JR 628 -- Law and Public Policy for Journalists

Spring 2015
Instructor – Joseph Pereira
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Class: Meets in Walker Bldg 205 on Mondays and Wednesdays from 2 p.m. to 3:45 p.m.
Office hours: by appointment
Phone: 857-417-1484

WARNING: For simplicity sake, the following syllabus is written in conversational English, and with a part of my tongue pressing up against my cheek. Also for reasons of clarity, examples are included, although they are not typical in syllabi. So go ahead and sue me. By the way what law would you cite, if you did sue me for an unconventional syllabus?

U.S Code: Title 187 – ALL BAD IMITATIONS OF JON STEWART.
General Provision: Any work of irreverence is solely the purview of said comedic icon etc.

INTRODUCTION:

The course title reminds me of a very spicy bowl of chili—very hard to digest. What the heck is public policy anyway?
So with your permission let’s re-title the name of this course. Here are three choices:

JR-628--A Peek Inside the Corner Offices of the Nation;
-- Or
A Speck of Mold on the Wall of the Offices of the Most Powerful and Influential People in the Nation.

Or how about,
The Journalist and the Enchilada Grandes, you know, the Big Cheese.

**AIM OF THE COURSE:**

To help the student understand how government, lawmakers, judges and other public officials, all act to make our lives better or worse in a variety of areas. Where? School, work, highways, hospitals, the doctor’s office, the cash register, the college athletic field, amusement parks, airports—even our desks both at home and at work. You get the idea. Every where or almost every where. It goes without saying that non-governmental organizations and the general citizenry also play major rolls in such public policy making. The discussion will include them. Ultimately, the hope is that, armed with this knowledge you can then go out and be smarter at whatever it is you’ll end up doing in life; be it journalism, research, law, public policy creation, academia, bringing down foreign
governments, film and entertainment or video game development. Well, perhaps not video game development. The world that we will explore over the next coupla-three months can be a somewhat secretive world, entailing an intricate weaving of law, regulation, court opinion, law enforcement procedures, and Capitol Hill and State House shenanigans. Hopefully through an understanding of this House-of-Cards universe, we will become good watchdogs who will at least know when to bark when we suspect something’s not right. If nothing else, you will at least learn the difference between policy outcomes and policy outputs. Oy Vey!

**BIBLIOGRAPHY/RECOMMENDED READING**

Public Policy: Politics, Analysis and Alternatives; *by Michael E. Kraft and Scott R. Furlong.*


A Voter’s Self Defense Manual, by Project Vote Smart.
The Public Policy Theory Primer; by Kevin B. Smith and Christopher W. Larimer.

Find It Online: The Complete Guide to Online Research; by Alan M. Schlein.

The End of Wall Street; by Roger Lowenstein.

Too Big to Fail, by Andrew Ross Sorkin.

Inequality for All, by Robert Reich.

Follow the Story; by James B. Stewart.

Lectures, presentations and discussions will also draw from numerous articles, videos and podcasts, including several featured on Frontline, NPR and HBO.

ILLUSTRATION.

As amorphous as it may sound, public policy is very important to us. For instance, it played a vital role in Americans living longer today. The average lifespan of an American in 1915—a century ago—was 53 years. Today, it’s 79. How did that happen? Contrary to what the vast majority of the public may think, the main reason for
the dramatic prolongation of human life in the U.S. isn’t advancement in traditional medicine—antibiotics, doctors and hospitals—but public policy changes in matters concerning the water we drink, milk, plumbing, the size of our home, and personal hygiene. That said you’d better get your flu shot, if you haven’t gotten one yet. If you fought in World War I, this really applies to you. For details on longevity in the U.S., you’ll have to attend class (and participate in the discussion.) Let’s just say, you’ll be surprised to learn about the many colonies of harmful microbes that inhabit your milk and water. By the way, this is the opinion of several law and public policy experts, including Penny Loeb, an investigative journalist; and Dolly Katz, a medical researcher.

This isn’t unique to America. The UK, Ireland and Europe share a similar story.

In addition to living longer lives, we’ll also delve into how law and public policy dictate how we die, how our money is protected, or not protected; how people your age are ignored and cast aside; how the principles of slavery of both white and people of color are being tested in public policy arenas today here in the oh-so-enlightened and emancipated United States.

We’ll also look at the war against obesity (some researchers contend that what we consume is once again killing us); smoking and the growing gap between
the rich and poor--three areas in which law and public policy loom large. Then there is college tuition, credit card debt, the value of a degree, community college, casino gambling and the middle class, or shall we say, the vanishing middle class. For those of you headed into sports-oriented careers, law and public policy debates are also playing out in professional sports--head injuries, post-professional life (two thirds of professional athletes are broke three years after they retire from the sport) college sports (players unions and academics) and pre-college sports (why Americans don’t do that well in international competition.)
As you can see, there is a lot of food for thought.

**METHODOLOGY**

We’ll take a look from 35,000 feet at what’s happening in Washington, and from 10,000 feet at the 200 lawmakers on Beacon Hill (40 in the Senate; 160 in the House). We’ll spend time talking to two or three Massachusetts lawmakers, a couple of political journalists, a handful of public administrators, lawyers, lobbyists and NGOs.
After discussing the issues (hopefully animatedly) we’ll either write stories, policy papers, or establish a website we’ll be proud to call our own. Stretching the
realm of possibility, we aim to travel to New Hampshire to preview the soon-to-be-happening primaries. Hey! nothing wrong with stretching.

ESSENTIAL STUDENT EXPERIENCES

Over the course of the semester, we will learn:
1. How to find a variety of public policies and laws in the works or on the drawing boards of corner offices;
2. How to identify some of the more important ones for the people of Massachusetts;
3. How to research the issues, tracing the discussion back to their origins in this country.
4. How to define existing public policies.
5. How to identify key players—lawmakers, policymakers and lobbyists--in the debate.
6. How to develop compelling stories after talking to them.
7. How to put together all of the pieces of the puzzle into a working mosaic (multimedia project) for the general public to view.
8. And in the process, we will familiarize ourselves with the government databases used by policymakers and lobbyists.
9. In the process, we hope to come up with a few darn good clips for our portfolio.
10. In the process, we hope to get a few of those darn good clips published.
GRADES

Will be calculated as follows:

Attendance 20%
Participation 20%
Project 1 20%
Project 2 20%
Review Exercise 20%

COURSE POLICIES:

Since we’ll be dealing with the real world and doing real journalism, assignment deadlines will be strictly enforced. Absences must be explained.
Students with disabilities: If you believe you have a disability that may warrant accommodations in this class, I urge you to register with the Disabilities Services office at 216 Tremont Street, 5th Floor (617) 824-8415 so that together you can work to develop methods of addressing needed accommodations in this class.

PLAGIARISM AND FABRICATION:

There is nothing more central to the credibility of journalism and the trust of readers, listeners and viewers that the implicit promise that every journalist
makes to the public that the information provided is accurate, original and truthful. Journalists who fabricate stores or portions of them, or who steal the work of others and pass it off as their own, undermine not only their careers, but the careers of other journalists, the public’s trust in the Fourth Estate and the credibility of the entire profession. This department will not tolerate plagiarism or fabrication – any students caught doing either will automatically fail and will face possible suspension, or expulsion, from the college. If you have a question about attribution, ask the professor. Ignorance is not a defense when it comes to plagiarism, fabrication or cheating. In the interest of professionalism, a student may be asked to produce the names, telephone numbers and emails of people interviewed or sources quotes in the story. Please be mindful that fact checking is an integral part of what we do in this profession.

STYLE AND SPELLING

No reason to depart from the AP Style Book, since it is widely used in the field. Thus while Webster’s spells teenager without a hyphen; the AP uses one between teen and ager; and while the abbreviation for California in the civilized world is CA., the AP style is Calif. Similarly, MA. is Mass.; Twelve is 12, etc. etc. You get the point.
There are other games we’ll be watching this spring:

- illegals locked up every night in three Massachusetts holding facilities, just for the sake of filling beds? What law or policy is that?
- public school teachers that no principal wants because they’re too old, burned out, incompetent or whatever. Yet they remain on the payroll. You’re kidding. No, I’m not.
- Raising the minimum wage from $8 to $11 an hour. Is there a public policy behind the proposal? In Jan., 1964, Lyndon B. Johnson declared war on Poverty. Is this that policy?
- Should sick people in pain be allowed to commit suicide? What is the public policy on this?
- And are teen-agers equal to adults? Physically and sexually they’re perhaps even stronger than adults but how about intellectually? If so, should they be held equally accountable for the crimes they commit?
- Is there a public policy on coolie labor? Sorry, I meant to say, unpaid internships. What’s up with
that? Have you done one? There are class action cases in the making—another public policy in the making.

■ And why is it so difficult to get jobs in our profession, or many other professions for that matter? Well there are no jobs. That’s the easy answer. But why is that? But like the universe, the economy has expanded. And hasn’t the economy expanded enough to accommodate a much larger working population? Yeah but there’s a slight problem. We’ll look at that problem and the public policy, or lack of one, surrounding that.

■ And finally, wouldn’t you love to live in a hotel every night? Sure Mom, but who can afford it these days? Well if you’re homeless you can, ironically—thanks to a public policy, or lack of one, on the homeless problem in Massachusetts. We’ll take a look.

Availing ourselves of the research tools at our disposal (and there are quite a bit), we will study the history and background of some of these topics; we will single out the main players in the game; talk to them; analyze their positions and write with the intention of getting published. We may pre-arrange projects with a media organization. Alternately, we may joint venture with a community organization that is working to change or help create new policy or law. I have already sounded out a few possible partners. Discussions are in progress.
Commonwealth Magazine is willing to work with us. There are others also. We will avail ourselves to talk shows on radio and TV, if we find out anything interesting. And we will seek to work with a pollster on a topic—possibly on whether casinos will create jobs and boost the Commonwealth’s economy as the promise goes. Or does the public think that the vast majority of the money will be channeled into the pockets of the casino operators. There’s a lot of “creative accounting” on this question. Estimates on the economic boost from casinos range from $1 billion annually to a few additional waitressing jobs. Surveys require funding. Some are working on it. We’ll see if that can happen.

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**COURSE OUTLINE**

(Rejiggering likely due to scheduling conflicts with guest speakers and on-site visits, the length of class discussions and the highly predictable New England weather.)

Week One

Personal introductions
Quick Overview

Week Two

Contract Session
Quick Review of Week One
Discuss syllabus
Fine tune syllabus
The Day the World Almost Came to an End
In September 2008.
What is Public Policy (Time Lapse of one)

Week Three

Quick Review of Week Two
Another Example of Public Policy
This one still in transit.
Should the government be next to our
Death beds?

Week Four

The arsenal of research tools at our disposal
A chat with a researcher and a journalist
White lies; tricks of the trade; what's Taboo.
The art of storytelling and its use to simplify
The complicated. Are you dying to do a project?
The First Amendment; Media Law; Off-the-Record.
Or were we just on background?
Quantitative methods of fact gathering
The Net as a reporting tool
Going directly to a Site
The databases visited by policymakers
And lobbyists
Beyond Google, Yahoo and Bing.

Week Five

Say Hello to Robert Reich, the only grown man
In the world shorter than me.
Inequality For All. Ain’t that nice.

Case Study: Lyndon B. Johnson’s War
On Poverty.

What on earth is dumb Cheers bartender
Woody Harrelson doing exposing
the federal government? Why can I get away
with calling Woody Harrelson dumb in this
public document?

Week Six

Review Week Five
Public Policies Involving Young People
Minimum wage
Unpaid internships
Obamacare/Romneycare
College Tuition
Student loan debt
Credit card debt
Occupy Movement “Black Lives Matter”
Movement.

Week Seven
Review Week Six
The public policy on
Obesity. Is there one? Or no?
The “People Law” (actual wording) in
South Carolina
that was legally too thin.
Fat Cats on Being Fat.
Can Southwest Airlines really charge
Some people the price of two tickets?
How about charging kids and small
People half price?
The Transfat Tale
Look Mom! I got an A on my BMI exam.
Report Cards Arkansas style
How journalists, like Steven Greenstreet,
Look for the invisible hand of
Government in matters that matter.
Week Eight

A meeting with Sen. Tackey Chan and his staff. (may be moved up)
Price Fixing in Massachusetts
Minimum wage and the shrinking middle Class.
The movement to raise the minimum wage To $11; Economics 101.
What’s Up with the $15 Minimum Wage in Seattle?
The Bottle Bill Initiative
A risk that backfired for the Sierra Club

Week Nine

A meeting with Sen. Barry Finegold And his staff (may be moved up)
Should juvenile murderers be granted Parole
If a teen-ager is physically stronger than an adult and is more computer savvy,
Why is he or she not intellectually mature enough to do evil? What is Maturity; how is it measured?
A recent Supreme Court ruling in Massachusetts.
Week Ten

A meeting with Sen. Bruce Ayers
The plight of the commoner
in the Commonwealth
Why no one wants to hire the
Disabled and why no one can do anything
About it.
Are public schools soon going to be run
By non-profits?
The Journey of a policy from problem
to that “there ought to be a law” lunch,
to petition, to hearing, to committee,
to the floor, to debate, to amendments,
to readings, to voting, signing, law
and to more laws.
How many laws have
originated from citizens; how many with
lobbyists and industry.

Week Eleven

The illegal alien in Massachusetts
Where are they; whose chasing them;
Why are they here and why are they
locked up every night?
Bush versus Obama—a policy showdown
Week Twelve

The Centers for Disease Control and Prevention
What exactly do they do?
there were 86 food poison outbreaks due to the drinking of raw milk between 1998 and 2008 in the U.S. thanks to nationwide pasteurization, the outbreaks were largely limited to the small rural communities in which they surfaced. The toll could have been worse.

The World Health Organization
What exactly do they do?
WHO reports that between 1912 and 1937—a pre-pasteurization era--about 65,000 people died from raw-milk related tuberculosis in England and Wales. That’s just TB. Other diseases tied to the consumption of tainted milk include: diphtheria, scarlet fever, Q-fever and brucellosis. A simple process of heating milk to 75 degrees or higher for about half a minute (the basics of pasteurization) also kills harmful bacteria like Salmonella, Listeria, Yersinia, Campylobacter, Staphylococcus Aureus and Escherichia coli.

Week Thirteen

Water as a big bacteria breeder. But stricter controls over industrial waste dumping and storm drain overflows, which contain human and animal feces along with other pathogens, have lead to safer drinking water. The ban on drinking, cooking and bathing with water piped into homes in West Virginia as a result of a chemical leak from an industrial tank last week (Jan. 10, 2014) is a good example of public policy at work. Federal authorities investigated as a result of laws that have been put in place hospital emergency workers are obligated to report such incidents also due to those policies.

Week Fourteen

The Life of a lobbyist and an activist Edward Louis Bernays and Noam Chomsky; the conspirator and the conspiracy theorist. Why are we still listening to an old MIT professor advocating a world without rulers. What’s a lobbyist and what’s an activist. Meet former Attorney General Scott Harshbarger An afternoon with him and his army of legal interns
Week Fifteen

The Economics of Casinos
How much money exactly do casinos bring in?
Why no one knows?
How much goes to their operators?
What is creative accounting?
Why is the FBI constantly investigating Casinos?
Why are personal bankruptcy filings higher in and near cities that have casinos?
Case study: University of Massachusetts Dartmouth report on Massachusetts casinos
Can an enterprising journalist crunch the numbers herself?
Telling databases
Chatter on Beacon Hill
What changed the Massachusetts mind on casinos
Why does Attorney General Martha Coakley not like former Attorney General Scott Harshbarger and vice versa.
The Massachusetts Supreme Judicial Court speaks this spring
Legal strong-arming between
The Massachusetts Gaming Commission
And the Moguls.