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War on the press

Sunday, May 7, 2006

IT WOULD be outrageous enough if the government's targeting of journalists were limited to Lance Williams and Mark Fainaru-Wada, the Chronicle reporters whose work defined the national steroids scandal and led to major reforms to protect both public health and the integrity of athletic competition at its highest levels.

But this is bigger and more ominous. The attempt by a U.S. attorney in Los Angeles to force Williams and Fainaru-Wada to reveal how they received federal grand-jury documents in the BALCO case is merely the latest in what appears to be a concerted effort to intimidate and reshape the news media away from its traditional role as a government watchdog.

These two investigative reporters were doing their jobs, digging hard in pursuit of truth, in producing a succession of exclusive stories in 2004 about the extent to which performance-enhancing drugs had corrupted the highest levels of athletic competition, particularly the Olympics and Major League Baseball. Their biggest scoop of all was the federal grand-jury testimony of baseball superstars Jason Giambi and Barry Bonds, which left little doubt that the home-run wave of recent years got a significant boost from clandestine chemical manipulation.

Now the government is spending its resources -- your tax dollars -- to find out how that testimony got in the hands of those two reporters.

The feds have not suggested Williams or Fainaru-Wada broke any law -- and they have not. Possession of leaked grand jury testimony is not a crime under federal law.

Why should the average American care about this case? Consider this: If journalists succumbed to government pressure to reveal their sources, how many people with knowledge of serious malfeasance would be willing to risk calling a reporter or slipping evidence of wrongdoing into an envelope so that Americans could learn what their government is doing?

This is not a theoretical concern. The Bush administration has been highly aggressive about pursuing the sources of leaks; the many examples include revelations about its practice of domestic spying without a required warrant and the existence of a network of secret CIA prisons. This is the same administration that has tried to shape its own version of reality by paying columnists for favorable commentary, narrowing the scope of the Freedom of Information Act, planting a shill "reporter" in the White House press corps, producing faux "news reports" to distribute to TV stations and blocking public access to the papers of former presidents. The list goes on.

You should be concerned even if you have full faith in President Bush to decide what you need to know. The precedents being set today will determine the news media's ability to investigate what the government is doing in future administrations.

Indeed, this case is not just about the federal government vs. The Chronicle. It's about whether government has a right to determine what the public can know about its inner



workings.

An assault on press freedom is an assault on one of the foundations of our democracy. Protection of confidential sources is essential to newsgathering. That principle is worth asserting, worth defending, worth defying a government that wants to erode it.

Williams and Fainaru-Wada have our deep respect, and unflagging support, as they resist this attack on press freedom.

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