

Unabashed Bias:

Denver dailies campaign for rather than
report on Referenda C and D



by Amy Oliver Pryzgoda and
Jessica Littmann



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Advertisement

State Fiscal Crisis**Call to Action**

"We, the undersigned members of the Colorado business community, are extremely concerned about our state's fiscal crisis. We urge the Governor and the State Legislature to work together to present the people of Colorado with one viable solution to ensure the best possible future for our great state. The business community stands ready to support this effort."

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Colorado Association of Nonprofit Organizations
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Colorado Retail Council
Colorado State Bank and Trust
Colorado Women's Chamber of Commerce
Delta Area Development, Inc.
Denver Metro Building Owners and Managers Association
Denver Metro Convention & Visitors Bureau
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Downtown Denver Partnership, Inc.
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Executive Summary

Rocky Mountain News columnist Jason Salzman was correct when he wrote, “To prove a liberal bias, [you] need to show a pattern of skewed news coverage, over time, with measurable data like biased sources or headlines, improper story placement or selection, etc.... Anecdotes are meaningless. Without proof... conservatives are saying, in effect, that the *News* has a liberal bias because they say so.” He followed up that statement with a question: “Why should anyone believe them?”¹

It is a classic “he said-she said” type of debate. Conservatives claim mainstream media are biased. While liberals admit that journalists are “left leaning,” they claim bias is removed during the editing process.

Who is right? Does bias survive the editorial process and skew what should be objective news coverage?

The purposes of this paper are simple:

- To analyze coverage of a single issue – the fall 2005 Referenda C and D campaign – within Denver’s two daily newspapers, the *Denver Post* and the *Rocky Mountain News*
- To determine if their reporting was biased and resulted in skewed news coverage that advocated for passage instead of reporting on activities and issues surrounding the campaign.

Referenda C and D were referred ballot measures that if passed would allow the state to keep all revenue for the next five years rather than refund the excess to taxpayers as mandated by the Taxpayer’s Bill of Rights (TABOR);² raise the baseline for all future spending; and grant permission to the state to go over \$2 billion in debt for various projects, mostly transportation.

The Colorado Democratic Party endorsed both measures while the Republican Party officially remained neutral despite support from some individual, high-profile Republicans like Governor Bill Owens and opposition from many rank-and-file members. In addition, both Denver dailies endorsed the referenda.

Reporting on Referenda C and D is a perfect case study because the coverage was extensive, providing researchers with an abundance of articles, because it occurred over a specific and measurable period of time, and because arguments for and against were well-defined.

Research reveals that bias did lead to skewed coverage, including:

- Presenting supporters’ campaign literature as fact within news stories without citing the source.
- Fifty seven percent of all news stories favored supporters of the ballot measures, while 42 percent were neutral and only 1 percent were favorable toward opponents.
- A double standard for those who campaigned against Referenda C and D.
- A lack of critical questioning of studies that supported proponents’ arguments in favor of the ballot measures; while studies that supported opponents’ arguments were critically analyzed.
- Serial news stories advertised as explaining both sides of the issue were biased in favor of supporters of Referenda C and D.
- The subjects of photographs overwhelmingly favored supporters of the referenda.
- Comparing Colorado’s budget situation to one of the worst natural disasters ever to strike the U.S.—Hurricane Katrina.
- A rare editorial decision to place an opinion piece advocating passage of C and D in prime news real estate—the front page, top-of-the fold Sunday edition.
- Columnists urging censorship for a dissenting voice.

Introduction

“[N]ews organizations have always played a crucial role in our democratic political culture, raising important questions and supplying factual information in order that policymakers and the public at large can make sound decisions about the kind of society we want to live in,” according to William McGowan, author of *Coloring the News: How Crusading for Diversity has Corrupted American Journalism*.³

Readers depend on newspapers such as the *Denver Post* and *Rocky Mountain News* to deliver accurate and balanced information. According to the *Denver Post*’s own Code of Ethics: Our aim is to deliver the facts with precision and context. We believe in getting not only both sides, but all sides.⁴ To guarantee balance and impartiality, “the best stories are multi-sourced. Facts are triple-checked. Issues are balanced with diverse views and sources.” Furthermore, the *Post* directs: “the greatest attention must be paid by all newsroom employees to remain impartial in political discourse when representing the newspaper.”⁵

With a combined daily circulation of over 500,000 and even more on the weekends⁶, it is the Denver dailies to which many Coloradans turned for their news, including issues surrounding the campaign for Referenda C and D.

...“it’s neither intentional nor conspiratorial but rather because people drawn to journalism tend to be from the political left.”

With a Republican governor, a Republican majority in its Congressional delegation, more registered Republicans than Democrats, and Democrats controlling both state houses, Colorado generally is considered a Purple State. However, the staffers in the Denver dailies do not look like (politically speaking) Colorado. According to several prominent newspaper writers and editors from both the *Denver Post* and the *Rocky Mountain News* the majority of editors and reporters are either “left leaning” or “liberal.” *Denver Post* Editor Greg Moore explained why: “it’s neither intentional nor conspiratorial but rather because people drawn to journalism tend to be from the political left.”⁷

If most journalists are left of center, then how can a liberal bias be avoided? *Rocky Mountain News* President and Editor John Temple said that even if a reporter is liberal, “the edit process extricates bias.”⁸ *Denver Post* metro side columnist Diane Carman agreed: “stories go through a labyrinth before going to press. It is difficult for a person to get political views through the entire process before one of the editors catches the bias.”⁹

It requires a leap of faith to believe that liberal editors will safeguard objectivity by “extricating” the liberal bias of a left-leaning reporter. Blatant bias may be easy to spot. However, if most journalists approach the world from a left-of-center perspective, then to extricate a natural intellectual tendency, especially when the editor shares the same characteristic, seems difficult to achieve in every single case.

On November 1, 2005 Coloradans agreed with the *Rocky* and *Post* and voted in favor of Referendum C by a narrow margin of 52 to 48 percent. However, they disagreed with the print media on Referendum D, which failed 51 to 49 percent.

Methodology

The methodology used in this Issue Paper was simple, albeit labor-intensive. Researchers examined every edition of the *Denver Post* and *Rocky Mountain News* from August 1 to October 31, 2005. They identified articles, metro side columns, house editorials, by-lined editorials, guest

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editorials and political cartoons that mentioned both or even one of the Referenda, and/or leaders of each campaign.

Researchers cataloged items in several different ways. First, using a simple ruler, each item was measured two ways for column inches – text only and text and graphics, including photographs, inserts and headlines. Then they were entered into a spreadsheet that included the column inches calculations, publication, headline, byline, date, placement, type (news or opinion) and slant – either pro, con or neutral.

An example of an article that favored proponents was titled “Air, water, land at risk coalition warns: Turning down C, D would hurt Colo., say environmentalists” and published in the Rocky Mountain News on Wednesday, September 14.

Researchers determined story “slant” by the percentage of column inches dedicated to one side or the other. If a majority of the column inches was dedicated to the proponents’ argument, then the story was considered to be favorable toward the *Yes on C and D* campaign. Realizing that achieving an exact balance is impossible, researchers considered a story “neutral” if it was balanced within several inches.¹⁰

An example of an article that favored proponents was titled “Air, water, land at risk coalition warns: Turning down C, D would hurt Colo., say environmentalists” and published in the *Rocky Mountain News* on Wednesday, September 14. Reporter Stuart Steers wrote in the lead paragraph that environmentalists “predicted grim news for Colorado’s air, water and land if voters turn down Referendums C and D in November.”¹¹

Of the 12 inches of text, seven were about environmentalists and their concerns for the “health of Coloradans” which readers were told “is at stake if we don’t pass C and D.”¹² Opponents got three column inches. The other two inches had nothing to do with the initial story; instead the last three paragraphs were about an entirely different group opposed to the ballot measure. Rather than dedicate an article to Students Against C, a group that held its kick-off rally and press conference on the same day, the *Rocky Mountain News* buried the coverage at the end of an unrelated article. This editorial decision does beg the question: Which is more newsworthy, a left-of-center environmental group

supporting a tax increase or college students that do not? To the *Rocky Mountain News*, it is the former.

In addition to the text, the same article contained a photograph supporting the slant of the news story. Of the nearly 41 inches of text, photograph, headline and insert, 87.8 percent of the article supported proponents of Referenda C and D.

Another example of how researchers determined bias toward proponents can be found in an October 20 *Rocky Mountain News* story headlined: “Study: 43% of roads in Colo. ‘poor,’ or ‘mediocre.’” The article appeared on page 6A with seven column inches of text and nearly 10 column inches when text and graphics are included. It continued on page 31A under the heading of “Bad road: Referendum D would fund 55 of CDOT’s projects” with another 9.25 column inches of text and nearly 38 inches including text, graphics and photographs.¹³

Of the more than 16 inches of text, all but two were dedicated to arguments that were favorable for passage of C and D with “study” conclusions such as: “the average Colorado driver loses \$1,577 a year through added costs of congestion (wasting gas and time) and safety hazards (cars being damaged by poor road conditions and accidents).”

The article never questioned the study’s finding on “congested” highways, “poor and mediocre” road conditions, and linking those conditions to the state average of 685 people killed each year in traffic accidents. In fact, the article gives additional credibility to the

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“study” by stating that Governor Owens used the findings to “plug” Referenda C and D.¹⁴

The content was based on a study conducted by the road building industry, which stands to profit from increased state spending. Readers do not discover that fact until they have gone through nearly five of the first seven column inches and six paragraphs of the story.¹⁵

Also aiding the proponents arguments are a photograph and insert with an emotional headline, “heartburn highways,” designed to lend credibility to the study and ultimately encourage passage of Referendum D.

Bad road: Referendum D would fund 55 of CDOT's projects

Continued from 6A
spend an estimated \$3.7 billion they otherwise would have refunded to taxpayers. Referendum D would let the state borrow up to \$2.1 billion against that money to start road and school construction right away.
“The TRIP report should cause every Coloradan to be concerned,” Owens said.
CDOT has 41 percent less money available to spend on projects this year than in 2001, as bond money and general fund surpluses for highways has dried up.
Jon Caldara, a leading opponent of Refs C and D, said state officials should cut other programs — Medicaid, public school funding and services to illegal immigrants — to provide more money for highways.
“I would love to see more investment in roads and less investment in illegal aliens,” he said. “I’d love to see a reduction in Amendment 23 (funding for K-12 education). I’d love to see a reduction in spending on public transit.”
“The question is, do we want to put our children further into debt?”
Twenty-four of the highways on the TRIP list of bad roads are on the list of 55 CDOT projects that would be funded by Ref D.
TRIP studies congestion, safety and highway conditions around the country although it doesn’t lobby for legislation. For the new study, it used CDOT data on traffic volumes, congestion, accidents and road surface conditions.
Roads made the list for any or all of those reasons. The Boulder Turnpike was tops for both congestion and safety reasons.
I-25 in central Denver made the list twice — a longer portion from Emerson Street to U.S. 36 because

EXIT CLOSED

Heartburn highways

Routes with the highest rates of serious crashes, congestion and pavement problems.

- 1 U.S. 36 Boulder Turnpike, Colorado 157 to I-25 (Boulder, Broomfield, Jefferson, Adams counties) - Safety/Congestion
- 2 I-25 Valley Highway, Broadway to Alameda (Denver County) - Safety
- 3 U.S. 287, Sheridan Boulevard to Pike Road in Longmont (Boulder, Broomfield counties) - Congestion
- 4 I-25, Emerson Street to U.S. 36 (Adams, Denver Counties) - Congestion
- 5 Wadsworth Boulevard, U.S. 285 (Hampden Avenue) to U.S. 287 (Broomfield, Denver and Jefferson counties) - Congestion
- 6 Colorado 74, between Idledale and Morrison (Jefferson County) - Safety
- 7 U.S. 285, Colorado 8 to I-25 (Arapahoe, Denver and Jefferson counties) - Congestion
- 8 C-470, Wadsworth Boulevard to Yosemite Street (Arapahoe, Douglas and Jefferson counties) - Congestion
- 9 U.S. 50, near the junction with Colorado 149 (Gunnison County) - Safety
- 10 I-25, 84th Avenue to Colorado 119 (Adams, Broomfield and Weld counties) - Congestion

Rough roads, like a stretch of Interstate 25 in Denver that includes the exit shown above from northbound Santa Fe onto southbound I-25 (now closed for T-REX construction), were listed in a study of the state’s “Heartburn Highways.” The report says bad roads cost Colorado drivers an average of \$1,577 a year.

of congestion, and the shorter segment within that stretch between Broadway and Alameda Avenue because of safety hazards.
Nine of the top 10 “Heartburn Highways” were in metro Denver, including such sluggish corridors as Wadsworth Boulevard from south-Jefferson County to Broomfield, U.S. 285 Hampden Avenue from Morrison to I-25 and C-470 from Morrison to Yosemite Street.
The only road outside the metro area on the top 10 list was U.S. 50 at Colorado 149, at Blue Mesa reservoir, east of Montrose.
However, the full list of 50 includes many in rural Colorado, including Interstate 70 near the Utah line, U.S. 160 in Alamosa and I-70 in Clear Creek County.

flynn@rockymountainnews.com or 303-892-3247

Source: TRIP analysis of CDOT data.

The Rocky Mountain News used a Dennis Schroeder photograph of a T-REX (a completely different road expansion project) project, an insert based solely on information from the Road Information Project, "a transportation advocacy group" that receives funding from the road construction industry, and an emotional headline to advocate for passage of Referendum D. Rocky Mountain News, October 20, 2005.

Skeptics questioning the validity of the study (who also happened to be opposed to the spending measures as well) were given two column inches – 12.5 percent of the text and a mere 4 percent of the total story when photos, headlines and inserts are included. That means 96 percent of this “news” story supported the proponents of Referenda C and D.¹⁶

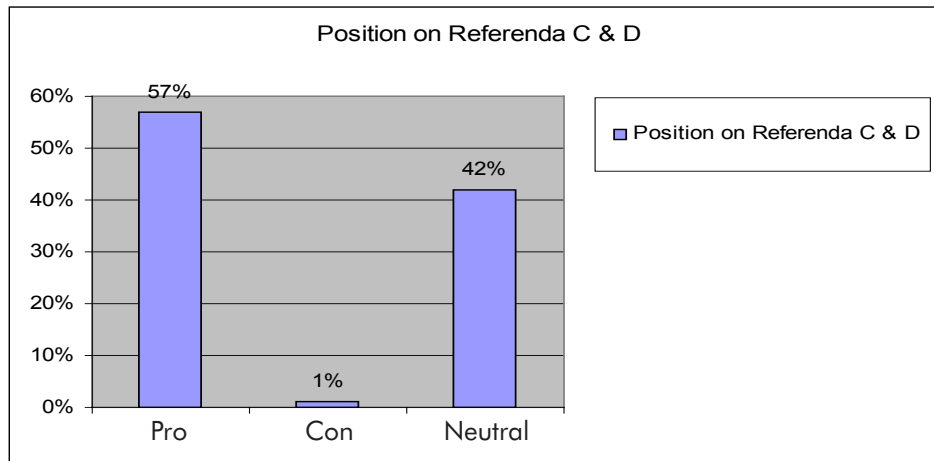
Researchers cataloged both of these articles as “pro,” meaning they favored passage of the ballot measures.

An example of an article that was categorized as “con,” meaning it favored arguments that opponents put forth is “Energy taxes may swell coffers: Expert, state disagree about budget impact and need for Ref C” from the *Rocky Mountain News*. The piece contains 11 column inches of text of which roughly 7.5 agreed with the Vote No campaign. Most of the remaining 3.5 inches is dedicated to a response from the office of Governor Owens, who supported the spending measures.¹⁷

Researchers discovered a pattern, stories that favored passage of C and D generally found their way to the front part of each newspaper while those that were critical and categorized as “con” were placed further inside the dailies.

News stories

Using the methodology described above of all the news stories researchers examined, roughly 57 percent were determined to be favorable to the supporters of Referenda C and D, 42 percent were neutral and a mere 1 percent favorable toward opponents.



Sloppy Journalism or Bias?

Less than two weeks prior to the election, the *Rocky Mountain News* published a seven-part series titled “Refs C & D: Budget Breakdown.” The *News* described the series as an examination of “how the state is spending your money” and the “passionate people on both sides of the ballot issues.”¹⁸

While each day examined in detail one of the seven largest state budget items including K-12 education, prisons, human services, transportation and higher education – also included was a column titled “Ref C and D at a glance.” With this headline, a reader reasonably could assume that this column would be an abridged, factual examination of the referenda. A likely source for this information would be the actual legislation HB05-1194 and/or HB05-1350. While the wording used to explain Referendum C could have come from the legislation, the same cannot be said for Referendum D. The text for “D” located on the “news” pages as part of the “Budget Breakdown” is almost verbatim from the *Yes on C and D* Web site and campaign literature. The source for this information is never cited. In other words, the *Rocky Mountain News* appears to have published campaign literature as fact without citing the source and without providing equal space to the opposition.

Please see graphic on following page.

Refs C and D at a glance

■ Referendum C would allow the state to keep an estimated \$3.7 billion in revenue over five years that otherwise would have to be refunded under spending limits of the Taxpayer's Bill of Rights. The state estimates that would cost taxpayers an average of \$490 over five years, or \$100 a year, and possibly some tax credits.

■ Referendum D, which only takes effect if voters approve it and Ref C, would allow the state to issue bonds to borrow against the expected revenues and devote money immediately to roads, schools, and the police and firefighter pension funds.

■ This is what the state says it would do with the money.

30% for K-12 schools: For such things as textbooks, libraries and kindergarten

30% for health care: For such things as programs for elderly, low-income and disabled people, programs to lower health insurance costs

30% for community and state colleges: For such things as need-based financial aid, merit-based financial aid, and the College Opportunity Fund Program, which directs \$2,400 a year per student to college costs

REFERENDUM C Reallocates \$3.1 billion in TABOR surplus over next five years	REFERENDUM D Provides bonding capacity for \$1.56 billion in capital improvements
As required under Colorado Law HB05-1194/1350/1317	As required under Colorado Law HB05-1333
30% K-12 Schools Textbooks, libraries, kindergarten and pre-school, in-classroom instruction.	\$1.2 billion Roads & Bridges A specific list of road & bridge construction across Colorado, as approved by CDOT.
30% Health Care Health care for Colorado's elderly, low-income and disabled populations; programs to lower health insurance costs for individuals and small businesses.	\$147 million K-12 Schools Capital fund to repair dilapidated school buildings in poorer school districts; traditionally a 2-1 matching grant fund, the \$147 million leverages into \$220 million in total improvements.
30% Community Colleges & State Colleges Need-based financial help; merit-based financial aid; College Opportunity Fund Program.	\$50 million Higher Education Improvements and repairs to facilities at state universities, colleges and community colleges.
10% Repayment of Referendum D Bonds	\$175 million Fire/Police Pension Colorado's outstanding share of state-local match of police-fire pension plan.
Referendum C collects \$3.1 billion in the first five years; \$100 million in year six; remaining TABOR refunds thereafter are used to lower the state's income-tax rate down to 4.5 percent.	Referendum D is a bond to build roads, schools and maintain buildings on college campuses. Ten percent of the money in Referendum C helps pay off the bond in Referendum D.

10% for repayment of Referendum D bonds, which break down as follows:

ROADS AND BRIDGES

Work on 55 projects approved by the Colorado Department of Transportation: **\$1.7 billion**

K-12 SCHOOLS

Capital funds to repair dilapidated buildings in the poorest school districts. Typically, each \$2 of these funds are matched by \$1 by local districts, which means \$220 million in total improvements: **\$147 million**

HIGHER EDUCATION

Improvements and repairs to facilities at universities, colleges and community colleges: **\$50 million**

FIREFIGHTER AND POLICE PENSION FUND

Colorado's share of the state-local match to the pension fund, which the state has deferred for several years because of the budget crunch: **\$175 million**

More online

- To read previous stories in the series
- To calculate an estimate of the TABOR refunds you would give up under Ref C and the tax credits you might lose

Go to www.RockyMountainNews.com

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Because the cost of the two referenda continued to rise, the numbers are off slightly — the campaign literature reflects an earlier estimate while the Rocky Mountain News used the more updated figures. (However, even the News' later figures proved to be wrong as the cost of Referendum C continues to soar.) The text used to explain Ref C may have come from the legislation HB05-1350, but the order in which the projects are listed reflects the Yes on C and D campaign literature. The text used to explain Ref D contains wording that only is found in the campaign literature. Rocky Mountain News, October 18, 2005.

If it had happened one time it might be dismissed as sloppy, but to have it occur seven times in a row without being caught by an editor suggests bias in favor of those who supported passage of the ballot measures.

An explanation or campaign?

Both Denver dailies published a series of news stories that were meant to explain Colorado's budget situation, the Taxpayer's Bill of Rights, and Referenda C and D.

The *Rocky Mountain News* said that readers would "learn what the state has spent, what it has cut, why it wants more money and what people on both sides of issue think."²⁰ It began the series, "Ref C & D: Budget Break Down" on Monday, October 17. The stated purpose of the series was to clarify the complicated fiscal implications of Referenda C and D and the Taxpayer's Bill of Rights, as well as the possible benefits or costs associated with either passing or rejecting the measures—a simplified and accurate budgetary breakdown that sheds light on the debate. That is not what readers got. Pictures rather than meaningful text dominated the series, and there was little substantiated numerical analysis.

On day one of the multi-part series the headline read, "Bare-bones coverage: Coloradans face tough decisions as Medicaid gnaws away at state finances."²¹ Just above the headline was a full-color picture of Debbie Miller taking care of her brain-damaged 32-year-old son, who is part of a Medicaid pilot program that readers can assume will be cut. The entire focus is on those Medicaid patients who believed they will suffer if Referendum C does not pass. Anecdotes were used to create a "cause and effect" relationship between

passage of Referenda C and D and relief for the sick and elderly, including Anna Jockola, an elderly woman in a wheelchair with an oxygen mask, the disabled 32-year-old, and Victor Smith, who suffers with AIDS, depression and blindness.²²

Loaded with pictures, graphics of “What to believe about Medicaid – the myths and realities,” and anecdotes, 97 percent of the 336 column inches was favorable to proponents’ arguments. Only 7 column inches were given to Referendum C opponents Marc Holtzman and the Independence Institute’s Linda Gorman, both of whom advocated for more efficiency in government according to the *Rocky*.²³ The series that day ended with a photo of Brian Miller in his mother’s “loving hands” at a rally on the Capitol steps supporting Referenda C and D.²⁴

24A Rocky Mountain News MONDAY, OCTOBER 17, 2005

REFS C&D: BUDGET BREAKDOWN

In loving hands

Mom applauds state pilot program allowing son to hire caregivers

By Rachel Brand
ROCKY MOUNTAIN NEWS

In 1997, then 24-year-old Brian Miller, of Commerce City, wanted nothing more than to wrap up a summer of motocross racing. With a bedroom already full of trophies, he was ready to retire his dirt bike and look for a good job. But on a triple jump a week before the season's end, Brian knew he was in trouble.

He was in midair and tried to jump from his bike, but a knee pad hooked him. He fell 30 feet, at 50 miles an hour, landing on his head. His brain swelled to fill his helmet. Doctors said Brian would die.

"You don't know my son," his mother, Debbie Miller, recalls saying. "He's a very determined, strong man."

Eight years later, Brian lives with his mother in a mobile home. The single mom helps her brain-injured son bathe, dress, eat and visit doctors.

She long ago gave up her casino job in Black Hawk and was trained as a nurse's aide to take care of her son full time. She has lived off wages paid to her through the home health care agency he hired to provide his care.

Through a new program, though, Brian's care just got much better. He was among 146 Medicaid patients enrolled in a state pilot program called CDAS, or consumer-directed attendant support.

It's Colorado's experiment with allowing patients to hire, fire and train their own caregivers, in lieu of working through home health care agencies.

Costs are down as a result and the state just expanded CDAS to enroll as many as 33,000 elderly, blind and disabled people.

It's the kind of program politicians point to when they say Medicaid could become more efficient.

The program means Brian can avoid the agencies that are otherwise mandated by state law, whose caregivers brought "weird people" into their home and antagonized her son, Debbie Miller said.

"Agencies don't care," Debbie Miller said. "They put a label on you if you complain. They blacklist you, say you're hard to please."

Of the \$1,300 a week Medicaid used to pay home health care aides for Brian, \$400 went to the agency, she estimates, and at times — when she delivered the care — she earned the remainder. Now, her daughter and sister can take care of Brian and earn \$15 an hour. The arrangement keeps more money in the family and saves the state money.

The home health agencies' share doesn't go to profit but to things such as employee benefits and compliance with state regulations. The rules are so costly, many agencies lose money on Medicaid patients, said an industry representative.

"There are lots of regulations and red tape that an agency has that, when you're a client and you choose your own person, you just don't have," said Ellen Caruso, executive director of the Home Care Association of Colorado.

"For Medicaid, we're providing services for about 75 cents on the dollar."

For the first two years of the pilot program, per-person monthly spending for personal care fell 20 percent under budget, at \$3,151 vs. \$3,925 a month.

The state keeps half the savings and patients keep half to buy optional treatments, such as art supplies, wheelchairs or acupuncture.

The expanded program is expected to save the state \$10 million next year. Advocates for the disabled also would like to have consumers direct their own nonmedical transportation, adult day services and physician visits.

If clients could opt out and say, "Give us a dollar amount and we'll go pay any physician for our care," a lot of clients might say, "I'll pay an extra \$20 to see a private doctor," said Julie Reiskin, executive director of the Colorado Cross-Disabilities Coalition.

Currently, clients have to see doctors who accept Medicaid, and fewer and fewer do.

Even without those steps, the Millers are relishing their newfound freedom. Debbie Miller is taking classes to start her own business, and she and Brian hope to hire a full-time caregiver soon.

"I'm just so appreciative of our government for doing this," she said.

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"I'm just so appreciative of our government for doing this," she said.

branda@RockyMountainNews.com or 303-835-3269. Staff writer Kestin Flynn contributed to this report.

Brian Miller, 32, puts up a fight as his mother brushes his teeth. The Millers relish a new program that allows Brian to hire his own caregivers.

Debbie Miller guides her son's wheelchair into their mobile home. Brian, who lives in Thornton, was injured in a 1997 motocross jump.

Brian and Debbie Miller rally for Referendums C and D on Sept. 16 at the state Capitol. Brian is enrolled in a new program that gives Medicaid patients more control over their care while saving money for the state. The family plans to hire a full-time caregiver soon.

PHOTOS BY JUDY DEHASS/ROCKY MOUNTAIN NEWS

Part of a series in the Rocky Mountain News that was supposed to explain Colorado's complicated budget situation, instead these photographs, headline and accompanying text simply provided anecdotes about those who depend on government services and intended to tug at readers' emotions to favor passage of Referenda C and D. Photograph by Judy DeHass. Rocky Mountain News, October 17, 2005.

The next day, October 18, the series focused on K-12 education. A photo of school children eating in the gym because their district could not afford to build a new school consumed 50 percent of the page. After being told about schools without textbooks and a student trying to get to college, because “education equals opportunity” but that it is “tricky” the school doesn’t have enough textbooks, reporter Laura Frank explained that the situation was not unique to any one school district and that it put students “behind.” Then readers were reminded that “voters will be choosing between keeping an estimated rebate for themselves averaging about \$100 a year or letting the state keep that money,” about 30 percent of which “is pledged to education.”²⁵ A contrary perspective was not offered.

An emotional assault rather than a well-balanced explanation continued for five additional days with headlines such as “the state’s most vulnerable – poor, homeless, mentally ill – take hit,” on October 20. A picture of a homeless woman who appeared to stumble while climbing a hill accompanied the headline.²⁶ Of the 236 column inches dedicated to the October 20 “budgetary breakdown,” 67 column inches were text, of which only 18 inches (26 percent) were dedicated to those who opposed the ballot measures. The remaining text contained narratives from those who stood to benefit if the referenda passed.

THURSDAY, OCTOBER 20, 2005 Rocky Mountain News 5A

REFS C&D: BUDGET BREAKDOWN



Julie Caplan, who was homeless for seven years, scrambles up to the site where she lived in a tent near 58th Avenue. Services that help reduce homelessness were cut in the recession.

Moving off the streets

Human services for state's most vulnerable — poor, homeless, mentally ill — take hit

Story by Ann Imse ■ Photos by Judy DeHaas ■ Rocky Mountain News

Julie Caplan, 46, remembers being barely alive when an outreach worker found her living in a tent hidden in waist-high grass and concrete rubble between a creek and rusting vehicle hulks near 58th Avenue and Federal Boulevard.

After seven years without a home, she was barely functioning. She ate little. She huddled around a candle inside her tent for heat. She hauled her water from a junkyard faucet. She prayed for God to take her in her sleep.

Today, she is thrilled to be scraping by on \$678 a month in Social Security and disability payments in a federally subsidized apartment. She gives thanks daily for the luxury of plumbing.

But she's terrified that her decent life might be taken away and she could end up on the street again.

Despite a tight budget, she makes sure that similarly strapped neighbors don't go hungry at the end of the month.

"I am my brother's keeper," Caplan says firmly. "That is my responsibility as a human."

Whether state government should share that responsibility is at the heart of some arguments against Referendum C. The ballot issue in the Nov. 1 election asks voters to allow the state to spend \$3.7 billion in tax revenues over five years instead of refunding it as required by the Tabor's Bill of Rights. Proponents want the money to make up for program cuts made during the recession and to prevent further cuts that might hurt people like Caplan.

Caplan, who has gray hair flowing down to her waist, was rescued by a combination of state and federal funds aimed at helping the homeless, the hungry and the mentally ill.

The state Department of Human Services, which administers many of those programs, lost nearly 6 percent of its budget during the recession before having some of it restored this year.

But the mental health care that might have prevented Caplan from losing her job and landing in the streets in the first place has been cut so much that officials don't think it would be available to someone like her today. The expensive psychiatric medications that returned her to clear thinking are endangered, too, if the ballot measures don't pass, her doctor says.

Some opponents of Refs C and D believe such health care should be cut from the state budget.

"I do not believe in government-provided health care for employed people and the middle class," said former state Sen. John Andrews, a leading opponent of Ref C. Asked if he was including workers too poor to pay for health care, he said yes.

Douglas Bruce, author of the TABOR Amendment, is even stronger in his opposition. Shooting the call in the Declaration

Human services

Human Services gets a smaller share of the general fund than a decade ago.

GENERAL FUND APPROPRIATIONS

1994-1995	2005-2006
HUMAN SERVICES: 3.7%	HUMAN SERVICES: 2.8%

Source: Legislative Joint Budget Committee. <http://www.ljbc.state.co.us>

A seven-part series

- Oct. 15: The debate over Refs C and D
- Oct. 17: Medicaid
- Oct. 18: K-12 education
- Oct. 19: Prisons
- Today: Human services
- Friday: Transportation
- Saturday: Higher education

Flip to HUMAN on 34A

This "Budget Breakdown" is another example of the Rocky Mountain News emotional assault. Photograph by Judy DeHaas. Rocky Mountain News, October 20, 2005.

“Running on empty: CDOT stuck at the end of the line when it comes to funding road repairs,” ran on October 21. Of the 272 column inches of text, graphics and headlines, 13 inches (4.8 percent) were given to opponents who believed the state should look at other alternatives to fund road maintenance. Thirty-six column inches of text supported the photographs and inserts that presented proponents’ arguments detailing the road projects left incomplete, cuts made in prior years responsible for delaying repairs, and the dire need for funding – Referenda C and D.²⁷

“Struggling to succeed: Students paying more as colleges see big cuts in state higher-education funding.”²⁸ The last headline appeared above a father who “works full time and takes classes online at Community College of Denver” while maintaining joint custody of his 3-year-old son.²⁹ It is the same tactic – employing an anecdote to make a general point that the state needs more money for services.

Personal narratives and arguments illustrating the need for increased state spending dominated the majority of the text, leaving only 72 inches, 4 percent of the entire series, dedicated to opponents’ arguments.

The *Rocky Mountain News* had an opportunity to present a fair and balanced examination of what was a complicated budget problem and the proposed fiscal solutions. Instead, the seven-part series, which consumed over 2,000 column inches, was more than 50 percent photographs depicting those who stood to benefit if C and D passed and headlines and text which favored the *Yes on C and D* side. Personal narratives and arguments illustrating the need for increased state spending dominated the majority of the text, leaving only 72 inches, 4 percent of the entire series, dedicated to opponents’ arguments. The gross disparity shows differing perspectives were marginalized as little more than tokens.

The *News* did publish a series in late September that was more balanced: “Ref C & D: Family Finance.” Reporters interviewed seven families, asking each how they planned to vote on the Referenda. Each family offered a unique story, different socioeconomic status, age, education level and private interest. The results more closely represented the true sentiment of Colorado voters. Three of the seven families planned to vote for the Referenda, believing the C and D would benefit Coloradans and the economy. Two families said they were opposed to the Referenda, believing, as the Bartha family said, “they [state officials] should be able to live within the means that the state taxpayers set for them.”³⁰ Finally, the Villalbas were split on the issue, and a 69-year-old former dancer had not yet decided how she would vote.

The *Denver Post*: “The Truth about TABOR.”

A popular argument that supporters of the Referenda used to advance their cause was to hold Colorado’s Taxpayer’s Bill of Rights (rather than the 2001 economic downturn, and conflicting spending mandates) accountable for previous cuts in state services. The *Denver Post* indulged this argument on Sunday, September 11, when the *Post* launched its four-part series titled: “The Truth about TABOR: In the battle for Referendums C and D, voters are offered disparate ideas of how the state should handle their money,”³¹

“The truth about TABOR” was captured in the photos and respective captions. Of the five photos shown only one included an opponent of Referenda C and D—Douglas Bruce, the father of TABOR. The photo showed him smiling next to his Cadillac.³² The subjects in the next three photos are not just supporters of Referenda C and D but also victims of TABOR.

The three subjects included a college student, an organic farmer and a grieving father. The explanation was followed by a question: “Colorado is falling behind states it used to lead, and the state is struggling to meet the demands caused by population growth. Who feels the heat?” implies that the “truth about TABOR” is that it hurt the average hard-working Coloradan such as these:

- “People like Eugene Pearson...a student at the University of Colorado at Boulder. He agreed with

other student government members to double the annual student fees to pay for construction projects the state could no longer afford.”

- “People like organic farmer Susan Hall...who saw her state licensing fee jump from \$100 to \$2,500.”
- “And people like Robert Autobee...whose son Eric Autobee, a 23-year-old guard at the Limon Correctional Facility, was killed by an inmate in 2002. Autobee says his son died because the state failed to provide enough money to run prisons that are safe for its workers.”³³

The *Post* linked TABOR to the death of a prison guard, higher license fees in part due to federal mandates and students who voted to tax themselves. Nineteen column inches and 23 paragraphs into an accompanying article, a clarification explained that “cuts” in state services “were due to revenue drops caused by the recession” rather than by TABOR spending limits.³⁴

The final photograph featured Governor Bill Owens surrounded by fellow Republicans who favored Referenda C and D, although that was not how the *Denver Post* describes the photo: “The bid to reform TABOR lacked momentum until Democrats took over the state legislature and Gov. Bill Owens had a change of heart.”³⁵

This piece left the reader with the impression that TABOR rather than the recession hurt parents, students and working people. To remedy the problem, Governor Bill Owens had a “change of heart” to support Referenda C and D, which according to the *Denver Post* were merely a “loosening of the Taxpayer’s Bill of Rights’ spending limits for five years...”³⁶ rather than a permanent increase in allowed government spending levels, which Referendum C plainly was.

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A double standard is the standard

While the Denver dailies published more column inches favorable toward proponents of the ballot measures, they also employed a double standard with how they treated proponents versus opponents. Both the *Denver Post* and the *Rocky Mountain News* offered their opinions on Jon Caldara and the Independence Institute’s campaign to educate voters on the consequences of Referenda C and D. Both opined in their editorial pages that Caldara was not “educating” voters but rather campaigning against the ballot measures, and therefore the Institute’s non-profit status was compromised and donors should not be anonymous.

Of the nearly 13 column inches dedicated to the text of the Penley news story and the simple “listing [of] the consequences,” not one word of an opposing viewpoint was included.

The *Denver Post* said in an editorial headlined “Caldara operating in shadows,” “The institute’s ads don’t explicitly say vote no on C and D, but they most certainly bash the referendums with fuzzy math claims and cries of a ‘forever tax hike.’ It’s clear to anyone who hears them how the institute wants them to vote.” The editorial finished with this statement: “He may be operating within the parameters of Colorado’s campaign laws, but he’s surely violating the spirit.”³⁷

The *Denver Post* did not have the same opinion about Colorado State University President Larry Penley when in a speech he said that CSU “could become a private school if voters do not support” Referenda C and D. According to Colorado’s Fair Campaign Practices Act (FCPA), a state university official in a policy-making role such as Penley can comment on statutory standards, but activities may not “expend more than fifty dollars of public moneys in the form of letters, telephone calls, or other activities incidental to expressing his or her opinion...”³⁸ According to the *Post*, Penley was merely “listing the consequences if they fail.”³⁹

Of the nearly 13 column inches dedicated to the text of the Penley news story and the simple “listing [of] the consequences,” not one word of an opposing viewpoint was included.

The Post did not publish an editorial criticizing Penley’s “educational speech.” The newspaper did run an editorial praising Penley who “in just a few words, offers an impassioned and reasoned plea for passing the two referendums.” So impressed with the CSU President was the *Post* that it strategized for proponents: they “would be wise to get him out on the stump more often alongside CU President Hank Brown,” who took a leave of absence to campaign for the ballot measures. Since this editorial ran two days before Penley’s speech, perhaps proponents took the *Post*’s advice.

In fact, from August 1, 2005 to October 31, 2005, only one house editorial in either paper criticized proponents, and that editorial was buried at the bottom of the *Rocky Mountain News* opinion page. In “Crossing the line,” the *Rocky* weakly admonished the Colorado Department of Corrections and Colorado Department of Transportation for using state resources to publish material that could be construed as a “vote yes” on the referenda,⁴⁰ a violation of FCPA.⁴¹

Another common double standard occurred in articles that readily accepted data from “studies” used to advance Referenda C and D supporters’ arguments while not granting the same intellectual respect to opponents. One of those stories, “43% of roads...” is detailed above. The findings of the study used to justify the ballot measures never were questioned. Furthermore, it was not until the seventh paragraph that the reader was told that a group that stands to benefit if C and D pass authored the study.

Another common double standard occurred in articles that readily accepted data from “studies” used to advance Referenda C and D supporters’ arguments while not granting the same intellectual license to opponents.

According to Referendum C wording, 30 percent of the funds would go to higher education. So an article titled “CU offers budget based on no boost in state funding” was based on a hypothetical situation of what if Referendum C did not pass. Readers were told that “The University of Colorado could cut \$6.7 million from its budget if it dipped into reserves and didn’t hire as many professors next year, officials told the school’s regents Wednesday.” In addition, “the revised budget includes possible tuition increases as high as \$423 per semester for Colorado residents at the Boulder campus.” Yet, readers did not discover that the “budget scenario is highly unlikely” until four paragraphs into the story. Two paragraphs later CU Regent Tom Lucero admitted “It’s a scenario that won’t happen...”⁴² Yet, no other budget perspective was offered.

While CU’s “unlikely” budget scenario was given serious consideration, the Independence Institute’s report that cites actual examples of Colorado’s wasteful spending as “Proof Referendums C and D Aren’t Needed” was subjected to much more criticism. From a news story headlined: “Tax foes roasting the pork” compare this lead sentence to the one above: “Jon Caldara, the president and resident jester of the Independence Institute.”⁴³

This story was written before the report was even released, and reporter Jim Hughes gave supporters of the Referenda nearly 9 column inches of the total 20 inches of text to respond to the Institute’s claim of waste in government. While Hughes was right to include Caldara’s critics, similar treatment was not given to opponents in their response to studies that favored passage of the ballot measures.

Metro side columnists

According to the *Denver Post* Web site, Diane Carman, Jim Spencer and David Harsanyi are news columnists. They are often referred to as metro side columnists, meaning they write about news from a community perspective. According to *Rocky* metro side columnist Mike Littwin, he and the other metro side columnists are “supposed to reflect the community.”⁴⁴ But in the two

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daily papers, the news columnists do not reflect the community, instead they skew left. With the exception of free market conservative David Harsanyi, who editor Greg Moore said was hired to bring more balanced coverage to the *Post*,⁴⁵ all openly endorsed and verbally campaigned for Referenda C and D—on the news pages.

Research showed that Littwin wrote the most about the ballot measures. His perspective included “All we have to fear are the ads themselves,”⁴⁶ critical of the opponents ads; “Ref C foes: Bullies in the schoolyard,”⁴⁷ critical of all the opponents; “For Caldara’s crew, what *wouldn’t* they do,”⁴⁸ critical of those associated with the opponents. No one on the *Rocky* staff countered Littwin. In fact, he says he wishes he had a conservative “counterpart.”⁴⁹ His metro side colleague columnist Bill Johnson shared Littwin’s viewpoint. The *Rocky Mountain News* metro side “news” columnists contributed over 110 column inches in support of Ref C and D and zero column inches in opposition.

Researchers found that in the *Denver Post*, David Harsanyi penned two columns (for 30 column inches) on the ballot measures. Both criticized supporters’ “scare tactics,” although a reader would never guess it from the respective headlines: “‘Simplistic’ budget tack worth a look,”⁵⁰ and “Referendum supporters betray GOP.”⁵¹

Compare Harsanyi’s coverage with metro side colleagues Diane Carman and Jim Spencer who wrote four columns totaling 60 column inches – all sympathetic to the Ref C and D campaign. The respective headlines left no doubt about Spencer’s or Carman’s positions, which happened to be in complete agreement with the *Denver Post* itself: “State faces brain drain if C, D fail,”⁵² “Larimer GOP puts party over people,”⁵³ “Cuts are easy when people don’t count,”⁵⁴ and “Regardless of how you vote, you pay for C, D.”⁵⁵

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Bias in photographs

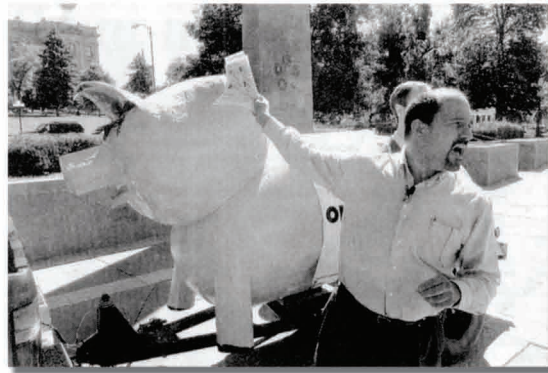
The text of an article was not the only place where bias was found; news photographs skewed in favor of the *Vote Yes* campaign. The disabled, “most vulnerable,” homeless, poor college students, or just working families often were featured in photographs as those who supported Referenda C and D. Photographs of opponents usually featured people working on issue committees such as Doug Bruce or Jon Caldara. So it was “victims” versus “activists.” With 48 percent of Colorado voters voting no on Referendum C, the Denver dailies could have found someone other than just activists to portray in their photographs, such as families who would struggle under the financial weight of a heavier tax burden or the small business owner who feared higher taxes would leave consumers with less disposable income.

Please see graphic on next page.

Activists Versus Victims



Douglas Bruce, considered to be one of TABOR's founding fathers, photograph by Chuck Bigger, Denver Post, September 12, 2005.



Jon Caldara, vocal opponent of Referenda C and D, Photograph by Ken Papaleo, Rocky Mountain News, September 16, 2005.



Top left, Roberto Autobee who blamed his son's (a prison guard) death on a lack of state funding. Staff photos, Denver Post, September 11, 2005. Top right, a sympathetic figure – the working father, taking on-line classes while caring for his young son. Photograph by Judy DeHaas, Rocky Mountain News, October 22, 2005. Bottom left, a group of young school children. Photograph by Judy DeHaas, Rocky Mountain News, October 18, 2005. Bottom right, a group of Medicaid-dependent seniors who, according to nursing home administrator, would experience cuts in service if Referendum C failed. Photograph by Judy DeHaas, Rocky Mountain News, October 17, 2005.

Editorials

Editors of both daily papers agree that most of the editorial staff and even the newsrooms lean left of center. This observation held true to form when it came to favoritism toward Referenda C and D on the editorial pages.

Between August 1 and October 31, excluding all by-lined columns, the *Rocky Mountain News* and the *Denver Post* together published no fewer than 27 house editorials—one every 3.4 days, gobbling up nearly 250 column inches. Twenty-six of the 27 editorials were penned to persuade Coloradans to vote in favor of the referenda with titles such as “Fiscal fix crucial to schools,”⁵⁶ “Colorado’s crumbling bridges,”⁵⁷ “Referendum C is for Colorado; vote yes,”⁵⁸ and “Don’t overlook ‘D.’”⁵⁹

Capitalizing on Hurricane Katrina

By the end of October 2005 the *Denver Post* already had written a number of house editorials urging voters to approve the ballot measures, all of which appeared on the newspaper’s editorial pages. Two days before the election, the *Denver Post* took its editorializing to a new level. In an extremely rare move in modern Denver newspaper history⁶⁰, the *Post* placed a house editorial in prime news real estate – the front page, top of the fold, Sunday edition – claiming 17 column inches of text; 22 inches with the headline included. Within a gray background, relatively small, albeit red, type identified the piece as a “*Post* editorial.” In much larger type was a headline meant to elicit fear of a catastrophe equal to that of Hurricane Katrina, the costliest natural disaster in U.S. history, which slammed into the Gulf Coast just a few weeks prior: “C, D will calm fiscal hurricane.”

The front page opinion piece began with “A storm has been brewing in Colorado over the past three years...” It ends with “Look down the road. Colorado’s needs will grow with its population, but such services as education, health programs and transportation could be hit by a fiscal hurricane. We can send this storm out to sea by saying ‘yes’ to C and D.”⁶¹

Rocky Mountain News political cartoonist Ed Stein also used the Katrina analogy on the news pages. He compared Colorado’s budget situation to the massive hurricane: “After what we saw in the wake of Katrina – What happens when you cut basic infrastructure too far? Anyone who witnessed that and still votes against C and D should have his head examined!” Stein made the Katrina comparison twice during the monitoring period.



Editorial license does grant editorialists some leeway in crafting analogies to highlight a particular point. However, to compare Colorado’s projected \$350 million budget shortfall with Hurricane Katrina which claimed over 1000 lives, displaced hundreds of thousands of people, leveled entire cities, caused hundreds

of billions of dollars in damage and resulted in the catastrophic breakdown of civilized society, was a gross overstatement.

A city submerged

LOUISIANA: Levee failures inundate New Orleans.

MISSISSIPPI: "It looks like Hiroshima," says the governor.

CASUALTIES: More than 100 dead. The toll is likely to rise.



The staff at both Denver dailies compared Colorado's \$350 million projected budget shortfall to the nation's worst natural disaster — Hurricane Katrina. The comparison of Colorado's budget shortfall to "A city submerged" grossly overstated Colorado's fiscal situation.

Vincent Laforet, Associated Press, "A city submerged," Denver Post, 31 August 2005. Eric Gay, Associated Press, "A city submerged,"

POST EDITORIAL

C, D will calm fiscal hurricane

Colorado nears an unnecessary budget calamity; voters should step in and pass key referendums.

A storm has been brewing in Colorado over the past three years — ever since the 2001-02 recession reduced state revenues by 17 percent.

Like other states, we adjusted to the circumstances by cutting services. There simply wasn't enough money to do more. As the economy recovered and revenues returned to regular levels, the other 49 states have been able to rebuild such programs as health care, education, highways and parks.

Colorado, however, is stuck in a fiscal twilight zone. Revenues are growing again, but an oddball clause in the 1992 Taxpayer's Bill of Rights forbids a return to normal spending levels. Experts call this "the ratchet effect," or simply, "the glitch." No other state has anything like it.

Referendums C and D on Tuesday's ballot give voters a chance to head off this bizarre — and completely unnecessary — budget crisis. Otherwise, Colorado soon will run short of the funds needed to keep a modern state running — the budget office anticipates a \$365 million shortfall next year alone and hundreds of millions more in the years ahead. Residents will feel a painful pinch — funding will be at risk for public education, health and safety programs, roads and bridges, reservoirs and parks.

State political leaders foresaw this calamity, and Republicans and Democrats buried the hatchet long enough to craft a solution. This is something of a political miracle, as if they saw a hurricane coming and passed a bill to have it stall harmlessly out at sea.

The Colorado Economic Recovery Act — C and D — asks voters to approve a five-year reprieve from the TABOR straitjacket. The measures would allow the state to

keep "surplus" revenues that would otherwise be rebated to taxpayers. Tax rates and individual income-tax refunds are not affected.

We urge voters to approve C and D. This rare front-page editorial represents our strong feeling that these measures will safeguard the state treasury and sustain Colorado's economic vitality. Conversely, we believe the failure of C and D could very well send the state into an economic tailspin.

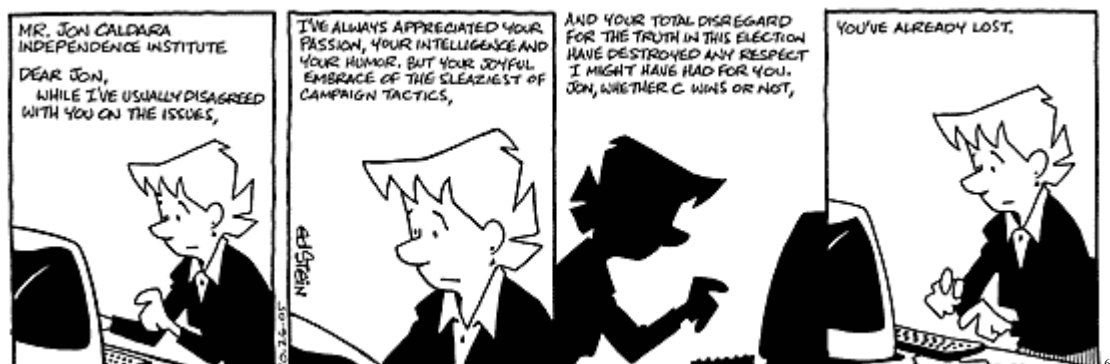
The referendums have drawn opposition from out-of-state interests who would impale Colorado on the stake of anti-tax purity (and not have to live with the consequences). Local devotees distort the facts and smear at Gov. Bill Owens and folks like Hank Brown, Bruce Benson, Norma Anderson and Jack Taylor as "RINOs" — Republicans in name only.

To cover the state's needs, the opponents propose to sell off (and then lease back) state buildings, put tolls on our highways, privatize Colorado colleges and filch funds from lottery receipts and the tobacco settlement. Is that what any of us really wants?

We can hardly ask more of our leaders than to see a threat on the horizon and face it head-on. Owens and his GOP allies can be proud of their collaboration with Democrats John Hickenlooper, Joan Fitz-Gerald and Andrew Romanoff, Denver Catholic Archbishop Charles Chaput and business leaders who have forged and championed C and D.

Look down the road. Colorado's needs will grow with its population, but such services as education, health programs and transportation could be hit by a fiscal hurricane. We can send this storm out to sea by saying "yes" to C and D.

For Stein, C and D seemed personal. He illustrated his disdain for Caldara and the Independence Institute in his cartoons. In one piece, the character wrote a “letter” of reprimand to Caldara that states “...your total disregard for the truth in the election [has] destroyed any respect I might have had for you...”



While Stein is an editorialist, he made his statements in the news pages of the *Rocky Mountain News*.

Editorial page columnists

In addition to the 26 “vote yes on C and D” house editorials, editorial page columnists, cartoonists and writers advocated the same position – vote yes and/or opponents are “bald-faced” liars – with great consistency. No less than 24 columns and cartoons encompassing nearly 350 column inches and nearly double that when including headlines and artwork.

Other columnists

Perhaps the most frightening revelation that the research showed is how easily columnists in both Denver dailies tossed aside their allegiance to the First Amendment and embraced censorship. Besides being the president of the Independence Institute, Caldara also was the leader of an anti-C-and-D issue committee, *Vote No; It's Your Dough*. He was also a talk show host on Colorado's largest radio station 850 KOA, a columnist for the *Boulder Daily Camera*, and host of his own television show *Independent Thinking*.

Perhaps the most frightening revelation that the research showed is how easily columnists in both Denver dailies tossed aside their allegiance to the First Amendment and embraced censorship.

Denver Post columnist Joanne Ostrow, while stating that Caldara's “multimedia multitasking is, of course, [his] inalienable right,” she also complimented the *Boulder Daily Camera* because it “wisely barred him from writing about the issue in its news pages.”⁶³

Jason Salzman (quoted at the beginning of this paper), a media critic for the *Rocky Mountain News*, concurred. In an article titled “Referendum C foe must keep mum on it; KBDI, KOA should consider same stance,” Salzman explained why the *Camera* censored Caldara: “It's about journalistic ethics. Talk-show hosts and columnists are supposed to have opinions, but when they're running for political office or spearheading an electoral campaign on an issue, their shows or columns become de facto advertising and should be restricted in the name of fairness. Their columns and programs become de facto campaign contributions from the news outlets.”⁶⁴

Salzman encouraged other media outlets that carry Caldara's message to censor him as well.

“That's why KOA radio, which airs Caldara's daily talk radio show, and KBDI-Channel 12, which airs his weekly TV talk show, should also bar Caldara from doing shows on Referendum C - or be sure to provide equal air time for referendum supporters.”⁶⁵ While Salzman recommended “equal air time for

referendum supporters,” neither the *Post* nor the *Rocky* provided fair or equal coverage.

Altogether for the three months prior to the election, the Denver dailies’ editorialists and columnists supplied readers with at least 900 column inches of text and 1200 column inches of text, graphics, photographs and cartoons, over 95 percent of which were intended to sway Coloradans to vote in favor of Referenda C and D.

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Conclusion

Clearly a bias existed that resulted in skewed news coverage. This Issue Paper does not suggest that a conspiracy existed, but rather that it was not possible for newspaper staff who strongly favored one side of an issue to “extricate” their bias when writing news stories.

This Issue Paper does prove that for Referenda C and D bias survived the editing process. Not only did both Denver daily papers demonstrate their support of the ballot measures on editorial pages. The bias spilled over to the news pages as well. Quantitative analysis demonstrated how one-sided the news coverage was.

It is impossible to determine how much of an effect the bias of the two Denver daily newspapers had on the campaign for Referenda C and D. Certainly, the seven times that the *Rocky Mountain News* printed proponents’ campaign literature in the news section with no source of identification could be construed as an “in-kind” donation.

To run a political ad in the *News*, a campaign buys ad space in both the *Post* and the *News*. The cost for a quarter page, which is roughly 17.5 column inches in the *News* and 31.5 column inches in the *Post*, is \$4991.63 for each day Monday through Friday. That is roughly \$104 per column inch. The cost rises to \$6738.48 for the Saturday edition of the *News* and \$7813.26 in the Sunday *Post* translating to nearly \$214 and \$248 per column inch respectively.

Since the “Refs C and D at a glance” was about 18.5 column inches that ran from Saturday, October 15th through Saturday, October 22nd, the *News* in-kind donation of newspaper space allotted to the Yes campaign should reflect an amount of at least \$17,538.00. However, the *News* chose to run the campaign literature as a news article so no donation was ever disclosed.

The most important way to address media bias is to acknowledge and detail its existence, so that the general public and policy makers can better recognize the difference between reporting and advocating.

Bias is alive and well, and that is an objective fact...and a promise kept.

Since the “Refs C and D at a glance” was about 18.5 column inches that ran from Saturday, October 15th through Saturday, October 22nd, the News in-kind donation of newspaper space allotted to the Yes campaign should reflect an amount of at least \$17,538.00.

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JON CALDARA is President of the Independence Institute.

DAVID KOPEL is Research Director of the Independence Institute.

AMY OLIVER PRYZGODA is the Director of Operations of the Independence Institute.

JESSICA LITTMAN is the Event Coordinator of the Independence Institute.

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Endnotes

¹ Jason Salzman, "Fun quotient higher in the News," *Rocky Mountain News* 24 December 2005.

² TABOR: The acronym for the Taxpayer's Bill of Rights. Passed by voters in 1992, TABOR is the nation's strictest tax and spending limitation law. It allows Colorado general fund spending to grow at the rate of inflation plus population. Any revenue amount above that level is required to be refunded to taxpayers.

³ William McGowan, *Coloring the News: How Crusading for Diversity Has Corrupted American Journalism* (San Francisco: Encounter Books, 2001) p. 240.

⁴ "Code of Ethics," *The Denver Post*, <http://www.denverPost.com/ethics#newsgathering>.

⁵ *Ibid.*

⁶ Amy Bryer, "Post-News Circulation Dwindling," *Denver Business Journal*, 21 May 2004, <http://www.bizjournals.com/denver/stories/2004/05/24/story2.html>

⁷ Greg Moore, interviewed by Jon Caldara, *Independent Thinking*, KBDI Channel 12, 29 July 2005.

⁸ John Temple, interviewed by Jon Caldara, *Independent Thinking*, KBDI Channel 12, 23 February 2005.

⁹ Diane Carman, interviewed by Jon Caldara, *Independent Thinking*, KBDI Channel 12, 24 June 2005.

¹⁰ Because over 400 hundred items were identified, it is likely that researchers missed some. Based on the number of samples, it is safe to conclude that a particular pattern existed.

¹¹ Stuart Steers, "Air, water, land at risk, coalition warns: Turning down C, D would hurt Colo., say environmentalists," *Rocky Mountain News*, 14 September 2006, 29A.

¹² *Ibid.*

¹³ Kevin Flynn, "Study: 43% of roads in Colo. 'poor,' 'mediocre,'" and "Bad road: Referendum D would fund 55 of CDOT's projects," *Rocky Mountain News*, 20 October 2005, 6A, 30A.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ Lynn Bartels, "Energy taxes may swell coffers: Expert, state disagree about budget impact and need for Ref C," *Rocky Mountain News* 28 October 2005, 22A.

¹⁸ "Refs C&D: Budget Breakdown How much is enough?" *Rocky Mountain News* 15 October 2005, 1A.

¹⁹ Vote Yes on C and D campaign Web site: <http://www.voteyesonc-d.com/modules/articles/article.php?id=9> 22 March 2006.

²⁰ "Know the Dollars and Sense of Referendums C and D," *Rocky Mountain News* 18 October 2005, 6B.

²¹ Ref C & D: Budget Breakdown: Bare-bones coverage" *Rocky Mountain News* 17 October 2005, 5A.

²² *Ibid.*

²³ *Ibid.*, 5A, 20A-24A.

²⁴ Rachel Brand, "In loving hands: Mom applauds state pilot program allowing son to hire caregivers," *Rocky Mountain News* 17 October 2005, 24A.

²⁵ Laura Frank, "The ABCs of K-12: Voters to decide Nov. 1 whether education needs another financial fix," *Rocky Mountain News* 18 October 2005.

²⁶ Ann Imse, "Moving off the streets: Human services for state's most vulnerable – poor, homeless, mentally ill – take hit," *Rocky Mountain News*, 20 October 2005.

²⁷ Kevin Flynn, "Running on empty: CDOT stuck at the end of the line when it comes to funding road repairs" *Rocky Mountain News*, 21 October 2005.

²⁸ Laura Frank, "Struggling to succeed: Students paying more as colleges see big cuts in state higher-education funding," *Rocky Mountain News*, 22 October 2005.

²⁹ *Ibid.*

³⁰ "Ref C & D: Family Finances," *Rocky Mountain News* 30 September 2005, 16A.

³¹ "The Truth About TABOR: In the battle for Referendums C and D, voters are offered disparate ideas how the state should handle their money," *Denver Post*, 11 September 2005, 16A.

³² *Ibid.*

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ "Caldara operating in shadows," *The Denver Post* 11 August 2005, 6B.

³⁸ Section 1-45-117, Colorado Revised Statutes, known as the Fair Campaign Practices Act of 2003.

³⁹ Jennifer Brown, "C and D put CSU 'at a crossroads': Public or private? President warns of privatization if voters don't back budget change," *Denver Post* 9 September 2005, 14A. In order to avoid any appearance of impropriety, University of Colorado President Hank Brown took a leave of absence from his official position to campaign in favor of Referenda C and D.

⁴⁰ Editorial staff, "Crossing the line," *Rocky Mountain News* 30 October 2005, 7E.

⁴¹ Fair Campaign Practices Act.

⁴² Jennifer Brown, "CU offers budget based on no boost in state funding," *Denver Post* 6 October 2005, 4B.

⁴³ Jim Hughes, "Tax foes roasting the pork," *Denver Post* 7 August 2005, 1C, 7C.

⁴⁴ Mike Littwin, interviewed by Jon Caldara, *Independent Thinking*, KBDI Channel 12, Denver, Colorado, 24 June 2005.

⁴⁵ Greg Moore, interviewed by Jon Caldara, *Independent Thinking*, host Jon Caldara, KBDI Channel 12, Denver, Colorado 29 July 2005.

⁴⁶ Mike Littwin, "All we have to fear are the ads themselves" *Rocky Mountain News* 7A, 18 October 2005.

⁴⁷ Mike Littwin, "Ref C foes: Bullies in the schoolyard" *Rocky Mountain News* 6A, 15 October 2005.

⁴⁸ Mike Littwin, "For Caldara's Crew, what wouldn't they do?" *Rocky Mountain News* 6A, 22 October 2005.

⁴⁹ *Independent Thinking*, 24 June 2005.

⁵⁰ David Harsanyi, "Simplistic budget tack worth a look," *Denver Post* 1B, 29 August 2005.

⁵¹ David Harsanyi, "Referendum supporters betray GOP," *Denver Post* 1B, 10 October 2005.

⁵² Jim Spencer, "State faces brain drain if C, D fail" *Denver Post* 1B, 24 August 2005.

⁵³ Jim Spencer, "Larimer GOP puts party over people," *Denver Post* 1B, 21 September 2005.

⁵⁴ Jim Spencer, "Cuts are easy when people don't count," *Denver Post* 1B, 5 October 2005

⁵⁵ Diane Carman, "Regardless of how you vote, you pay for C, D" *Denver Post* 1B 16 October 2005.

⁵⁶ Editorial staff, "Fiscal fix crucial to schools," *Denver Post* 15 August 2005, 7B.

⁵⁷ Editorial staff, "Colorado's crumbling bridges," *Denver Post* 23 September 2005, 6B.

⁵⁸ Editorial staff, "Referendum C is for Colorado; vote yes," *Denver Post* 16 October 2005, 6E.

⁵⁹ Editorial staff, "Don't overlook 'D,'" *Rocky Mountain News* 4 September 2005, 7E.

⁶⁰ The *Denver Post* did run front page editorials in the first half of the 20th century. The practice stopped in 1946 when Palmer Hoyt took over the Post. According to Bill Hosokawa author of *Thunder in the Rockies: The Incredible Denver Post*, "Hoyt's first goal...was to restore respectability to *The Post* by improving its coverage and separating fact from opinion in its news columns."

⁶¹ Editorial staff, "C, D will calm fiscal hurricane," *The Denver Post* 1A, 30 October 2005.

⁶² Ed Stein, "Denver Square," *Rocky Mountain News* 7A, 22 September 2005.

⁶³ Ed Stein, "Denver Square," *Rocky Mountain News* 26 October 2005, 7A.

⁶⁴ Joanne Ostrow, "Caldara beats issue to a pulpit," *Denver Post* 1F, 4F, 15 August 2005.

⁶⁵ Jason Salzman, "Caldara should be kept mum," *The Rocky Mountain News* 23 July 2005.

⁶⁶ Ibid.



13952 Denver West Parkway • Suite 400 • Golden, Colorado 80401-3141
www.IndependenceInstitute.org • 303-279-6536 • 303-279-4176 fax