

RAISING THE

*A citizens guide
to the fine art of investigation*

BY
DAN NOYES
Center for Investigative Reporting

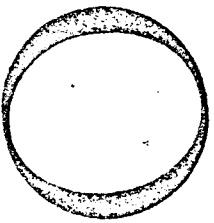
Published by MOTHER JONES magazine

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Photograph of Lincoln Steffens by Edward Weston. Photographs of Ida Tarbell,
Union Sinclair and Drew Pearson, courtesy of The Bettmann Archive.

INTRODUCTION



ne evening, as she was approaching her 100th year, Mary Harris "Mother" Jones was introduced to a college convocation as "a great humanitarian". When she took the podium she hollered "I'm not a humanitarian, I'm a hell raiser."

That's where our title comes from. Mother Jones was one of the most effective organizers of her time. She organized anti-child labor marches to Washington, mine workers' unions, prison reform groups and protests against the Spanish-American war.

She was effective—not only because she organized but because she knew where to strike. And she knew where to strike because she knew how to investigate, uncover corruption and expose the weak spots of power. This book is about her art.

MARK DOWD, PUBLISHER
Mother Jones MAGAZINE

MUCK STARTS HERE

Im not gonna tell you who I am," the caller shouted angrily through the phone. "I'm a farmer out here. I don't support everything you guys are doing, but you better look into this. These guys are coming in, buying farmland, and they're willing to pay thirty percent more than the market value. It's gonna raise up my taxes and force me out of business. I want you guys to do something about this."

Listening to this tirade, in the spring of 1977, was George Ballis, a founder and organizer of National Land for People. NLP had been formed in 1974 by a group of activist farmers in the Westlands district of California to demand the federal government enforce the 160 acre provision of the Land Reclamation Act. NLP's goal is to protect small farmers against the financial greed of wealthy individual investors and large corporate interests that speculate in and monopolize California farmland. Such calls were of extreme interest to George Ballis.

But the caller was hesitant to give Ballis much information. Armed solely with the name of one investor given by the caller, Ballis went to the county recorder's office for the Westlands area and looked up the investor's name. The records showed that one land deal was completed and another was in process, although a further study revealed that neither were sales. Control of the land was being

transferred through the Deed of Trust, not a Land Deed. Because law limits use of federal water to farmers with small land holdings, large investors and owners use the Deed of Trust, which leaves ownership in the hands of the small landowner but effective control of the land in the hands of whoever holds the Deed of Trust, as a means to get around the water law.

Ballis wrote down the names of the corporations who were acquiring the Deeds of Trust and the amount of acreage they were "purchasing" in their scheme to avoid the federal water law. NLP published the information in their own newspaper and made it available to other reporters in the state. While the Bureau of Reclamation has said they can't take any action because the old owners still legally control the land, NLP has filed an official complaint with the Department of the Interior. "We've been raising hell around that one for a while," Ballis reports.

Raising hell has been a trademark for the effective NLP since it was founded. Several months prior to the phone call concerning the Deeds of Trust, Ballis had received another mysterious call from an anonymous farmer about a \$100 million investment fund, including foreign money, to buy California farmland. The only hard information the caller gave was the investment fund's name. There was no information on the fund in the county recorder's office this

time because no land or deeds had yet changed hands. Ballis guessed that since the investment fund might be a corporation, the California Department of Corporations might have a file on the firm. He guessed right.

During a visit to the Department's office a few days later in San Francisco, Ballis located and copied the company's sample prospectus that revealed the company was limiting its sale of stock to investors worth at least \$4,000,000 and willing to invest \$1,000,000 in the fund. Anonymity was promised to all investors. The Corporations Department file also contained the names of the six principals behind the fund, the names of various legal entities involved, and the name of a company created for the fund as a tax dodge.

"All we had to do was quote from the prospectus," Ballis explains. NLP assembled the information, drew up a chart describing the operation, and called a press conference to denounce the "Secret \$1,000,000 Club." Shortly thereafter, the state Assembly Agricultural Committee held a hearing on the fund and within a few months the Department of Corporations announced the fund had withdrawn its offer to buy land in California.

While testifying to the value of public records in NLP's work, Ballis points out the need to do

some long range investigation of all these offerings and corporations so that some kind of legislation can be proposed. Until that happens, he explains, "these funds will just keep being reincarnated in a different form." In the meantime, Ballis exults about NLP's investigative abilities. "We've demonstrated over the years that when we say something, we know what we're talking about. I mean we have the goods; we always have things pretty cold."

Knowing the facts is essential to educating and organizing citizens so they can participate in the decision-making that affects their lives. Citizens have a right to know the facts but this right is useless unless they also have the know-how to obtain them. While investigative reporting has publicized the importance of exposing secrecy, few newspapers, magazines, or radio and television stations investigate and many avoid the expense or have a financial stake in keeping facts hidden.

This guide is an introduction to how and where you can use libraries and public records for facts about individuals, government, corporations and ownership of property. You will want to check many other records, books, publications and people not mentioned here. They are all ballast to balance the secrecy of power with the public's right to know the truth.

INDIVIDUALS Who Starts the Buck

Remember the phone book! It's surprising how many times this essential directory is overlooked in trying to research someone. Use it to check the spelling of a name, address and phone number. Many larger cities have reverse phone books that list telephone numbers by address. Use it to obtain a phone number if you only have an individual's address, verify an address or find other phone numbers for the same address.

Start researching someone at a library reference section. This is an easy way to find basic information and will prevent duplication of research already available. Many libraries have a collection of *Who's Who* for states or regions as well as the country. There are directories for specific professions and indexes to directories that will mention various sources of biographical information. Remember this information is often supplied by the individual, so it may be incomplete or unverified. Check the index to the *New York Times*, *Wall Street Journal* or other major publications often found in libraries. Many urban areas will have a *Polk's City Directory* or social directory ("blue book") that lists an individual's occupation and home or business ownership. An important library reference work is Klein's *Guide to American Directories* (B. Klein Publications, Inc.). This large, expensive guide lists

over 5000 major business directories in the U.S., by industrial, professional, and mercantile categories. Two useful guides to finding the library information you want are *Finding Facts* and (even better) *Finding Facts Fast*. Be sure to check the local publications and trade journals or Chamber of Commerce publications. Government papers of elected officials are sometimes donated to state or private libraries and are an excellent source of information.

Government records can provide an assortment of information on individuals. Name changes may be listed at the county recorder or Secretary of State and the use of a fictitious name (DBA) for personal business at the county or city clerk. Records on birth, death, marriage and divorce are usually filed with the local recorder or court clerk where the event occurred and often with the state health department. They are sometimes attached to other records as well, such as deeds. These records will give full names, addresses, age, mother's maiden name, spouse's name and sometimes medical information. There are three H.E.W. publications available: *Where to Write for Birth and Death, Marriage, and Divorce Records*, that describe which agencies collect this information in each state, (35¢ each, Superintendent of Documents, G.P.O., Washington, D.C. 20402.) Agencies may deny a request if they don't think you're related or

have a good reason for obtaining the record. The local coroner's office may supply useful information on relatives of the deceased. Remember that the spouse and mother's maiden name are the two most common aliases.

Voter registrations at the county or city clerk or registrar of voter's office will supply residential address (and sometimes previous address), and place and date of birth, while the state motor vehicles department may supply information from driver's licenses, such as physical description and social security number. Military discharges are sometimes filed at the local recorder's office and may show educational training. Addresses and financial information on debts and ownership are available at the local offices for the recorder, assessor and tax collector. Local or district superior courts may contain information on divorce, lawsuits, criminal record and finances (probate). If you know when an individual's parent or relative died, check the index for probate court records or recorder's office for information on property inheritance. Business licenses are filed with various local and state agencies and give addresses, financial data, employer and education.

Attorneys may reveal a client by filing a power of attorney at the local recorder's office. *Mortinide and Hubbell Law Directory* lists lawyers by states, cities and law firms, gives educational background, and sometimes provides financial information and the names of major clients. The county or state bar association may also give information on individual lawyers.

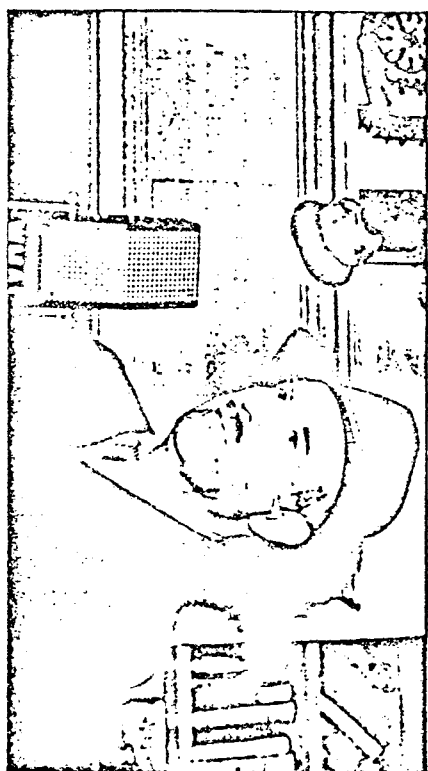
If an individual is an officer or director in a business regulated by

a state or federal agency, such as a public utility, stock brokerage firm, bank or savings and loan, insurance company or broadcast station, there may be financial information in the agency's records. Salary, job title, tenure, retirement benefits and sometimes work history of government employees are listed with the federal Civil Service Commission, local government personnel departments or state comptroller. Government officials are sometimes required to disclose financial information under conflict of interest laws. A local auditor's or state comptroller's office usually keeps information on expenses and travel for public employees. Check the local clerk, Secretary of State or Federal Election Commission for contributions to elected officials by private citizens (see government section).

Finally, check the Tax Court in Washington, D.C. and the civil and criminal index for federal courts. Local and state police may give arrest information if you know the date or location (remember an arrest is not a conviction). Inmates and paroles of local, state and federal prisons can be checked with the appropriate department of prisons or corrections. Since most states and the federal government have laws to prevent disclosure of information that invades personal privacy (see *Compilation of State and Federal Privacy Laws*, \$12.50, Privacy Journal, P.O. Box 8844, Wash., D.C. 20003), many records concerning individuals are unavailable.

Finding out who the person is behind the name on a deed or heard of director's list is essential to understanding what you already know. A recent attempt, lasting some six hours, to investi-

DREW PEARSON



His syndicated column was a bash, behind-the-scenes look at the nation's capital for over thirty years. He served as tutor to Jack Anderson and once encountered Joe McCarthy's fist after his stories attacking the Senator's demagoguery.

gate a major landowner in a west coast city by an inexperienced researcher gives some insights into how this can be done. The researcher took down the correct spelling of the man's name from a plaque commemorating a city mail in his honor. She then went to City Hall where she obtained his birthdate (but not year), address, place of birth and political affiliation from the Registrar of Voters. As he was born out of state, she would have to write away for his birth certificate or have someone in that state retrieve it for her.

She next went to the Tax Collector's office where she found the address to which his tax bills were sent, the assessor's reference number for the piece of property he was billed for, and the name of the corporation that owned the property. She was confronted with an unfriendly clerk in the assessor's office when she requested information on what other property the man owned. A screaming match ensued when she demanded to see the property list by owner under her rights from the Freedom of Information Act (FOIA). Due to her inexperience, she did not know that FOIA requests apply only to federal records. State and local records are available according to each individual state's law regarding public records. She also did not realize that an index of land ownership by owner's name was available on the counter at the assessor's office or that she should check the assessment rolls for both secured and unsecured property (all taxed real and personal property) so that she could ascertain the assessed value of all his holdings. She should also have checked the paid-unpaid list for secured property to see how much he was currently paying in taxes and whether he had made a late payment. In addition, she could check the delinquency abstract for se-

CORPORATIONS

Where the Buck Starts

cured and unsecured property to see if he had not paid his taxes during a previous year. Finally, she could have checked the unsecured property assessment rolls to identify the type of unsecured property he might own, such as a boat or aircraft.

Next, the researcher went to the county clerk's office to look up any civil or criminal lawsuits involving her subject. There were no criminal suits, but several civil suits, one in which he was a plaintiff and several where he was the defendant, were listed. As all the suits were filed in previous years and were in storage, she wrote down the file numbers for the cases so she could order them. She did not check two valuable sources of information: probate court files and political contribu-

tions. Although the man was still alive, there could be a wealth of information in the probate files recorded for a deceased relative.

Finally, our young sleuth went to the city library to look through *Who's Who* and a biographical dictionary. She found some information but felt it was incomplete. As a last resort, she decided to call up the man's business, saying that she was a student doing research on something harmless and needed information on Mr. X. Two days later the public information office obliged with an envelope full of dates, names, directorships, and other background. It is important to remember that important people often like the public to know how important they are, and it can save lots of time.

UPTON SINCLAIR



Best known for his expose of meat processing at the Chicago stock yards (The Jungle), Sinclair uncovered chemicals and additives that are still in our foods.

A journalist once said that investigating business is a lot like sex: you get better with practice and it's not done enough. You need only look at the business sections of most newspapers to see how right he is. He might have added that business dominates our lives every bit as much as sex. Jimmy Carter reportedly told Tom Hayden during a recent visit to the Oval Office that he now understands how businessmen run the country. Someone should ask him for an explanation on the next call-in show.

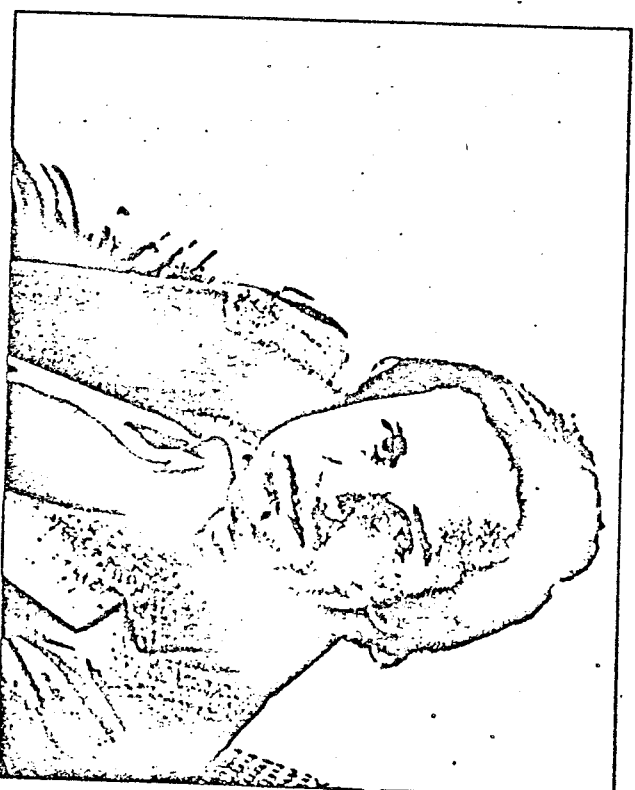
Understanding who is making economic decisions affecting millions of people, how and why is the first step in making corporate power accountable. Businesses affect everything from the programs we see on television to the choice of products we buy, the prices we pay, the jobs we have and the safety and health of our environment. An excellent starting point to find out what information is available from your local library is a book recently revised by the librarian of the Harvard Business School called *Business Information Sources* (see bibliography). It describes in detail the various books and publications that you will need to use. A wealth of information is also available in government records if you know where to look.

The Securities and Exchange Commission (SEC) is the federal government's regulatory agency

for corporations offering public sales of stocks and bonds. It obtains regular reports from approximately 10,000 companies that have at least \$1 million in assets and 500 recorded stockholders. The Commission issues an annual *Directory of Companies Required to File Annual Reports* (\$4.75, Superintendent of Documents, Wash. D.C. 20402) which lists companies alphabetically and by industry classification. If the corporation you are interested in is listed here, you can call or write the SEC headquarters for information about it (SEC, 500 N. Capital St., Wash. D.C. 20549, (202) 755-4846). If you live near Washington, D.C., New York, Chicago, or Los Angeles, you can visit the local SEC public reference room and make copies of reports yourself. Regional offices in other areas contain less information.

What you will find is a series of reports detailing the corporation's finances and ownership. The 10-K is a detailed annual financial report that includes the company's major contracts, management history, salaries and other compensation for principal officers. The 10-Q, filed every three months, is a less detailed financial report. The 8-K is a monthly report filed only if there is a major corporate event, such as a change in ownership, sale of large amount of stock, lawsuit filed against the company or major change in its finances. Proxy statement reports describe impor-

WOODHARD AND BERNSTEIN



These two "cats" who brought down the most powerful and corrupt cabal in American history are an inspiration to a new generation of investigative reporters.

tant decisions requiring approval by the stockholders, such as the election of corporate directors, and registration reports detail a public sale of stock or a stock option plan for employees. In addition, there are three periodic publications found in major libraries: the *SEC Docket* gives a weekly summary of litigation for security law violations and of SEC rule changes; the *News Digest* gives a daily summary of registrations, 8-K reports, and major (over 5%) acquisitions of a company's stock; and the *Official Summary of Securities Transactions* gives a monthly report on major individuals in a corporation who buy or sell stock during the month and list their total holdings.

Corporations buy or form smaller companies—divisions or subsidiaries—the way Abraham begat children. To find the right parent for the company you're interested in, check *Who Owns Whom* (Roskill & Co., England), *Standard and Poor's Register of Corporations, Directors and Executives*, the *Dim and Bradstreet Directories*, or *Moody's Manuals* in your local library.

Federal agencies which regulate specific industries obtain valuable information regarding the corporations involved. The Federal Communications Commission (FCC), 1919 M. St. NW, Wash. D.C. 20554, (202 655-4000), requires information from companies and individuals involved in licensed television, radio, and cable TV stations. Their reports and applications, which include ownership and stock data, are available from the FCC and the broadcast station itself. There are also various FCC publications available from the Government Printing Office, Wash. D.C. 20402 or in major

libraries. The Interstate Commerce Commission (ICC) regulates railroads, trucking companies, bus lines, freight carriers, oil pipelines, and express agencies involved in commerce between states. A publication list and information on certain transportation business such as moving companies can be obtained from the Public Information Office, Rm 2140, (202-275-7252), or you can inspect records by writing the Secretary, Rm 2215, ICC, Washington, D.C. 20423. If you're trying to keep track of Bert Lance, the Federal Reserve Board keeps data on banks and bank holding companies in the Federal Reserve System and has public records available in Rm 1118, 20th and Constitution Ave., NW, Wash. D.C. 20551 (202-452-3684). The Civil Aeronautics Board (CAB), 1825 Conn. Ave., NW, Wash. D.C. 20428 (202-382-6031), regulates the air transportation industry and provides information on airline companies. The National Labor Relations Board (NLRB) investigates labor disputes through some 50 regional offices around the country and allows inspection of formal case documents. The Federal Power Commission (FPC), 825 N. Capitol St., NE Wash. D.C. 20426 (202-275-4006) regulates interstate electric power and natural gas companies. Use the Government Manual (see bibliography) for ideas.

An important source of information on all businesses is the court system. SEC 8-K and 10-K reports reveal litigation against companies that may open up a wealth of information in documents on file in local and federal courthouses. The U.S. Tax Court, 400 Second St., NW, Wash. D.C. 20217 (202-376-2751) tries cases

involving income, estate, gift and personal holding company tax disputes, as well as pension, profit sharing, stock bonus and bond purchase plans. Tax returns are sometimes available here. Checking the criminal and civil index of the federal court system for the names of companies, directors or owners may reveal information available nowhere else.

At the state level, any company incorporated or doing a major amount of business within a state generally files information with the Secretary of State. Information may include the names and addresses of directors, amount and value of stock, principal location, DBAs (jargon for other names under which the company may do business), articles of incorporation and by-laws. In California, the Secretary of State also compiles information on trademarks product name registration. Uniform Commercial Code (UCC) filings that list statements of debt regarding businesses and individuals plus information on corporations and partnerships subject to tax liens (unpaid government taxes), registration of notaries public (often witnesses to the signing of corporate documents), and the names of corporate lobbyists. State government may also have an agency (in California, the Dept. of Corporations) that performs a function similar to the SEC in regulating companies and the sale of stocks and bonds in that state. This agency may contain information on the stockholders, directors, partners and business history of various corporations, franchises, investment agents, loan companies, limited partnerships and joint ventures in the state too small to register with the SEC or not pub-

lically held (traded on a stock exchange or over-the-counter). Also check the state tax board for information it collects on administering state corporate taxes.

Various state departments and agencies issue business licenses for everything from the sale of liquor to agricultural pest control, the installation of elevators and nursing homes. In particular, check for a banking commission that regulates state banks and savings and loans, and an insurance commission that regulates insurance and title companies in the state.

Finally, there are various city and county records with information on businesses. Check the city or county clerk for a list of business licenses required. Check the county recorder, clerk, or city register of deeds for business transactions, DBAs, debts and liens. Check the local courts for civil and criminal lawsuits involving businesses and their directors or officers and the probate court for ownership by deceased stockholders.

Businesses and their owners have a vested interest in hiding as much information as they can, whether to protect themselves from competitors, avoid publicity or conduct illegal or extralegal activities for their own gain. Much of the true ownership of businesses continues to be hidden behind street names, bank trusteeship or investment firms. Don't be discouraged. As in sex, the first time you try may be the worst.

Non-profit foundations or corporations sometimes wield enormous power in a community. All foundations file a federal tax return (IRS) Form 990 that is available from the Foundation Center, 888 7th Ave., New York, N.Y. 10019 (212-489-8610), and one of

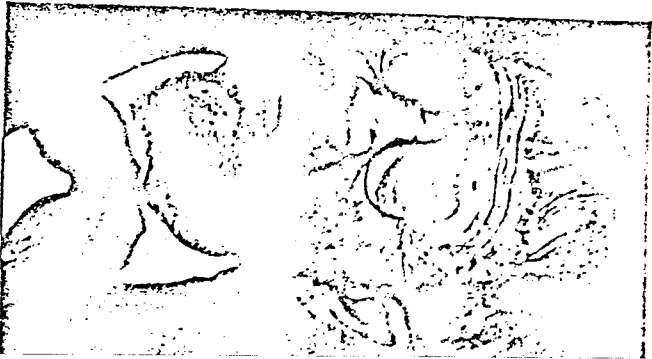
the Center's branches around the country depending on where the foundation is. A 990 is also available from the foundation's local IRS district office. *The Foundation Directory* and *Foundation Grants Index* gives financial and personnel details about the largest foundations in the country and are available from most libraries. Non-profit corporations must incorpo-

rate, just as for-profits do, so you will find information about their incorporators, directors and laws with the Secretary of State and county recorder. Many states (in California, the Registry Charitable Trusts) have a state agency that maintains files on registered charitable organizations that holds property or does business in that state.

IDA TARBELL



LINCOLN STEFFENS



Lincoln Steffens described her History of Standard Oil Company as a "story of businessmen committing crimes, corrupting politics, seeking legal and economic advantages and fiercely abusing their ill-gotten power to form a monopoly."

The father of American muckraking uncovered and exposed high level corruption in Minneapolis, St. Louis, Pittsburgh and Philadelphia between January and July of 1903.

GOVERNMENT

Passing the Buck

As politicians fell in esteem following Watergate, a disillusioned public pressured officials at all levels of government to pass reforms for greater disclosure of political activity. Politicians scurried to reassure voters with the Federal Election Campaign Act of 1974 and similar state and local legislation that ballooned the amount of information available to the public. Correctly filing forms became an essential qualification for gaining the public trust. Knowing what information is available where, and how to obtain it gives you a head start in investigating what government officials are up to.

The fact is: to understand politicians, you need to "follow the money." Money might be called the essential homogenized nourishment of politics if the milk lobby that donated so generously to Richard Nixon's campaign in 1972 had any say in the matter. Information on contributions to federal elections is available from the Federal Election Commission, 1325 K St., NW, Washington, D.C. 20463 and for their respective offices from the Secretary of the Senate, Office of Public Records, ST-2, Capital Building, Washington, D.C. 20510 or the Clerk of the House, Office of Records and Registration, U.S. House of Representatives, Longworth Building, Washington, D.C. 20515. The FEC has a toll free number, 800-424-

9530, that is often busy. FEC regulations state that required reports must also be filed with the candidate's Secretary of State, although compliance can be spotty. Presidential candidates must file in states where they spend money but are required to include information only on the particular state. Some county clerks receive reports for congressional candidates, although this isn't required under law. If you need information quickly, it's better to have a friend in your state capital or Washington pick up copies of the contribution reports than trust a bureaucratic reply through the mail. Filing dates must be checked for the one required pre-election and one required post-election reports. Of special importance is making sure that you track down reports for all committees raising money for a federal candidate. Each office seeker has a principal committee which must file a statement of organization listing all committees authorized to raise or spend money for the candidate, and each committee must file its own report. If you miss one report, you may be missing an important piece of the puzzle.

Contribution information for state legislators is normally available from the Secretary of State and the county clerk where the legislator resides. Reports for districts encompassing several counties may be filed in only one clerk's office, so you should check them

all. Statewide offices, such as governor and attorney general, usually file reports with the Secretary of State. In California, candidates also file in the counties of the two largest cities, San Francisco and Los Angeles.

Contributions for county or municipal elections usually are available from the appropriate city or county clerk or registrar of voters. Again, you should be sure to obtain reports for all committees authorized to receive or spend money on a candidate's behalf and check for all the filing dates. Reports for one filing period may not include information available in a previous report.

Contributions from labor, business and other special interest political action committees is playing an increasing role in the financing of elections. In California, where disclosure is more widespread than most states, committees must file a statement of organization with the Secretary of State and send financial reports to that office as well as the county clerks of the two largest cities and each county where contributions are made.

What do Bobby Baker and Ralph Nader have in common? They both lobbied Congress. To know who's representing which special interest in the hallowed halls of Washington, check the Congressional Directory (it lists lobbyists two times a year and who they represent), or the *Directory of Washington Representatives of American Associations and Industries*, Columbia Books, at your local library. Some states, such as California, publish a lobbyist and employer registration directory each year that's available from the Secretary of State's office. Checking lobbyist names with political con-

tributions can be a particularly fruitful investigation.

While not as detectable as lobbyists, lawyers often make contributions, manage campaigns or otherwise hold positions of influence with a candidate or official. Use *Martindale and Hubbell Law Directory* in your library to check out lawyer's firm's clients to see who may really be influencing political decisions.

Information on the personal finances of U.S. Senators is filed with the Secretary of the Senate, Office of Public Records, ST-2, Capital Building, Washington, D.C. 20510 and lists all speakers' fees of \$300 or more. Congressional representatives are less discreet and must report their interest over \$5000 in businesses contracting with the federal government annual income over \$1000 from such businesses, businesses or organizations in which they or the spouses are executives, credited more than \$10,000 and speaking fees over \$300. This information is available only by having someone go in person to the House Committee on Standards of Official Conduct, Rm 2360, Rayburn Office Building, Washington, D.C. Honoraria can be especially important in determining influences on an official who faces little opposition and has little need for campaign funds during elections.

All candidates for state and local offices in California are required to file thorough reports on their personal finances which are available in the state capital at the Fair Political Practices Commission and with appropriate city and county clerks. Other states vary in such requirements or avoid them altogether. Inquire with your own state or local election offices to see

PROPERTY

Where the Buck Lands

if such information is filed.

To learn about legislative activity in the U.S. Congress, pursue the following sources usually located in a major library or local Congressional or Senatorial office:

1. The *Congressional Record Index* lists bills, resolutions, remarks under the members' names, different subject headings and provides a guide to the daily Congressional Record.
2. The *Congressional Information Service Index and Abstract* provides a valuable guide to congressional hearings and reports since 1970.
3. Bernan Associates' *Checklist of Congressional Hearings*, available for \$42 a year, 9730-E George Palmer Highway, Lanham, MD 20801, provides a frequent newsletter listing current hearings and bills available directly from congressional committees and local congressmen at no cost, printed records of congressional hearings are available at cost from the Superintendent of Documents, GPO, Washington, D.C. 20402, from federal bookstores in certain cities, and for public use at certain libraries with government document rooms.
5. Copies of House or Senate bills are available from either the House or Senate Document Rooms in Washington.

States generally compile some sort of index listing legislation under subject headings and a legislative history that tells where the bill originated, its sponsors and fate in committees. There may also be a record of each day's activity by the legislature. Check your local library, state representative's local office, state library or archives. City and county councils often keep tape recordings or brief

summaries of their actions in the council's offices. Remember that requesting information about an official's actions directly from his office is sometimes the easiest way to obtain what you want.

Other useful sources of information on government officials include: 1. *Congressional Profiles* written by the Nader Congress Project give information and voting record on each Senator and Representative and are available for \$1 each from Grossman Publisher, Box 19281, Washington, D.C. 20036; 2. The *Almanac of American Politics* gives information on congressional districts, key votes, each House and Senate member and state governor and is available at many bookstores; 3. The *Congressional Directory*, gives information on congressional and committee staff and is available from the Government Printing Office in Washington; 4. The Citizens' Research Foundation, 245 Nassau St., Princeton, N.J. 08540 can provide a list of studies it has published on a list of studies of national and selected state campaigns; 5. The *Congressional Quarterly Weekly Report* lists recent financial information about Congress and previous issues available in libraries give federal campaign contributions for preceding years; 6. The liberal ADA and conservative Americans for Constitutional Action in Washington keep lists of voting records for individual Senators and Representatives; 7. Issue 4 of *NewsLeads*, available from the Urban Policy Research Institute, 321 S. Beverly Drive, Beverly Hills, CA 90212 for \$1, gives directions and ideas for investigating money in politics.

For an investigator, the recorder's and tax assessor's offices go together like gum and shoe. In some locations they are even combined into one office. Together or separate, these local offices can answer two of the most common questions in an investigation: who owns a particular piece of "real" property (real estate), and, what land or buildings belong to a particular owner? Part of either the local city or county government, they keep information only on property located in their geographic area. There is no central source of information on real estate ownership at the state or national level and local government has no uniform method of collecting it, so you have to go to the local office for the property you're interested in and find out how that particular system works.

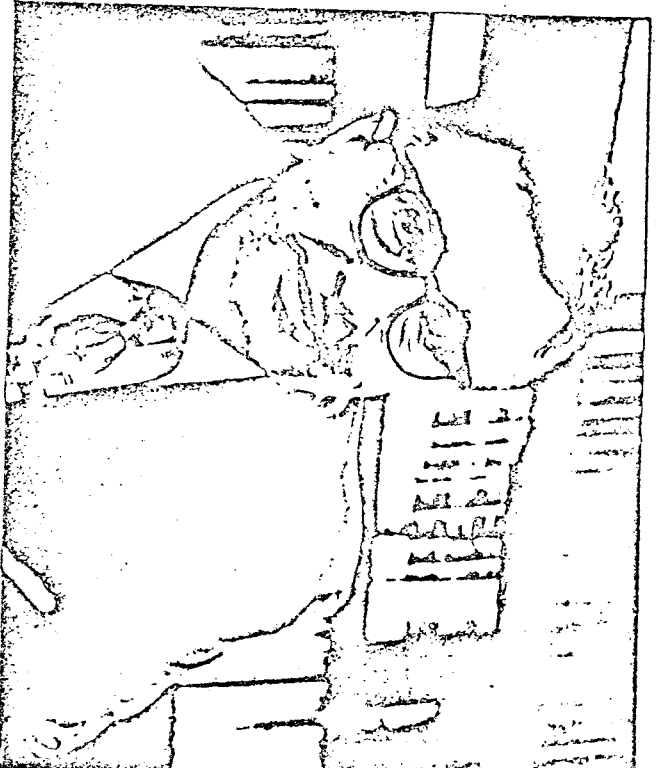
There is enough similarity to the systems to make it useful to study one in detail. (See *People Before Property*, bibliography, for an excellent description of property research in Boston.)

The local recorder's office (sometimes called the register of deeds) documents sales and other transactions concerning property by year, so you must go through each year of the recorder's index (usually known as the grantee-grantor or general index) to identify all documents for a piece of property. The index lists the name of the seller (grantor) and the buyer

(grantee) and gives you a reference number for the deed or other document so a clerk can locate it copy in the office records. The clerk will usually tell you the names of the buyer and seller, address or legal description of the property, date of the transaction, and may indicate alterations in ownership. Alterations or encumbrances occur if there is a mortgage, lien, lease, foreclosure or other financial relationship with another party. To determine whether the deed has an encumbrance, go through the index for each year the owner (grantee) holds the property and search for indications of other transactions. A trick to remember if there is a mortgage: the owner or borrower is the grantor (grants the mortgage) while the lender is the grantee (receives the mortgage), even though the money goes the other way. Obviously, you will need to know the name of either the buyer or seller of the property to locate the listings of documents about it in the index. The major place to find these names if you only know the property's location is the local assessor's office.

The tax assessor determines the value of real estate and levies a property tax. If you know an address (or legal description), you can use maps and charts in the office to find the reference numbers you need to locate the record telling who pays taxes for it by year. There may also be records, listed by name of the taxpayer, that give

HANK MESSICK



Say the name Hank Messick in the company of gangsters and teeth will clench, palms will sweat and small beads of perspiration will appear on furrowed brows.

corporations, trusts, partnerships and other organizations listed as owners of property. Tax-exempt properties (owned by religious, charitable or government agencies) are usually listed separately in the assessor's office.

If you're in a hurry or can't find what you want from government records, try the local privately operated real estate service, title insurance company or even a realtor. For a fee, or free if you're lucky, they can provide ownership information on a piece of property, already collected from local records. It's their business to know who owns real estate. One experienced reporter failed for 18 months to discover from local records if Richard Nixon purchased the San

Clemente White House before a title insurance friend helped him find it in three hours.

In researching ownership, there is an important distinction between "real" and personal property. Real property is land and its improvements (roads, houses and other structures) while personal property is more mobile, such as an automobile (sometimes called unsecured property). States tax personal property and will have records concerning it at the local tax collector's office. While most states have a motor vehicles department that contains ownership information on trucks, cars and motorcycles, personal property ownership is less systematically documented than real property.

the addresses of all property billed to that particular taxpayer. While the name may not be the actual owner (just a lawyer, corporation, or agency that pays the bill), assessor records will usually supply enough information, in combination with the recorder's office, to determine ownership.

The following steps are typical of how you would research real estate ownership (known as a title search). Take the address to the local assessor's office or tax assessment department that bills the property owner. Using the maps in the office, you can identify the reference number for the records listing annual payments of taxes by the legal owner (or taxpayer). You can determine the approximate property value from the assessment listed in the records. With the owner's or taxpayer's name, go to the recorder's office and look under grantee (buyer) in the index for the years you think the purchase might have occurred. If you want to know whether the taxpayer sold the property after paying the most recent taxes, look under grantor in the index for each year since the taxes were paid. By finding out when an owner bought or sold a piece of property and determining the name of the other seller or buyer from the index, you can check those names in the index, for each year records are kept, to discover the entire ownership history for that piece of property. With the document reference numbers listed in the index, you can locate copies of documents that provide further details.

Sometimes ownership is extremely difficult to determine because property is held by one of the several legal and financial arrangements. A common practice

is to record property in the name of a relative, spouse or other family name. It sometimes helps to check those names in the grantee-grantor index. Property can be acquired under such methods as joint tenancy, community property or partnerships. Owners may be corporations, syndicates, partnerships, trusts and associations. Property may be recorded in the name of a land trust, title company or bank. Escrow companies hold title to land until a sale is completed and prevent records from showing who the buyer is. (Although some companies will reveal ownership if called.) In such cases, you should consult someone knowledgeable with real estate and have them check other government records that may reveal ownership.

The local tax collector or state tax board may have information on who is paying property taxes for land or buildings. Local building departments issue construction permits, health departments issue building safety licenses and redevelopment agencies and zoning or planning commissions maintain records on ownership in selected areas. City or county councils may have an appeals process for assessments that record property ownership. The Secretary of State and county clerk sometimes collect information on property owned by public and elected officials. State real estate commissions have data on land (in California this commission regulates subdivisions, which are divisions of land into smaller pieces for sale or improvement). The superintendent of state buildings has information on buildings and land the government is leasing from private owners. The Secretary of State and various federal agencies have information on

PUBLIC RECORDS

Where the Buck is Buried

Unconstitutional and unworkable" was how Gerald Ford described the legislation to strengthen the Freedom of Information Act (FOIA) when he vetoed it in 1974. But Congress overrode his resistance and justified its action by saying the law "is based upon the presumption that the government and the information of government belong to the people." Today the FOIA, first passed in 1966, is beginning to fulfill Congress' intention that the burden must be on the federal government to justify secrecy rather than on the citizen to prove why information should be available. Although still facing official reluctance to comply, the law is allowing access to documents on such matters as the nutritional content of processed foods, the efficacy of drugs, the safety and efficiency of automobiles, consumer complaints regarding interstate moving companies, corporate marketing practices, faulty products, the harmful effects of pesticides, pollution control programs, the effectiveness of affirmative action plans, and occupational safety and health data.

FOIA differs from several related laws and these distinctions can help you understand when to use it: 1. FOIA provides standards for obtaining a wide range of information from administrative agencies of the executive branch of the federal government. It does not

apply to information maintained by Congress or the judiciary and it does not affect the availability of information from state and local records, which varies according to state and local law. 2. The Privacy Act, also enacted by Congress in 1974, deals specifically with allowing individuals access to information about themselves held in federal agency files. It can create a conflict when someone requests information under the FOIA that is considered harmful to another person's privacy. In the same manner, state privacy laws allow citizens access to information about themselves in state and local records and can restrict access to third parties in certain situations.

Learning to use the FOIA isn't difficult and a number of useful guides make it easier: 1. House Report No. 95-793, U.S. Government Printing Office; 2. Your Right to Government Information, ACLU, 22 E. 40 St., New York, N.Y. 3. FOIA Handbook, Project on National Security and Civil Liberties, 122 Maryland Ave. NE, Washington, D.C. 20002; 4. How to Use the New 1974 FOI Act, Reporters Committee for Freedom of the Press, 1750 Penn. Ave., NW, Washington, D.C. 20006; 5. How to Use the FOIA, Church of Scientology Information Service, 5930 Franklin Avenue, Hollywood, Ca. 90028. The basic procedure is to write a letter to the appropriate agency that "reasonably describes" the information

you want. If you aren't sure which agency to write or how to describe what you want, check the U.S. Government Manual, which describes all the federal agencies, or try calling the agency headquarters or local field offices. Addresses for agencies are found in the Manual, as well as several of the FOI handbooks. The more specific and limited the request, the greater your chance of receiving the information quickly and inexpensively. Although agencies must respond within 10 days, requests for "all files relating to" some matter or without fairly specific dates describing the material provide ways for the agency to delay an answer. You should request an estimate in your letter of the costs involved: a search fee of about \$5 an hour to locate the information and a copying charge of about 10¢ a page. The law allows agencies to waive or reduce these costs when "furnishing the information can be considered as primarily benefiting the general public." If you think your request applies, say so. A thorough letter will cite title V of the U.S. Code 552 (FOIA) and the relevant provisions of the agency's regulations concerning access as authorities for your right to information. Agency regulations are listed in the Code of Federal Regulations, Federal Register (the FOIA Handbook gives the precise page number for each), or you can obtain them from the individual agency. Remember that you don't have to explain why you are interested in the information if you don't wish to. You have a right to know. If your request should be denied by exemptions allowed under FOIA or delayed unusually, you can challenge the withholding of information through procedures

described in the various handbooks or contact the Nader affiliated Freedom of Information, Clearinghouse, P.O. Box 19367, Wash., D.C. 20036 (202-785-3704).

The counterpart to the FOIA for information from state and local records is a less useful body of laws enacted by various state and local governments. These laws can vary as much as the weather from Maine to California and are usually a lot less clear. Two examples of states with laws on access to public records are California (California Public Records Act) and New York (N.Y. Freedom of Information Law). New York law deals with state and local regulations and California deals with only with the state's.

A basic procedure to follow in gaining access to information from your state or local government is to ask your state Attorney General, Secretary of State, or local municipal counsel about laws governing access to government records. In general it is appropriate to take the position that you have a right to see public records and don't need a special reason. Any refusal should be met with a request to know the specific law that prevents disclosure or to see a higher official who may have the authority to release a withheld document. As a last resort, go to a friendly elected official or lawyer who can often break down resistance based on ignorance of the local law governing public records. The local ACLU or public interest law firm can often help resolve a denial of access. Probably the simplest rule to remember in requesting any record is to know as precisely as possible what it is you want and where, and then proceed as though you deserve it.

INVESTIGATIVE CHECKLIST

FEDERAL			STATE			LOCAL		
Individuals			Individuals			Individuals		
<ul style="list-style-type: none"> • Civil Service Commission • SEC, FCC, ICC, CAB, FPC, and other regulatory departments and agencies. (Check <i>Government Manual</i>.) • FEC • Tax Court • Civil and Criminal Court Index 			<ul style="list-style-type: none"> • Controller • Secretary of State • Department of Motor Vehicles • Various departments and agencies requiring business licenses • Bar association • Public Utilities Commission • Corporation Commission • Insurance Commission 			<ul style="list-style-type: none"> • Auditor • Bar Association • City or County Tax Collector • City and County licenses • Voter Registration • Civil and Criminal Court Index and Documents • Probate Court • City and County Clerk or Recorder • Coroner's Office • County or City Tax Assessor • Divorce Court 		
Corporations			Corporations			Corporations		
<ul style="list-style-type: none"> • SEC, FCC, ICC, CAB, FPC, FDA and other departments and agencies (Check <i>Government Manual</i>.) • Tax Court and Federal Courts. • I.R.S. (Tax returns for nonprofits.) 			<ul style="list-style-type: none"> • Tax Board for corporation taxes • Secretary of State • Corporation Commission • Various departments and agencies requiring business licenses • Public Utilities Commission • Banking Commission for state banks • Insurance Comm. for Ins. Co's. 			<ul style="list-style-type: none"> • City and County Clerk or Recorder • Civil and Criminal Court Index • Probate Court • City and County Licenses 		
Government			Government			Government		
<ul style="list-style-type: none"> • Federal Election Commission • Secretary of the Senate • Clerk of the House • House Committee on Standards of Official Conduct • Civil Service Commission 			<ul style="list-style-type: none"> • Secretary of State • Any agency regulating campaigns and political activity. 			<ul style="list-style-type: none"> • County and City Clerk • Registrar of Voters • City Comptroller (salaries) • Personnel Office 		
Property			Property			Property		
<ul style="list-style-type: none"> • See under corporations for land owned by corporations. 			<ul style="list-style-type: none"> • Board of Tax Equalization • Real Estate Commission • Superintendent of State Buildings • Secretary of State (for partnerships, corporations and trusts that own land). 			<ul style="list-style-type: none"> • County or City Recorder or Registrar of Deeds • County or City Tax Assessor • County or City Tax Collector • Planning or Zoning Commission • Court Records (bankruptcy, probate, divorce) • Redevelopment agencies, Building Department, Board of Health, probation reports. 		

ESSENTIAL INVESTIGATIVE LIBRARY

- Indicates highly recommended publications.

Monthly List of G.A.O. Reports

U.S. General Accounting Office
Distribution Section
441 "G" Street, N.W.
Room 4522
Washington, D.C. 20013

Monthly: \$1.00 to general public. Free to non-profit organizations, libraries, students, newspapers and local/state/federal government officials.

A monthly summary of all G.A.O. reports.

The Workbook

Southwest Research and Information Center
P. O. Box 4524
Albuquerque, New Mexico 87106

9 issues per year. \$10/year general. \$7 for students. \$20 for institutions.

An index guide to sources of information about environmental, social and consumer problems, aimed at helping people in small towns and cities gain access to information to help them assert control over their own lives.

- Open the Books—How to Research a Corporation

The Midwest Academy, Inc.
600 W. Fullerton Avenue
Chicago, Illinois 60614

\$4.40 (includes handling). 1974.

A basic guide of research methods for examining corporations.

Bernan Associates' Checklist of Congressional Hearings

Bernan Associates
9730-E George Palmer Highway
Lanham, MD 20801

Approximately 40 issues per year. \$12/year.

Lists publications of recent congressional hearings so that you can apply directly to the particular committee which held the hearing for a copy at no charge, and additional hearings are listed so you can obtain them for a fee from the Superintendent of Documents, Government Printing Office.

- National Directory of Addresses and Telephone Numbers

Edited by Stanley R. Greenfield
Nicholas Publishing Company, Bantam Books
666 Fifth Avenue
New York, New York 10019

A national phone book, listing numbers alphabetically and by categories, of business, government, media, transportation, etc. \$9.95. 1977.

- People Before Property

The Midwest Academy, Inc.
600 W. Fullerton Avenue
Chicago, Illinois 60614

A handbook on tenants' rights, legal procedures and property law, written for a Massachusetts audience, but valuable to anyone who wants to research property ownership or real estate transactions. \$5.90. 1972.

- N.A.C.L.A. Research Methodology Guide

North American Congress on Latin America
464 - 19th Street
Oakland, CA 94612

A somewhat outdated guide to power structure research and resources of information, but still one of a kind. \$1.00. 1970.

- How to Research Your Local Bank (or Savings and Loan)

Institute for Local Self-Reliance
1717 - 18th Street, N.W.
Washington, D.C. 20009

Explains common bank terminology, shows where basic information is, how to get it, and what to do with it. \$2.00. 1976.

The Investigation of White-Collar Crime: A Manual for Law Enforcement Agencies

Herbert Edelherz, Project Director
Available through Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

A description of white-collar crime investigative issues and methods, and a reference source for information on investigating white-collar crimes. \$4.50. 1977.

- Checking on Elected Officials

Barry Greever
Reprinted with permission from:
The Midwest Academy
600 W. Fullerton Avenue
Chicago, Illinois 60614

Questions about elected officials and where to go to get them answered—covers local, state and federal elected officials. 15¢. 1977.

- **Finding Facts Fast**

Alden Todd
Published by William Morrow & Company, Inc.
105 Madison Avenue
New York, New York 10016

A handbook for students, political activists, civic leaders and professionals based on methods used by reference librarians, scholars, investigative reporters and detectives. \$2.45. 1972.

- **Tactical Investigations for People's Struggles**

Barry Greever
Reprinted with permission from:
The Youth Project
1000 Wisconsin Avenue, N.W.
Washington, D.C. 20007

A manual which gives a check list and theoretical understanding of basic "tactical investigations," including resources, and rights of investigators. \$1.65.

- **1976 Directory of Major U.S. Corporations Involved in Agribusiness**

A. V. Krebs
Agribusiness Accountability Project West
P. O. Box 5646
San Francisco, CA 94101

\$3.50 for general public; \$5.00 for libraries, corporations and government agencies. 1976. A directory covering the top 126 firms in agriculture.

- **Where's What—Sources of Information for Federal Investigators**

Harry J. Murphy, Office of Security, Central Intelligence Agency
Available through:
Warner Books, Inc.
75 Rockefeller Plaza
New York, New York 10019

A C.I.A. study now released to the general public which gives information on where to find information from the federal government. \$3.95. 1976.

- **County and City Data Book (A Statistical Abstract Supplement)**

U.S. Bureau of Census
Available through:
Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

A remarkable source of current numerical information about America and Americans; compiled from the federal censuses of population, housing, government, manufacturers, business, mineral industries and agriculture. \$12.50. 1972. Updated on an irregular basis.

- **The Almanac of American Politics**

Michael Barone, Grant Ujifusa, Douglas Matthews
E. P. Dutton

201 Park Avenue South
New York, New York 10003

This useful publication gives a personal and political history for all representatives, senators, and governors; includes maps and profiles of their states and congressional districts; includes the committees, sub-committees, rank of members of Congress; gives information on federal money going to election districts, etc. \$7.95. 1978. Published every two years.

- **A Citizen's Guide on How to Use the Freedom of Information Act and the Privacy Act in Requesting Government Documents**

Thirteenth Report by the Committee on Government Operations
Available through:
Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

This guide includes texts of the Freedom of Information Act, the Privacy Act, how to utilize both in procurement of government records, and lists addresses of selected government agencies. \$2.00. 1977.

- **Washington Information Directory**

Congressional Quarterly, Inc.
1414 22nd Street, N.W.
Washington, D.C. 20037

Indexed by subject, department or agency, regional office and organized in 16 subject headings. \$7.95. 1977-1978 (updated yearly).

- **U.S. Government Manual**

Published by the Office of the Federal Register
National Archives and Records Service
General Services Administration
Available through:
Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

This publication is the official organization handbook of the Federal Government; it includes purposes and programs of most Government agencies and lists top personnel, and how to obtain information and publications from the Federal Government. \$6.50. 1977/1978. Updated yearly.

- **Reporter's Reference Guide**

Dan Noyes, Lee McLaren, Sara Eichhorn
Available through:
Urban Policy Research Institute
336 N. Foothill Rd., Room 202
Beverly Hills, CA 90212

A guide to reference materials for reporters and researchers, organized by subject and title. \$2.50. 1976.

• Investigative Reporting

David Anderson & Peter Benjaminson
Indiana University Press
Bloomington, Indiana 47401

This book covers basics (ethics, what to investigate, etc.), is a guide to sources and records, investigative techniques, and offers examples of cases. \$3.95. 1976.

• How to Read a Financial Statement

Merrill Lynch, Pierce, Fenner & Smith, Inc.
One Liberty Plaza
165 Broadway
New York, New York 10006

A guide written for the lay person on how to read annual reports from corporations. Free. 1975.

• Investigative Reporting and Editing

Paul Williams
Prentice-Hall
\$9.95. 1977.

• Business Information Sources

Lorna Danielis (Revised by)
University of California Press
University of California, Berkeley
Berkeley, California

A wonderful guide to every conceivable source of information on business.

\$14.95. 1976.

A Directory of Information Resources in the United States

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

An excellent source that gives the telephone number, description of publication and information sources available for over 1200 offices in or related to the federal government, as well as separate directories to information on the following subjects: physical sciences, biological sciences, general toxicology, water and social sciences. \$4.25. 1974.

• Finding Facts

William L. Rivers
Published by:
Prentice-Hall, Inc.
Englewood Cliffs, New Jersey 07632

This book covers pursuing and interpreting facts, interviewing, observing, using libraries, gives over 200 central sources of books and periodicals, and includes reporting on research (writing, editing, etc.). \$4.50. 1975.

The Investigation of White-Collar Crime

Office of Regional Operations
Law Enforcement Assistance Administration
U.S. Department of Justice

Available through:
Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

This is a manual for law enforcement agencies, developed for use by those who investigate white-collar crime and related abuses—it gives extensive information about coordination of investigations, relationships between law enforcement agencies, finding information/documents/public records, a bibliography, etc. \$4.50. 1977.

• How to Use a Law Library

People's Law School
558 Capp Street
San Francisco, CA 94110

This guide covers uses of a law library, approaches to solving a legal problem through research, gives some authorities and descriptions of laws, etc. This is an extremely valuable pamphlet. 50c. 1976.

GLOSSARY

DBA

This is sometimes called a fictitious name or fictitious business file. Companies or people may do business under a name other than that commonly known. DBA files are recorded with local and state government agencies and may give the location and officers of the business.

Tax Lien

A financial claim by the government against a person or business for failure to pay taxes. Also known as an encumbrance.

Public and Private Corporations

A public corporation has stock owned by members of the public outside the corporation and often traded on a stock exchange or over-the-counter. Private corporate ownership remains in the hands of a few people, usually the founders, directors and their families. Because stock is not available to the general public, there is little information about the corporation available in public records.

Title Insurance Company

These companies research titles, or ownership of land, so buyers can be sure there are no claims (encumbrances) to the property that would reduce its value. A quick source of information on real estate.

Street Name

Also known as a "straw" or "front name," it is the name or "nominee" used by banks, trust companies, insurance companies, investment firms and others to hide real ownership in a business. The late Senator Metcalf placed the "secret" nominee list into the Congressional Record on June 24, 1971 to make it widely available to the public. Use the list to learn that Allco, Byeco, Belco, Sixco and Twoco are all street names for the Prudential Insurance Company.

Grantor-Grantee Index

Sometimes combined to form a General Index, this annual list provides the names under which all documents, such as deeds, mortgages and partnership agreements are recorded each year at the local Recorder or Registry of Deeds' office. In grantor-grantee parlance, every transaction has a grantor (who gives) and a grantee (who receives) and both names are listed.

Assessed Value

Usually one quarter to one half of the full market value of real property, the assessed value is used to determine the property tax by the assessor's office. It should be multiplied by the corresponding factor to determine the full market value of the property.

Trust

A fiduciary arrangement for personal or real property where there is a trustor, who funds the trust, a trustee, who holds and administers the trust, and a beneficiary, who receives the benefits of the trust.

Quiet Title Actions

Filed in court, these determine ownership when there is a dispute over possession of property.

Probate Court

A source of financial information on the estates of the deceased, these state district courts settle and administer wills and their records often reveal hidden ownership and financial relationships.

Civil and Criminal Court Indexes

These are located in the court clerk's office and give an alphabetical listing of all pending and disposed cases by plaintiff and defendant. Each index gives a docket number that allows you to obtain the docket with names, addresses and lawyers for both parties and court papers. These can include transcripts of testimony, exhibits, depositions (questions and answers) and other materials.

Title Search

The process of checking ownership, mortgages, liens, property taxes and other information concerning real estate at the recorder's and assessor's offices.

Quitclaim Deed

This releases the owner or grantor from any claims or interest in a property.