps if you can offer information, as well as ask for it. I find if I can tell a source---be they police officer or gang member----something that he or she doesn't know about the subject at hand, it works wonders. This is another reason to talk to multiple sources: Each offers you a

different piece of the puzzle. The more puzzle pieces you already have, the more you're able to then acquire.

Also, when I walked around certain areas of Boyle Heights at night, looking for some of the more elusive drug addict witnesses, I usually brought my big, white mixed-breed dog with me. For one thing, it helped people remember me. It also quickly convinced folks that I wasn't a PO or an undercover cop.

6. In constructing scenes where you weren't present, interview everyone possible. (One person's view of an incident is inevitably somewhat subjective.)

Don't be afraid to interview the same people over and over and *over* on the same subject. Often it's the fourth time you ask a subject about some incident or issue that their unconscious finally cooperates and they tell you the important fact---and/or get to a deeper level of observation. Then when I'm actually writing these scenes, I inevitably find there are still details missing, so I call the necessary people back yet one more time to fill in those details and holes.

7. Look for great scenes, and character revealing moments.

To me, the way that Frances liked doing laundry, and sorting through the family's 100 socks, was symbolic of her love of mothering. Similarly, it occurred to me to ask Luis about what his dreams had been like since he'd been jailed awaiting trial. His answers gave me the perfect opening for one of the chapters.

I generally tried to have at least three strong, fully developed scenes per chapter. Most particularly, I looked for the right scene to close the chapter. Usually those closing scenes pretty much dictated themselves as long as I stayed alert. For example, I'd been with Frances and Luis all day and into the evening on the day that DCFS came and took their kids. And while Frances was a wreck all day (understandably), Luis was extremely calm and focused. It was only after I was gone that he broke down. It was seeing the kids' Halloween costumes, which now weren't going to be used, that triggered the breakdown. When Frances told me about this, I knew instantly that Luis' breakdown was the moment that needed to close that chapter.

8. When organizing your narrative, think about the possibility of using of classic, three-act structure as a framework on which to hang your facts and scenes.

This may sound like a bizarre notion for reporters, but with narrative journalism it can be a very useful frame. By a three act structure, I mean a beginning section that sets up some kind of conflict or problem, a middle section where the conflict deepens or is further developed, a final section with rising action and either a resolution or a cliff-hanger that suggests a new conflict or a new twist in the old conflict.

9. Trust the story. Fiction writers talk about the process of trusting that the story will reveal itself. I believe a similar principal holds true in narrative journalism. This series was a high wire act in some ways, because I was reporting in real time, although we had no idea how things would turn out. But if you've chosen the right subjects---and we believed we had---the story will appear. It may not be what you've expected, so you have to also trust in your ability to perceive the right story within the incidents you're witnessing. Just wait for it to reveal itself. In my experience, it always does.