

# CPR News and Talk Code of Ethics and Practices

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## I. Introduction

The document that follows is the Capital Public Radio News and Talk Code of Ethics and Practices.

CPR's code of ethics closely adheres to a code adopted by National Public Radio in 2004. Many sections of this document are taken verbatim from NPR's code. Additional material and inspiration for the NPR and CPR codes was drawn from a number of sources, including *The New York Times*, *Washington Post*, *Los Angeles Times*, *Dow Jones*, *Society for Professional Journalists*, *American Society of Newspaper Editors*, *the CBC*, *CNN*, *PRNDI* and *the Poynter Institute*. Finally, I consulted several journalism experts, including former NPR News President Jeffrey Dvorkin, Public Radio consultant Mike Marcotte and Bob Steele of the Poynter Institute.

*–Joe Barr, CPR News Director*

## II. Statement of Purpose: Credibility

As a news organization we are always testing and questioning the credibility of others. We have to stand that test ourselves.

The purpose of having a code of ethics and practices is to protect the credibility of CPR news programming by ensuring high standards of honesty, integrity, impartiality and conduct of staff. We accomplish this by the following:

- (a) articulating the ethical standards we observe in pursuing and presenting stories,
- (b) setting rules and policies that prevent conflicts of interest,
- (c) establishing guidelines for outside work and activities that may reflect on CPR, and
- (d) establishing policies and procedures to ensure that the activities of CPR that fall outside journalism - corporate underwriting, foundation funding, marketing and promotional activities - do not jeopardize our journalistic

independence or involve CPR reporters, editors, hosts or producers in activities inappropriate to their role as journalists.

### **III. Who and What is Covered**

This code covers everyone who works for CPR in a journalistic capacity. Specifically, employees (including hosts and newscasters), interns and volunteers who edit or produce News programming, as well as CPR's daily public affairs program, Insight. The code also applies to material provided to CPR by independent producers and freelance reporters. CPR expects its outside contributors to be free of conflicts of interest on stories they cover, to be fair and accurate, and to pursue stories in a manner consistent with the ethical journalism principles stated in this code. There will be instances where provisions of this code are not applicable to an outside contributor (a freelancer who primarily does arts coverage, for example, may not in some situations be subject to the prohibition on making contributions to political campaigns). Supervisors will make these judgments on a case-by-case basis and, if necessary, in consultation with the Station Manager. Because contributors in this category are not CPR employees, the remedy for dealing with a conflict of interest or other violation of the principles of this code is rejection of the offered material as well as any future story proposals similarly affected by the conflict. As with CPR employees, outside contributors must disclose potential conflicts of interest when they accept an assignment or make a story pitch, and CPR editors must make sufficient inquiries of those persons to satisfy themselves that the contributors have complied with this code.

Interns and volunteers will adhere to the provisions of this code for the duration of their time at CPR.

It also covers all senior News and Programming managers.

The code applies to all platforms for CPR News and information content, including California Capitol Network, Online and HD channels.

### **IV. Statement of Principles**

Our coverage must be fair, unbiased, accurate, complete and honest. As CPR journalists, we are expected to conduct ourselves in a manner that leaves no question about our independence and fairness. We must treat the people we cover and our listeners with respect.

**1. Fairness** means that we present all important views on a subject - and treat them even-handedly. This range of views may be encompassed in a single story on a controversial topic, or it may play out over a body of coverage or series of commentaries. But at all times the commitment to presenting all important views must be conscious and affirmative, and it must be timely if it is being accomplished over the course of more than one story.

**2. Unbiased** means that we separate our personal opinions - such as an individual's religious beliefs or political ideology – from the subjects we are covering. We do not approach any coverage with overt or hidden agendas.

**3. Accuracy** means that each day we make rigorous efforts at all levels of the newsgathering and programming process to ensure our facts are not only right but also presented in the correct context. We make every possible effort to ensure commentaries are correct in assertions of fact.

We attempt to verify what our sources and the officials we interview tell us when the material involved is argumentative or capable of different interpretations. We are skeptical of all facts gathered and report them only when we are reasonably satisfied of their accuracy. We guard against errors of omission that cause a story to misinform our listeners by failing to be complete. We make sure that our language accurately describes the facts and does not imply a fact we have not confirmed.

**4. Honesty** means we do not deceive the people or institutions we cover about our identity or intentions, and we do not deceive our listeners. We do not deceive our listeners by presenting the work of others as our own (plagiarism), by cutting interviews in ways that distort their meaning, or by manipulating audio in a way that distorts its meaning, how it was obtained or when it was obtained. The same standards apply to photographs used on Capradio.org or calcaponline.org. Honesty means owning up publicly and quickly to mistakes we make on air.

**5.** Treating the people we cover and our listeners with **respect** means we recognize the diversity of the state and region on which we report, and the diversity of interests, attitudes and experiences of our audience. We approach subjects in an open-minded, sensitive and civil way.

## **V. Conflicts of Interest**

1. A "conflict of interest" occurs when private interests benefit from the influence or activities of a professional person in a position of trust. The operative word in this sentence is "trust." All of us are in positions of trust

when it comes to both our audience and the people and institutions that we cover. Avoiding actual and apparent conflicts of interest inspires confidence in CPR as an independent and fair news gathering organization.

2. There should never be a real or perceived overlap between the private interests and opinions of CPR journalists and their professional duties. We should avoid outside activities, public comment or writing that calls into question our ability to report fairly on a subject.

3. An employee covered by this code has the responsibility to disclose potential conflicts of interest. Revealing a conflict of interest after an individual has already participated in coverage where such a conflict exists or appears to exist is can be extremely damaging to the reputation of CPR. CPR journalists must, at the time they are first assigned to cover or work on a matter, disclose to their immediate supervisor any business, commercial, financial or personal interests where such interests might reasonably be construed as being in actual, apparent or potential conflict with their duties. This would include situations in which a spouse, family member or partner is an active participant in a subject area that the CPR journalist covers. In the financial category, this does not include a journalist's investment in mutual funds or pension funds that are invested by fund managers in a broad range of companies. The supervisor will decide whether the interests create an actual conflict of interest or the appearance of a conflict.

In making these decisions, supervisors should feel free to consult with the Station Manager or the General Manager.

## **VI. Outside Work, Freelancing, Speaking Engagements**

1. The primary responsibility of CPR journalists is to gather, write, edit or produce news for CPR and not work in direct competition with CPR. An example of competing with CPR would be breaking a story for another news outlet before reporting the story for CPR.

2. CPR journalists must get written permission for all outside freelance or journalistic work. Requests should be submitted in writing to the News Director. Approval will not be unreasonably denied if the proposed work will not discredit CPR, conflict with CPR's interests, create a conflict of interest for the employee or interfere with the employee's ability to perform CPR duties. Supervisors must respond within seven days of receiving a request.

3. CPR journalists may not engage in public relations work, paid or unpaid. Exceptions may be made for certain volunteer nonprofit, nonpartisan

activities, such as participating in the work of a church or synagogue or charitable organization, so long as this would not conflict with the interests of CPR in reporting on activities related to that charity. When in doubt, employees should consult their supervisor.

4. In general, CPR journalists may not do outside work for government or agencies principally funded by government, or for private organizations that are regularly covered by CPR. This includes work that would be done on leaves of absence. There may be instances in which such work will be approved after consultation with the journalist's supervisor.

5. CPR journalists may not ghostwrite or co-author articles or books with people they cover, or write reports - such as annual reports - for government agencies, institutions or businesses that we cover.

6. CPR journalists must get approval from the News Director for speaking to groups that might have a relationship to a subject that CPR may cover. Generally, CPR journalists may not speak at corporation or industry functions. CPR journalists also may not speak in settings where their appearance is being used by an organization to market its services or products, unless it is marketing CPR or its interests, and then only as permitted in Section IX, Item 5 (below). CPR journalists are permitted to engage in promotional activities for books they have written (such as a book tour), although they are expected to get approval from their supervisors on scheduling.

7. CPR journalists may only accept speaking fees from educational or nonprofit groups not engaged in significant lobbying or political activity. Determining whether a group engages in significant lobbying or political activity is the responsibility of the journalist seeking permission, and all information must be fully disclosed to the journalist's supervisor.

8. CPR journalists may not speak to groups where the journalist's appearance might put in question his or her impartiality. Such instances include situations where the employee's appearance may appear to endorse the agenda of a group or organization.

9. CPR journalists must get permission from the News Director or Station Manager to appear on TV or other media. It is not necessary to get permission in each instance when the employee is a regular participant on an approved show. Permission for such appearances may be revoked if CPR determines they raise questions about the journalist's impartiality.

10. In appearing on TV or other media, CPR journalists should not express views they would not air in their role as journalists on CPR's programs. They should not participate in shows that encourage punditry and speculation rather than fact-based analysis.

11. Any CPR journalist intending to write a non-fiction book or TV or movie script or other guiding documents for non-radio productions based in whole or substantial part on assignments they did for CPR must notify CPR in writing of such plans before entering into any agreement with respect to that work. CPR will respond within 14 days as to whether it has any objections to the project.

12. CPR journalists considering book projects or TV or movie productions based on stories that they have covered must be careful not to give any impression they might benefit financially from the outcome of news events.

## **VII. Personal Gain, Gifts, Freebies, Loaned Equipment or Merchandise, etc.**

1. CPR journalists may not accept compensation, including property or benefits of any kind, from people or institutions they cover. CPR journalists may accept gifts of token value (hats, mugs, t-shirts, etc.). Unsolicited items of significant value will be returned with a letter thanking the sender but stating our policy on gifts. CPR journalists pick up the check when they can (i.e., they are not wined and dined by sources); CPR journalists pay for our own travel in accordance with CPR's travel policy. There are certain instances - such as conferences and conventions - where food is provided as a convenience for the press as a whole, and in such instances it is acceptable to take advantage of this. In addition, CPR journalists may accept paid travel and meals for speaking engagements and awards ceremonies that are approved under the standards in Section V of this document.

2. CPR journalists must conduct themselves at all times in a manner that leaves no grounds for belief, or even the appearance, that information they have gathered on the job has been used for personal gain, financial or otherwise.

3. CPR journalists may not use any nonpublic information acquired at work for personal gain, or use their association with CPR for personal gain. No CPR journalist may disclose information acquired by CPR to anyone inside or outside of CPR if the intent is to use that information for personal or institutional gain. This prohibition does not apply to accepted journalistic practices, such as sharing information as a member of a news "pool."

4. CPR journalists pay their own way in newsgathering, except in unusual circumstances (like going into battle with the military). The News Director and/or Station Manager must approve any exceptions. CPR journalists may accept free passes to movie screenings, performances or similar activities that are attended for the purpose of doing reviews or stories for the air.

5. CPR journalists cannot sell items like books, CDs, etc., that are received at CPR for review. They belong to CPR. They may be distributed to staff for their personal use (which may include donations to charities) after they are no longer needed.

6. CPR journalists cannot keep any equipment or items of value provided by a company for test-use for story purposes. Such items must be disclosed to the journalist's supervisor and are to be disposed of in accordance with the ethical practices stated in this document, which usually means returning such items to the provider.

#### **VIII. Ethical Conduct in Coverage of News**

1. Plagiarism is an unforgivable offense. CPR journalists do not take other peoples' work and present it as our own.

2. CPR News puts its highest value on firsthand news gathering and confirmation of facts, as opposed to relying on material from other sources (AP, other newspapers and networks, etc.)

3. CPR journalists must take special care in the use they make of information from wire service stories, reports by other broadcast news organizations, newspaper clips or articles in other publications. No material from another source other than the Associated Press should ever be included verbatim, or substantially so, without attribution.

When using material from newspaper stories or news websites, CPR journalists must double-check "facts" and other material gleaned from those stories. Too often, incorrect information is passed down from one news story to another because of the failure of one news organization to get it right. CPR should never pass on errors in this way.

4. CPR journalists are generous in giving credit to other news organizations for stories that demonstrate enterprise or contain exclusive information. If their story inspires us to replicate it, we should give credit even if we use different sources and materials. If there is any doubt about whether to credit another news organization, ask the News Director.

5. CPR journalists must treat the people they cover fairly and with respect. They always keep in mind that gathering and reporting information may cause harm or discomfort, and they weigh that against the importance of the story. CPR journalists show sensitivity when seeking or using interviews of those affected by tragedy or grief. They show special sensitivity when dealing with children and inexperienced or unsophisticated sources or subjects, or individuals who have difficulty understanding the language in which they are being interviewed.

6. There are also legal considerations when dealing with minors – anyone under the age of 18. If you interview a minor, you must obtain written or recorded permission from the minor's parent or legal guardian before using the audio. In fact, you cannot identify the minor in any way (by name, description, location, etc.) without permission. Only if the minor is not individually identifiable - for example, the sound of a gaggle of children on a playground - do you not need to get permission. If there are other more routine instances in which a reporter wishes to use audio from a minor who is identified when permission has not been obtained, the reporter's supervisor should consult the station attorney to determine whether that might be permissible.

7. CPR journalists think carefully about the boundaries between legitimate journalistic pursuit and an individual's right to privacy. We recognize that private people have a greater right to control information about themselves than do public officials and others who seek power, influence or attention. Only an overriding public need to know can justify intrusion into anyone's privacy.

8. CPR journalists make sure actualities, quotes or paraphrases of those we interview are accurate and are used in the proper context. An actuality from an interviewee or speaker should reflect accurately what that person was asked or was responding to. If we use tape or material from an earlier story, we clearly identify it as such. We tell listeners about the circumstances of an interview if that information is pertinent (such as the time the interview took place, the fact that an interviewee was speaking to us while on the fly, etc.). Whenever it's not clear how an interview was obtained, we should make it clear. The audience deserves more information, not less. The burden is on the CPR journalist to ensure that our use of such material is true to the meaning the interviewee or speaker intended.

9. Journalism should be conducted in the open. CPR journalists do not misrepresent themselves: CPR journalists disclose who they are and don't

pose as law enforcement officials, investigators or other such officials. There will be occasions not to declare our profession but rather to seek information as a member of the public working in places to which the general public has access, such as stores, public buildings, etc.

10. CPR journalists do not use hidden microphones, recorders or cameras except in unusual circumstances. Occasionally information that serves an important journalistic purpose, such as in reporting on illegal, antisocial or fraudulent activities, cannot be obtained by more open means. In such circumstances, approval must be obtained from the General Manager before any taping or photographing takes place. CPR journalists do not record phone calls without permission.

11. If there is a question of legality in pursuit of a story, CPR journalists should consult the News Director or the Station Manager. CPR has lawyers available to assist CPR journalists. If you have any question about the legality of your conduct, contact your supervisor, who will contact a lawyer.

12. CPR journalists do not pay for information from sources or newsmakers. They do not allow sources or interviewees to dictate how a topic will be covered, or which other voices or ideas will be included. They do not agree to submit questions in advance unless a specific instance is approved by their supervisor. If questions are submitted in advance, this will be disclosed in our coverage.

13. CPR journalists do not sign non-disclosure agreements, except in the rarest of circumstances. Exceptions to this rule must be approved by the Station Manager. CPR journalists respect embargoes on news unless the circumstances surrounding the embargo make adherence to it inappropriate, such as where the information has already surfaced elsewhere or a strong public interest requires the disclosure to place other news in the proper context.

14. Although CPR journalists do agree to talk to sources on background when necessary, CPR's strong preference is to have people on the record. Before any information is accepted without full attribution, reporters should make every reasonable effort to get it on the record. If that is not possible, reporters should consider seeking the information elsewhere.

15. When reporters quote anonymous sources, the editor or producer of that story has an obligation to satisfy him/herself that the source is credible and reliable, and there is a journalistically justifiable reason to let that person speak without attribution. This obligation also pertains to situations where

individuals ask that their real names be withheld. The editor or producer has a twofold responsibility: (1) to make a judgment about whether it is editorially justified to let the person speak anonymously or under cover of a pseudonym or partial description, and (2) to satisfy him/herself that this person is who the piece says s/he is. An editor should never be in the position of having to verify these things after a story has aired and a question is raised about it. If a pseudonym is used, the reporter must disclose this in the story.

16. When CPR journalists attribute information in a story to a "source" or "sources," it is assumed that these are the CPR journalists' sources and that they have obtained the information firsthand. If this is not the case, and the sources are ones quoted by other news organizations, then those sources must be attributed to those other news organizations.

17. CPR journalists do not show scripts in advance or preview pieces to any person not employed by CPR, including university license holders or CPR board members. A CPR journalist may review portions of a script or read back a quotation to assure accuracy. A CPR journalist may also play audio or read transcripts of an interview to a third party if the purpose is to get that party's reaction to what another person has said.

18. Our corrections policy is to correct substantive errors of fact in a timely way. If a reporter, host, editor or producer believes CPR got something wrong - or that there was a serious defect in a piece - s/he has an affirmative responsibility to get that on the table for investigation and possible correction. Many times CPR learns these things when someone outside brings an error to its attention. That is one natural way of finding out. But if CPR journalists have reason to believe there was a significant error, they should not wait for it to be pointed out. CPR journalists should err on the side of caution in checking corrections, clarifications or retractions with their supervisor (who should consult station legal counsel) before they air or are posted online if there is any possibility the material in question poses a legal liability.

19. A reporter or host should make clear when an interview has begun or has ended so there is no question about what is or isn't for broadcast, or what is on the record or not.

20. Archival audio or audio that was obtained from a past story must be identified as such if it is used in a new piece. The listener should not be left to think that any archival or previously obtained audio was gathered in the context of the current piece. As an example, a story updating a controversy

surrounding an individual would be misleading if it included new assertions of fact but only used past statements by that individual and failed to identify them as such.

21. In general, the same ethical and editorial standards apply to online journalism that apply to radio journalism, although there are unique considerations pertaining to Online (for example, questions concerning the use of images and photographs or linking to other material). Those issues will be addressed on a case-by-case basis.

22. CPR does not name victims of sexual assaults. There will at times be exceptions - such as certain instances when a victim goes public with his/her identity - and CPR editors will judge these instances on a case-by-case basis.

## **IX. Politics, Community and Outside Activities**

1. Impartiality plays a central role in the credibility and integrity of CPR's News and Talk programming. Therefore, certain actions by employees, although they may be both lawful and commonly accepted by other employers, may compromise a CPR journalist's ability to carry out his or her assigned duties, and may have a negative impact on CPR's ability to function as a credible, impartial news organization. Accordingly, the following activities are strongly discouraged:

- CPR journalists should not run for office, endorse candidates or otherwise engage in politics in an open and visible manner.
- Since contributions to candidates are part of the public record, CPR journalists should not contribute to political campaigns, as doing so would call into question a journalist's impartiality in coverage — not just coverage of the particular campaign but also coverage of any manner of related issues.
- Consistent with the CPR employee dress code, CPR journalists may not wear apparel displaying writing, graphics or images espousing political views or candidates while on the job.
- Personal vehicles used in the course of station activities should not display bumper stickers or other writing, graphics or images espousing political views or candidates.
- CPR journalists are encouraged to refrain from participating in marches and rallies involving causes or issues that CPR covers, nor should they

sign petitions or otherwise lend their name to such causes, or contribute money to them.

- CPR journalists should not serve on government boards or commissions, so as to avoid putting the journalist in a conflict of interest concerning his or her duties to the board or commission and his or her corresponding job duties as an employee of CPR.

If CPR journalists nevertheless choose to engage in such activities, they must do so with the understanding that if their conduct negatively affects the performance of their job duties, or somehow compromises the integrity or reputation of Capital Public Radio or California Capitol Network in an adverse way, they may be subject to discipline for violating CPR's personnel policies.

2. CPR journalists may sit on community advisory boards, educational institution trustee boards, boards of religious organizations or boards of nonprofit organizations so long as CPR does not normally cover them and they are not engaged in significant lobbying or political activity. Such activities should be disclosed to the journalist's supervisor, and CPR may require the journalist to choose between continued participation in the board and continued employment if it believes continued service will create the appearance of a conflict of interest or an actual conflict.

3. When a spouse, family member or partner of a CPR journalist is involved in political activity, the journalist should be sensitive to the fact that this could create real or apparent conflicts of interest. In such instances the CPR journalist should advise his or her supervisor to determine whether s/he should recuse him or herself from a certain story or certain coverage.

#### **X. Underwriting; Foundation Grants; Advertising, Marketing and Promotion; Board-Staff Interactions**

1. A firewall will be maintained between CPR journalists and funders, license holding universities and CPR board members.

2. While staff members will inevitably end up talking to experts and officials who work at foundations providing funding to CPR (and their grantees), we may not discuss coverage planning and editorial decisions with grant-making officials.

3. Through the course of their job, CPR journalists may encounter CPR board members or officials with CPR's license holding universities who may be experts or sources. At no time should CPR coverage planning and/or editorial decision-making be discussed with these individuals.

4. The President & General Manger will designate individuals who will serve as contacts with board members and funders for grant-making purposes or other communications.
5. CPR's policy is to avoid coverage of the activities of our board members to prevent appearance of conflict of interest that could be harmful to both CPR and the board member. CPR determines coverage based on newsworthiness of every story so exceptions to this policy can be made based on the significance of the story as determined by the News Director. If unclear, CPR journalists should discuss the situation with the News Director.
6. If CPR reports on an organization or individual who fund us, we will disclose that relationship on air if the subject of the report is directly related to the thrust of the grant we received.
7. When authorized by their supervisor, CPR journalists may take part or be asked to take part in promotional activities or events involving supporters of CPR, such as our fund drives and public events.

#### **XI. Application and Enforcement of this Code**

1. Application and enforcement of this Code is the responsibility in the first instance of every CPR journalist. This responsibility extends to both him/herself and to every other CPR journalist with whom he/she works. We should feel free to guide ourselves by offering suggestions to our peers to help them comply with their obligations under this Code.
2. Editors and producers have special responsibility for application of this Code to matters they are editing or producing. For each story that is produced, they should be satisfied that the standards of this Code have been met.
3. CPR journalists who do not comply with the Code may be subject to disciplinary action up to and including termination.

#### **XII. Miscellaneous**

1. We do not enter journalism contests or competitions when they are sponsored by groups that have an interest in influencing our coverage. All entries for contests or competitions must be approved by the News Director or designee.
2. CPR journalists should not speak on behalf of CPR, or its policies and practices, unless authorized to do so by appropriate company officials. All

press inquiries about CPR policies and practices must be directed to CPR's President and General Manager.

3. Generally, CPR journalists may not endorse products or provide blurbs for books, movies or performances using their CPR identification. The Station Manager may make exceptions to this rule, such as when the author of a book is a colleague of the blurb-writer. However, permission will be denied in other circumstances, such as when the author is a politician or someone the CPR journalist covers. Blurbs drawn accurately and in context from material that has been on our air are permissible.

4. CPR journalists must not turn over any notes, audio or working materials from their stories or provide information they have observed in the course of their journalistic activities to government officials or parties involved in or considering litigation. If such materials or information are requested pursuant to governmental, administrative or other legal process, CPR journalists should immediately consult the News Director.

5. CPR owns material that has been collected or produced by CPR journalists in the course of their duties, irrespective of whether it has been distributed on our air outright, and it may not be reproduced elsewhere without the permission of CPR.

6. The provisions of this code are subject to the employment and other policies made generally applicable to all CPR employees.