

**USC Institute for Justice and Journalism**  
**Story Behind the Story**

Prison Series

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## **THE STORY IDEA**

It was December 2003, and I got a telephone call from a judge whose courtroom I covered for the Mobile Register. He had received notices from the Alabama Board of Pardons and Paroles about prisoners he had sentenced to 20 and 25 years who now were getting parole hearings after a year or two.

The judge was livid and willing to talk on the record. Since judges normally are reticent to talk about individual cases, even off the record, I took notice.

The culprit, it seemed, was a directive from Alabama's new governor to speed up the consideration of parole for thousands of nonviolent inmates. It was a move forced by the failure of the governor's proposal to raise taxes by more than \$1 billion a year. Much of those funds would have gone to the state's cash-strapped prison system, which was running at almost twice its designed capacity.

After interviewing prosecutors, judges and other officials, I quickly realized many people were concerned about the operation of this parole reform in practice.

I wrote a daily story on the situation but found myself wanting to delve much deeper. Would the release of all these inmates trigger an explosion in crime? Did the state have the resources in place to absorb a sharp increase in outcoming prisoners? What would the effect be on the prisons, themselves?

## **THE PROPOSAL**

I thought about pitching the story to my editors right away. But as a reporter in a suburban bureau, responsible for daily court coverage, I knew it would be a tough sell to editors. Plus, with the program so new, it was too soon to draw any conclusions about its impact.

When the fellowship opportunity arose, I pounced. I knew it would give me the leverage I needed to sell the story, and it worked.

I proposed to the fellowship leadership my idea for taking a comprehensive look at the governor's ambitious parole program, everything from the recidivism rate to the public reaction to the impact on crime to the results within the prisons.

Fellowship in hand, I made the same proposal to my editors.

## **THE PROCESS**

I had written my fair share of takeout stories, but I had never attempted any project so vast and complicated. It was daunting.

I spent the first couple of months doing basic research, almost like preparing to write a term paper. I read everything in our archives about the parole plan and then read everything I could find on LexisNexis. Then I tried to get a feel for what was going on nationally.

The Bureau of Justice Statistics was a good source. I read several reports produced by the agency and interviewed a couple of their statisticians. I thought it was important to be fluent in the topic before I started reporting the story.

The next step was to begin the reporting. I started with the statistics. The state Department of Corrections puts out a detailed monthly report showing the number of inmates at each institution; the designed capacity of each; admissions and releases; financial data, and a host of other information.

The Board of Pardons and Paroles also was helpful in providing stats about paroles, which it broke down by type - both those who were paroled on the "special docket" set up by the governor and state Legislature, and those released through the regular parole process.

I came to realize it was impossible to write a story about parole in Alabama without touching on other aspects of the criminal justice system. The governor did not decide to step up early releases as part of some detached social experiment. He did so because his back was to the wall. Alabama couldn't afford to build new prisons, and the judges on the state and federal levels had ordered the state to reduce overcrowding.

It was either release inmates or risk having a judge order the state to do so.

An obvious question was why the prisons were so overcrowded to *begging* with. Part of it was because the state hadn't built a new prison in almost a decade. Part of it was because of strict sentencing laws; the state has the fifth-highest incarceration rate in the country.

A good source was the Alabama Sentencing Commission, established to reform sentencing practices in a state where the law gives tremendous discretion to judges. A Class A felony, for instance, carries a prison term of 10 years to life. The Sentencing Commission has been working on legislation to establish voluntary guidelines to reduce the disparity on sentences in different parts of the state and to shave some of the time served for nonviolent offenses.

I interviewed dozens of people inside and outside the criminal justices system, including the state's corrections commissioner, parole officers, parolees, the director of the parole board, academic experts and prosecutors.

The hardest part was the writing. I tried to write as I was gathering information, but I ultimately found myself with a mountain of notes and very little in the shape of a story.

I maintained an indexing system. On the cover of each notebook, I wrote the name of each source contained in that book. That made it a lot easier to track down an interview when I was searching for it months later.

I started with a general outline of how I wanted to structure the story. I settled on a mainbar that would provide an overview of the state's problems. I decided on a lead that would focus on the contrast between Gov. Bob Riley's traditional, Republican tough-on-crime persona and his plan to give early freedom to thousands of prisoners.

I played around with different approaches, writing different stories, pulling them apart into sidebars and combining them.

After I finally had drafts ready to submit, I spent a couple of weeks with various editors, working on tightening the writing, fleshing out details where they were needed, eliminating paragraphs that were not needed.

My advice to anyone working on a project like this is to distill every interview down to its essential elements. I might have 30 pages of notes on a subject that will translate into, maybe, two or three lines.

As with most things in life, I learned more from my mistakes than my successes in doing this project. I keep a general outline in my head when writing long stories, but I tend not to write it down. For this one, it would have helped. I would recommend writing a detailed outline before starting any of the actual writing.

My other piece of advice is to include graphics and photography early. I tried to work with a photographer early in the process. But scheduling conflicts caused some misfires, and I ended up having to work with two different shooters.

Especially with a conceptual story, it is important to get a photographer involved intimately enough that he will be able to suggest art to illustrate the topic in ways you have not thought of.

Ditto with graphics. I found myself assigning charts and graphs way too late. I think they came out pretty well, but in retrospect, it would have been smarter to let the graphic artist read an earlier draft of the story and get his input rather than telling him what to do.

My last bit of advice is to get an editor on board as early as possible, the higher up the better. If you have senior editors excited about the project from the beginning, it will make the whole process *so* more smoothly.

## **THE PRODUCT**

The project ran as a two-part series over two days - front-page stories on Sunday and Monday - with lengthy sidebar on each day that ran on the front of the Metro section.

For me, the biggest challenge was tackling something of this magnitude while still doing all of my regular work. Ideally, I would have had a month or two to focus on this exclusively. Unfortunately, I was still responsible for daily beat coverage throughout.

I also found it difficult to adjust as the story changed. Months into my research, while the basic thrust of the story remained the same, some of the details did not. I constantly had to update statistics and re-evaluate trends.

## **THE RESULTS**

I've gotten some positive feedback from some of the folks in the criminal justice system.

Although much of the public probably was not aware of the scope of the problem, most of the policymakers are, so I don't think I reported anything that state legislators and corrections officials did not already know. Any comprehensive solution to the state's prison overcrowding, most agree, will involve some combination of two politically unpopular ideas: spending more money on the prison system (which in Alabama likely would require higher taxes) and reducing prison sentences.

As for the parole system, as my stories pointed out, they have about exhausted their utility. The second board appointed by the governor has run out of inmates on the special docket to consider. The governor already decreed that special-docket inmates who were denied parole would not be reconsidered before their next regularly scheduled hearing. That has left board members hearing the cases of violent offenders along with the original board.

That has prompted proposals in the Legislature to abolish the second parole board two years early.

There have been a number of other reforms introduced during the current legislative session, including bills to establish voluntary sentencing guidelines and to release aging and terminally ill inmates.

I found the IJJ fellowship extremely helpful. The sessions in June were a gold mine for national experts. Talking to them proved invaluable for context, even though I ended up not quoting most of them in the story.

I also was inspired and motivated by the work of the other fellows. It was first-rate stuff. The social and professional relationships I developed have reinvigorated me.