

The Honolulu Community-Media Council

THE COUNCIL AT A GLANCE . . .

- FOUNDED:** November 16, 1970
- PURPOSES:** To receive, investigate and attempt to resolve complaints against the performance of the local news media – or by the media against unreasonable restraints on access to news.
To further the free flow of information to which the public and press are entitled.
To develop guidelines for relations between the news media and news sources.
To increase public understanding of news operations.
To conduct public forums on sensitive issues involving the news media.
- MEMBERSHIP:** Approximately 40 members representing many different fields of activity, all of whom serve as volunteers. No paid staff or office.
- FUNDING:** Contributions from its members and from organizations in the community.
- AUTHORITY:** Persuasion only; no legal authority.
- MEETINGS:** Monthly; open to the public.

For more information about the Council, please write to:

Honolulu Community-Media Council
P.O. Box 22415
Honolulu, Hawaii 96822
Telephone: 521-6323

The Honolulu Community-Media Council has worked, since its founding in 1970, to resolve differences between the local news media and the individuals and organizations whose activities they report. As one of its primary functions, it receives and investigates complaints by persons who feel they, or the organizations to which they belong, have been treated unfairly by the media, or that the media have not performed as responsibly as they should.

The Council also seeks to further the free flow of information to which the press and public are entitled. It strongly supports freedom of the press, and the public's right to know – while recognizing that freedom carries with it an obligation to be responsible, and that such individual rights as those of privacy and fair trial must be respected.

In line with these two major thrusts, the Council has sought in many related ways to serve the public interest in matters involving the local news media. For example, it has:

- Taken the initiative in examining some of the broader problems of news coverage, including relations between the news media and the judicial system, the information policies of the Honolulu City Council and the Police Commission and the media's policies and practices with regard to the coverage of political campaigns.
- Developed guidelines for the news media and news sources covering such concerns as the validity of public opinion polls, the conduct of official press conferences and restraints the media should observe in the coverage of demonstrations.
- Joined with other community organizations in developing and proposing a State "Sunshine Law," which – with certain res-

trictions – gives the public and the press access to public records and to meetings of most official agencies and boards. The Council was active in efforts to obtain passage of the Sunshine Law the State adopted in 1975; and it now – along with seven other community organizations – is part of a Sunshine Law Coalition, which is seeking to strengthen the law through amendments and to increase compliance with the existing statute by public officials.

- Sought to increase public understanding of news operations.
- Conducted public forums on sensitive issues involving the news media.
- Taken an active role in court cases dealing with community news concerns.

Background. The modern press council movement in the United States began in earnest in the late 1960s. The Honolulu Council was one of the first grass-roots groups, in the sense of starting itself, without funding from a foundation and with the active support of the news media.

The specific incident that triggered formation of the Honolulu Community-Media Council was a dispute in 1969 between the then mayor of the City and County of Honolulu and the Honolulu Star-Bulletin. Dr. Claude Du Teil, then rector of St. Christopher's Episcopal Church in Kailua, is the "father" of the local group. Du Teil became increasingly disturbed by the friction between the newspaper and the mayor, and concerned with regard to its impact on the flow of news in the community.

He contacted the editors of the two major newspapers and the mayor's information officer in an attempt to resolve the dispute. All three men mentioned the idea of a press

council, and suggested that such a council might serve a useful purpose.

Du Teil then contacted the Journalism Department of the University of Hawaii for more information, and a Community News Media Conference was held on January 13, 1970. This resulted in the formation of the Honolulu council later that year.

The dispute that led to formation of the Honolulu Community-Media Council was settled before the Council began operation. Often in the years since, however, the Council has helped resolve differences between the news media and government officials or other members of the community.

There now is a National News Council, established in the early 1970s with an initial grant from the Twentieth Century Fund, as well as one statewide Council, in Minnesota. Both have been reasonably successful. The National News Council, which limits itself to disputes and issues involving print and broadcast media that are regarded as national suppliers of news, has received increasing support from the media and media foundations, which now provide more than one-quarter of its annual budget. Some news organizations, however, object to having an outside citizen group pass judgement on their practices, and have refused to cooperate with it.

Local media councils exist in only a few cities. Some of those formed in the 1960s and early 1970s have ceased operation, failing through lack of community support and/or cooperation from the news media. The Honolulu Council, however, has been fortunate. Established with the help of executives from the city's two major daily newspapers, it has received excellent cooperation from the media, as well as support from business concerns and other organizations that recognize its value as an independent mediator in matters involving news coverage. As a result, it today is one of the oldest active news councils in the nation, and is widely regarded as one of the most successful.

The Council Today. The Honolulu Council is composed of approximately 40 members, representing many different fields of activity. A few are from the news media, among them two of the founding members: George Chaplin, editor-in-chief of the Honolulu Advertiser, and A.A. "Bud" Smyser, who recently retired as editor of the editorial page of the Honolulu Star-Bulletin. The media members, however, are greatly outnumbered by those from other occupations: attorneys, business executives, ministers, university professors, labor union officials, housewives, military representatives, and others who have taken an active role in community affairs. All serve as unpaid volunteers, including the Council's executive director Ah Jook Ku, a former journalist who for many years was an information officer for the Department of Education.

CHAIRPERSONS

Dr. Seymour Lutzky, 1984 –
 Mr. John Luter, 1982-84
 Rev. Robert W. Fiske, 1978-82
 Ms. Rhoda Miller, 1976-78
 Mr. Max Roffman, 1975-76
 Dr. Stuart Gerry Brown, 1973-75
 Dr. Thomas H. Hamilton, 1971-73
 Mr. Nelson Prather, 1971
 Judge Gerald R. Corbett, 1970-71

EXECUTIVE COMMITTEE (1984-86)

Dr. Seymour Lutzky, Chairperson
 Dr. Mary Bitterman, Vice Chairperson
 Ms. Ah Jook Ku, Executive Director
 Mr. Albert Hamai, Treasurer
 Chairpersons of the standing committees

EXECUTIVE DIRECTORS

Ms. Ah Jook Ku, 1975 –
 Dr. Jim Richstad, 1970-75

The Council holds monthly luncheon meetings, which are open to the public. It has four standing committees – Public and Media, Government and Media, Membership and an Executive Committee composed of the chairperson, vice chairperson, executive director, treasurer and heads of the other standing committees. All recommendations by the committees, however, are referred to meetings of the full Council for final decision.

The Council does not maintain an office, although it does have a post office box (P.O. Box 22415, Honolulu, HI 96822) and a telephone (521-6323, the number for Executive Director Ah Jook Ku). To meet its routine expenses (for stationery, postage, telephone, the photocopying or printing of informational materials) and the costs of public forums not covered by special grants, it depends on contributions from its members and from organizations in the community.

Recent contributors have included Alexander and Baldwin Ltd., the Amfac Foundation, Castle and Cooke Inc., Computab Inc., the Hawaiian Electric Company, the Hawaiian Telephone Company, Oceanic Cablevision, Pacific Resources Inc., the Hawaii Newspaper Agency Foundation, the University of Hawaii Law School, and the University Journalism Department's Carol Burnett Fund for Responsible Journalism. In earlier years, special grants from the Hawaii Committee on the Humanities have provided a large share of the support for the Council's public forums.

The Council, like media councils elsewhere, has no powers beyond those of persuasion and perhaps publicity. It can have no power – and wishes none – as any authority to enforce its decisions would be inconsistent with the U.S. Constitution's guarantee of freedom of the press. It can and does attempt to persuade. From the beginning, however, it has sought to resolve complaints and other differences, rather than publicize its findings, in the belief that this low-profile approach serves the best interests of the community.

The Complaint Procedure. The Council will not accept complaints on matters that are in litigation, or where legal action is threatened. With that exception, it welcomes complaints from individuals who have grievances against local news organizations, or from news organizations that feel their legitimate right of access to news is being denied by public officials or agencies.

When it receives such a complaint, the Council asks first that the complainant seek satisfaction from the organization in question. In the case of the Honolulu Advertiser, for example, the council requests that the complaining party talk to, or write, the paper's ombudsman. Complaints against other local news organizations (which do not have ombudsmen) should be directed to the top editor or news executive. Many complaints are

resolved in this way. If this fails to produce a satisfactory solution, however, the complainant is invited to seek help from the Council, by filling out and submitting a formal complaint form.

When formal complaints are received, they are reviewed by the Council's Executives Committee, then referred to the Council as a whole. The Council may decide not to pursue a complaint if the matter is outside the news field, or seems to be of very little significance. If it appears that the complaint may have some merit, however, the Council will refer it to the appropriate standing committee (Public and Media or Government and Media), which investigates and attempts to mediate the differences. If mediation fails (as seldom happens), the committee reports its findings to the full Council, with recommendations for further action.

Acting on the committee's recommendations, the Council may attempt further mediation, or – as a last resort – may publicize its decision.

This procedure admittedly is cumbersome, and considerable time may elapse before the Council takes any final action. The council, however, believes strongly that complaints must be investigated carefully and thoroughly, and that it should announce its findings only when conciliation has failed. It has never inundated the media with press releases. Instead, it has sought to quietly investigate, mediate and educate – and only rarely has it taken a confrontational stance.

Largely for this reason, the council has suffered from lack of visibility. Many people in the community are unaware of its activities, or even of its existence; and this has limited its effectiveness. It hopes to become better known, so that it may increase its service to the community.

Notable Activities. Although it is less well known than it would like to be, the Council over the years has handled many complaints involving news coverage.

In one case, which has been cited in a leading textbook on media responsibility, the Council agreed with a social worker who complained that the two major dailies should not have published photographs of a 15-year-old girl who climbed on a ledge at the district court building and threatened to jump – or at least should not have published the dramatic pictures without masking the face of the juvenile. One of the two newspapers explained that it had decided to publish the photos because pictures of the incident already had appeared on television newscasts, and the other paper noted that similar pictures not only had been on TV, but had been published in the first newspaper. Both newspapers, however, conceded that they should have masked the young girl's features, and one of the papers admitted in print that it had erred.

A more recent case involved a Honolulu

city councilman, who complained that an editorial in the Advertiser had misstated an explanation he had given for his vote on a controversial zoning issue. In this instance, the Council referred the complaint to the Advertiser's ombudsman, who investigated and concluded that the complaint was valid. The newspaper published the ombudsman's decision and also gave the councilman space for an "open forum" article in which he explained his action in detail.

Other complaints have involved a wide range of grievances, including allegations of unwarranted invasion of privacy, questionable taste, biased or careless reporting, and denial of the media's right of access to public meetings or to information to which they and the public were entitled.

Most complaints have been resolved to the satisfaction of the parties concerned, but this has not always been the case. The Council at times has issued statements of "censure", and on rare occasions, it has taken an active role in court cases dealing with community news concerns.

The most significant of such actions by the Council came in 1973 when a press aide to the then mayor of Honolulu barred a Honolulu Star-Bulletin reporter from four press conferences, allegedly because of his unfair coverage.

The Star-Bulletin filed suit to enjoin the mayor from excluding the reporter from his press conferences. When the mayor then extended the ban to include reporters from both major dailies, allowing only electronic media people to attend what he called his collective "personal interviews," the Advertiser also went to court to restrain the mayor. It contended that his action violated freedom of the press and equal protection for newspapers.

The Council prepared a paper stating its position and petitioned for amicus curiae standing. Such standing was rejected by the federal judge, but he suggested that the Council develop press conference guidelines. This was done and the guidelines were incorporated in judge's declaratory judgment, which held that exclusion of newspaper reporters from an official's news conference was a violation of the First and Fourteenth Amendments to the U.S. Constitution.

More recently, in late 1980, the Council reaffirmed its 1973-74 position on non-discriminatory access to public officials and events, when some officials temporarily discriminated against reporters from a television station that was involved in a labor dispute.

Beyond reviewing complaints, the Council since 1973 often has initiated studies of news coverage problems. It has devoted nearly 10 years to the study of "sunshine laws." It also has investigated such community news concerns as the right of individuals to privacy, equal treatment of the sexes, use of "con-

fidential" materials by the news media, the fairness of political campaign coverage, the controversy regarding the Hawaii and Federal Newspaper Preservation Acts, the coverage of highly emotional community issues and the advertising in newspapers for pornographic or "adult entertainment" films. On the last of these issues, the Council's efforts led the Hawaii Newspaper Agency to adopt a policy limiting the size of ads for pornographic films and kinds of illustrations such ads could contain.

The Council also, as noted elsewhere, has developed, or helped to develop, guidelines covering such activities as the conduct of press conferences, the usage of privately financed public opinion polls (particularly those commissioned by news organizations or by candidates for public office during election campaigns) and the coverage of demonstrations. The guidelines for opinion polls – drafted in consultation with the media and agreed to by them – set standards that polls should meet for the results to be considered newsworthy, and also specify the types of background information about the poll that should be provided when the results are published or broadcast. With regard to the coverage of demonstrations, it was discovered that the local television stations all had about the same informal guidelines – so as not to provoke further activity or become part of the demonstration – yet they were unaware of one another's standards until brought together by the Council.

In recent years, the Council has conducted a series of public forums, in an effort to increase understanding of news operations and of issues these may involve. One, in 1978, focused on the coverage given to a widely publicized rape case. Another, held before the 1980 election campaign, examined policies and practices of the local newspapers and broadcast stations with regard to election coverage – an effort to narrow the areas of possible misunderstanding between the media and candidates for political office.

In March 1982, a Media Council forum on issues involving the media and the judicial system was devoted in large part to the question of whether Hawaii should open trials in state courts to coverage by television cameras, audio recorders and still photography. At this forum, a Hawaii Bar Association committee that had made an extensive study of the issue presented its report, recommending that Hawaii follow the lead of many other states and allow such coverage, under certain restrictions and for an experimental period. The Council took no formal position, but by sponsoring a discussion of the question by a distinguished panel of judges, lawyers, media executives and representatives of community organizations, it contributed in an important way to the Hawaii Supreme Court's decision to permit the coverage for an experimental

two-year period, which began January 1, 1984.

The Council's most recent public forum – on January 20 and 21, 1984 – is devoted to examination of the impact the new communications technology (and further technological developments that are expected soon) may have on the news media, our society and the individual. The technological revolution presents many opportunities but also potential dangers, and the Council believes a discussion of the possible effects is both timely and important to the people of Hawaii.

A Final Word. Although it is difficult to evaluate the "success" of the Council over the years, it – in many instances – has performed a useful public service.

It has served as mediator or referee in some way for hundreds of disputes, conducted educational programs on a wide range of

issues, and developed codes and guidelines suited to the community.

One of its most important roles is that of an independent citizen group through which specific complaints can be lodged, investigated and either resolved or brought to some kind of community judgment. The Honolulu Community-Media council, however, has become far more than a "complaint bureau," or a discussion group.

It is seeking to increase public awareness and understanding of what the news media are doing, of their policies and practices, of their rights, and of their responsibilities to the people and the community they serve.

In short, it is helping to further high standards of journalism, and fair treatment both for the news media in their coverage of news and for the people and organizations whose activities they report.

The Council thanks you for your interest in its activities.

MEMBERSHIP 1984

Dr. Mary Bitterman
 Dr. Stuart Gerry Brown
 Mr. Desmond J. Byrne
 Dr. Don Carroll
 Mr. George Chaplin
 Mr. Philip S. Chun
 Mr. Hobert Duncan
 Dr. Claude Du Teil
 The Rev. Robert W. Fiske
 Lt. Col. William F. Frensley, retired
 Dr. Robert E. Gibson
 Ms. Melanie Granfors
 Ms. Billie Hauge
 Mr. Albert Hamai
 Mr. Robert F. Hemphill
 Mr. Robert Hewett
 Mr. Albert L. Hulsen
 Mr. Keith Hunter
 Mr. Warren Iwasa
 Justice Baird Kidwell, retired
 Ms. Jean King
 Ms. Ah Jook Ku
 Ms. Ruth Lieban
 Mr. Ian Lind
 Professor John Luter
 Dr. Seymour Lutzky
 Ms. Mary Jane McMurdo
 Dean Richard S. Miller
 Mr. Christopher Pearce
 Mr. Jeffrey Portnoy
 Dr. Adam J. Savage
 Mr. Scott Shirai
 Mr. A.A. (Bud) Smyser
 Lt. Col. Richard Stevenson
 Mr. Gerald Sumida
 Dr. Lyle Webster
 Dr. Bonnie Wiley
 Ms. Arlene Woo
 Dr. James B. Young