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Ask An Attorney

Supreme Court decision puts PIA requestors in stronger position



JOSEPH R. LARSEN
Segwick, LLP

The Texas Supreme Court has given requestors significantly greater leverage in dealing with governmental bodies that utilize requests for ruling to the attorney general as a way to delay release of clearly public information. In its opinion in the case of *Kallinen v. City of Houston*, the court reversed and remanded the First Court of Appeals' very problematic decision dismissing a case brought by two attorneys who had sought documents in connection with a study on the City of Houston's red light cameras.

Notably, these attorneys obtained documents in the suit that they then used to launch a successful referendum repealing the camera ordinance. They were also awarded over \$90,000 in attorney's fees, and only after the fee award, the City filed a "plea to the jurisdiction" on grounds the attorneys had brought the suit as soon as the City had requested an attorney general ruling instead of waiting until the ruling had been issued. The attorney general has 45 working days to issue its ruling, which translates into well over two months of calendar time.

Flaws in previous ruling

The *Kallinen* opinion identified several "flaws" in the court of appeals' holding that a trial court lacks subject matter jurisdiction over a suit for mandamus against a governmental body until such time as the Attorney

General has ruled. First, the Supreme Court rejected the court of appeals' holding (and the City's argument on appeal) on grounds that it equates information that is public information with information that has been determined by the attorney general must be released. The court said this would conflate two of the three grounds for mandamus jurisdiction. In this regard, *Kallinen* notes that the court of appeals ignored prior Supreme Court precedent cases allowing judicial review of attorney general rulings made in favor of the governmental bodies. Second, *Kallinen* holds that a proceeding before the attorney general is not a remedy to exhaust, it is a check on the governmental body. Third, the opinion holds that just because a governmental body seeks an attorney general ruling, there is no inference that the governmental body's claim of exception is correct.

This is a particularly important part of the holding because governmental bodies have a built in advantage before the attorney general in that the attorney general cannot determine issues of fact. Thus, we frequently see letter rulings relying on the factual assertions of the very governmental body from which the information is sought, and, while the requestor can file comments with the attorney general, it is difficult for the requestor to challenge these factual assertions.

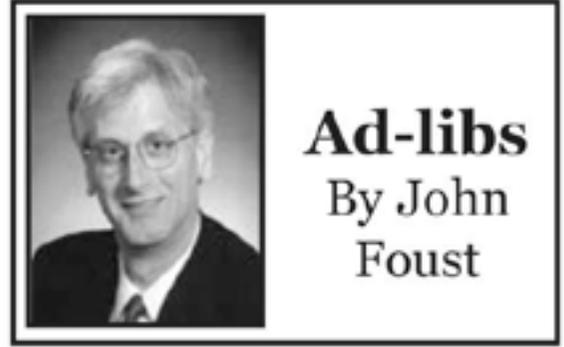
Requestors position strengthened

The *Kallinen* opinion sets out specifically that while the governmental body is entitled to "insist on its position to a final ruling, . . . a requestor is not required to defer a suit for mandamus."

As a result of the holdings in *Kallinen*, where the governmental body's factual assertions to the attorney general appear without merit, as well as where a governmental body is simply wrong in its legal argument regarding an exception to the Public Information Act, the requestor is in a position to threaten immediate suit with a much stronger chance of obtaining fees. Of course, the requestor must still "substantially prevail" to be entitled to fees.

The Court concluded by holding that if the trial court "determines under the circumstances of a particular case, a decision from the Attorney General before adjudication of the merits of disclosure would be beneficial and any delay would not impinge on a requestor's right to information, abatement would be within the court's discretions," but that the court of appeals erred in dismissing the case for want of jurisdiction. The statement on abatement is important in that the Court sets out that the trial court must consider whether abatement would "impinge on a requestor's right to information" as part of its analysis.

Nobody wins a turf war when it comes to advertising



This story has a cast of five characters:

1. The advertising salesperson worked hard to build relationships with clients, learn their objectives and develop marketing plans. Because he had previously worked as a copywriter at an ad agency, he had unique marketing insights.

2. The graphic designer saw herself as an artist, and indeed had impressive design skills. However, she had no contact with advertisers. Her goal was to make each ad a work of art. She resisted suggestions and acted like she was threatened by others' knowledge of ad design and creativity.

3. The advertising director managed the salesperson and the graphic designer. Her goal was to oversee ad revenue. She wanted everyone to do their jobs, follow the rules, keep quiet, leave her alone and make money for the paper.

4. The big entity in the background was the corporate newspaper office, which had ironclad policies for its newspaper properties. In their minds—and in their employee manual—salespeople sell and creative departments create.

5. The advertiser in the story had little confidence in the ads the paper created for him. Although the ads looked

good, they didn't produce the results he needed. As a result, he was seriously considering cutting back—or not renewing—his ad contract with the paper.

Tensions had been building for several months. The inevitable collision was set off when the advertiser approved a series of ads, which were proposed by the salesperson. When the graphic designer saw the layouts—with copy written, type specified and illustrations selected—she hit the roof and complained to the ad manager. It was the classic case of a complainer and a person who wants the problem to disappear. In the interest of a quick fix, the ad manager told the salesperson to “stop being creative.”

What happened in the end? The salesperson found another job. The ad manager eventually left the advertising industry, after experiencing nearly 100 percent turnover in the sales department. The advertiser took his advertising elsewhere. The graphic designer celebrated the hollow victory of regaining control of the paper's creative product, but lost the chance to develop ads for that advertiser. So in reality, everybody lost.

In today's competitive advertising environment, it is crucial for sales and creative departments to work together.

If salespeople have unique creative talents, encourage them to use those skills in developing ad campaigns. And if graphic designers are particularly effective in explaining creative techniques, encourage them to talk with advertisers who want inside information on the production of their ads. It's called teamwork.

What would have been the right approach? In my opinion, the ad manager was in position to come up with a solution. She could have seen the conflict as an opportunity to challenge a bad company policy. And she could have encouraged everyone on her staff—not just the two at the center of the controversy—to bring their talents to their jobs.

Tire pioneer Harvey Firestone once said, “The growth and development of people is the highest calling of leadership.”

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John Foust has conducted training programs for thousands of newspaper advertising professionals. Many ad departments are using his training videos to save time and get quick results from in-house training. E-mail for information: john@johnfoust.com.

Nominations and entries due April 24

Golden 50

Texas Press Association's Golden 50 Award honors men and women who have displayed exemplary service and selfless contributions to journalism for 50 or more years.

To nominate an industry veteran, download the nomination form at texaspress.com and return it to TPA Executive Director Mike Hodges at mhodes@texaspress.com.

Hartman Award

The Fred Hartman Excellence in Sportswriting Award, sponsored by Hartman Newspapers L.P., offers an opportunity for Texas sportswriters to claim \$1,000 and the title of best sportswriter in Texas.

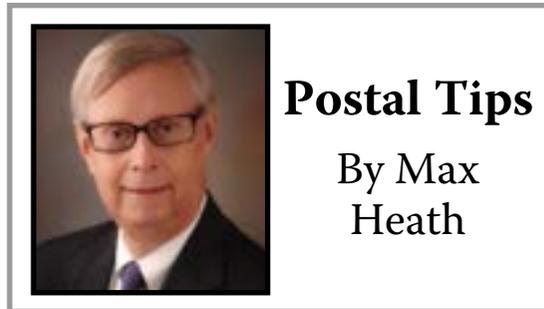
For writers at newspaper with circulation greater than 10,000, submit digital tear sheets of five of your best sports stories originally published during 2014 to priscilla@texaspress.com.

Mayborn Award

The Frank W. Mayborn Award for Community Leadership is awarded annually to a publisher or newspaper executive who contributed significantly to society during the past year.

Nominations must be e-mailed to priscilla@texaspress.com by 5 p.m. April 24. Visit texaspress.com for a full list of rules.

Standard Mail Carrier-Route prices drop in second filing



Postal Tips

By Max Heath

PRC REMANDS USPS CASE A SECOND TIME

Newspaper mailers still face uncertainty with 2015 postal rates, as the Postal Regulatory Commission has now twice kicked back the U.S. Postal Service request for new rates to go into effect April 26. Because the Postal Service has to provide 45 days' notice before new rates occur, it would have needed final rates by March 12. But on March 18, the PRC indicated it still wasn't happy with the proposal for either Periodicals or Standard Mail.

So the following is useful as a guide for the rates that may be ahead, amidst the PRC's criticisms of USPS data. But final rates will not be known until the PRC is happy, unless USPS decides to gamble on implementing new prices without the PRC blessing. That has happened in postal history, but usually ends up in the courts.

Here is what has gone on so far.

The Postal Service re-filed parts of its 2015 price case after certain sections of it were remanded (rejected and sent back for correction) by the PRC. There were two notable changes affecting newspapers.

Most notable was the changing of Standard Mail Carrier Route Flats prices from slight increases (1-2 percent range) in the original filing to decreases (1-3 percent range, with one price, High-Density Plus minimum price, down 11.4 percent) in the second filing. This price is for 300 or more walk-sequences pieces per route. The changes occurred for several reasons, including PRC's order to make presort discounts equal between for-profit and nonprofit rates.

If these numbers stick, newspapers with shoppers would enjoy lower costs. The changes are to Part F of the 3602-R.

Periodicals rates suffer from similar uncertainty, which is complicated by the fact that in recalculating the rates, USPS wound up with a small-

er increase than the law would have allowed. Because Periodicals are thought to be "under water" or failing to cover costs, USPS is required to explain any rate that does not hit the price cap ceiling. But to date, it had not.

In the second filing, there was one change in the Periodicals pricing from that originally proposed. Advertising pound prices (Part B, 3541) were decreased less than in the original proposal, but nothing else. Bundle charges would still be increasing rather sharply.

The complexity of this rate filing centers primarily on new incentives being granted for Flats Sequencing System mail, even though the machines are in high-demographic, metro areas that include only 30 percent of the flats volume in the country. (The term "Flats" includes newspapers, magazines and large envelopes). Newspapers have been mostly exempted from running on the machines because they don't run well.

But because USPS has not—to date—adequately explained to the PRC what the old prices would have been for the mail that will get the new discounts, the PRC says it cannot calculate how much the increase would be for the new FSS mail. The dispute between the two bodies, however, is primarily based on incomplete calculations in the USPS filing and not in principled disagreements about rate policy. So once the commission is satisfied with the math, the increases are likely to be approved.

PRICE CHANGES LIKELY DELAYED BEYOND APRIL 26

As the National Newspaper Association's Leadership Summit was being held in the District of Columbia area March 18-19, the same parts of the case filing were remanded again by the PRC. The postal response will

be filed and PRC approval possible by the time you are reading this in early April. Increases for Periodicals and Standard Mail are now likely to slip to early May.

It is also useful to remember that yet another uncertainty looms for postal rates. The U.S. Court of Appeals for the District of Columbia is still considering the appeal of NNA and others of last year's exigency increase. The current state of the law is that USPS has to stop charging for the exigency in August. If the USPS wins the court case, the exigency rate base could go on forever—or it will seem like forever. If NNA and other mailers win, the exigency charge will have to stop when USPS has recovered the revenue it claimed it lost during the recession. So—even with the uncertainty from the current year's case unresolved—the court decision could once again knock future rates into a tailspin of uncertainties.

Watch your e-mail in-box for a news release or check www.nnaweb.org for updates later this month.

Other postal news of note

PERIODICALS SERVICE STANDARD CHANGE TO 3-4 DAYS WITHIN SCF

The Postal Service not only ended First-Class overnight service within the SCF (Sectional Center Facility) of entry, but the Periodicals service standard within the SCF was changed from 2-4 days to 3-4 days. This obscure shift was in a 2011 Federal Register filing, but USPS chose not to remind mailers of either change, effective January 2015 in conjunction with more planned plant closures. They refused PRC advice to re-justify the 2015 closings and revisit service standards.

The only good news so far is that the massive operational changes put in place for First-Class mail have so disrupted the system that any plant

Postal Tips continued on Page 4

closures have been postponed to April or beyond.

ePUBWATCH NO LONGER OPERATIONAL

Newspapers using the electronic Publication watch, or “ePubWatch,” may have noticed that the service is no longer offered. Another system with the acronym “ADVANCE” used by Standard Mail customers was also discontinued November 2014.

Although ending the two tracking programs was blamed on the USPS cyber intrusion that same month, the truth, at least for Periodicals mailers, may lie elsewhere. (ePubWatch was championed by a task force of mailers, including NNA, more than a decade ago.)

Reductions in USPS staffing created two problems. It lacked support within USPS headquarters. Staff reductions in post offices have resulted in fewer “Delivery Unit” supervisors, or small-office postmasters, checking the system in their office computers to see whether they actually had complaints on file. Publishers reported fewer answers to their watches.

Hardcopy publication watches, PS Form 3721, are no longer available, either. But they were always a waste of time as the answer (if any) was long in coming and just verified what the publisher already knew. The paper was indeed late. No diagnostic help was received.

FULL-SERVICE IMb BEST HOPE FOR NEWSPAPER TRACKING

Periodicals mailers are being pointed to Full-Service Intelligent Mail barcoding as the panacea for delivery

problems. Although the verdict is still out, newspapers should work with their presort vendor to get on board if they can to gain “visibility” within the USPS processing network.

Although newspapers may not get individual piece tracking based on machinability, barcodes on bundles and flats trays are either in use or in the works to help track containers in processing plants and delivery post offices. Because 99 percent of mail in post offices is delivered the next day, this is a good indicator.

As demonstrated last month in this column, mailers can learn to track mail through the Business Customer Gateway of PostalOne! A sample involving Publishers’ Auxiliary, which is already using eDoc and Full-Service IMb, was provided. NNA will offer periodic webinars for members ready for “onboarding” to eDoc and Full-Service.

Several members of the NNA Postal Committee and NNA Chief Executive Officer Tonda Rush met with Steve Dearing and Robert Cintron of USPS “Enterprise Analytics” during the March NNA Leadership Summit to discuss ways in which NNA could improve newspaper visibility in the mail.

Publishers expressed their need for better delivery with service declining further in the wake of processing plant consolidations. And newspaper characteristics were better explained to these key staffers to involve both operations and electronic improvements to facilitate newspaper movement and tracking. Interlink Software President Brad Hill, frequent presenter of NNA webinars on use of electronic documentation and Full-Service, is the optimistic expert working to increase

newspaper visibility via the Mailers Technical Advisory Committee.

FLATS TRAY DISCOUNT NOT IN WORKS

NNA pressed the Postal Service in the current price filing about plans for offering a discount for use of Flats Trays (white tubs) by newspapers and other Periodicals. Unfortunately, USPS confirmed it has no plans for designing different charges to incent tub use, and has not studied the question.

In its answer to Rush’s questions, it claimed only 5.5 percent of Periodicals mail was entered in Flats Trays. That may be, but the percentage is likely driven by the fact that magazines still use sacks almost exclusively for the “tail of the mail” that can’t be placed on pallets. And the total volume of magazines far outweighs that of newspapers.

NNA believes that up to half of newspapers have converted to flats tray use. But we need, as an industry, to further expand tub use to get the attention of USPS. Newspapers not using tubs are urged to convert, or urge their printer to do so. NNA continues to remind postal pricing experts that a pricing incentive recognizing lower costs would help hasten a worthwhile abandonment of sacks. © Max Heath 2015

Max Heath, NNA postal chair, is a postal consultant for Athlon Media Group, publisher of Athlon Sports magazine, Parade, American Profile, Relish and Spry newspaper supplements, and also for Landmark Community Newspapers LLC. Email maxheath@lcn.com.

In case you missed it: Latest links from texaspress.com/media-cafe

- [E&P: St. Louis Post-Dispatch packages Ferguson-related content](#)
- [Washington Post Executive Editor Martin Baron on journalism’s transition from print to digital](#)
- [Tablet: Dead or alive?](#)
- [NAA statement on AGs’ action in subscription fraud lawsuit](#)
- [E&P: Rolling Stone’s Investigation: “A Failure That was Avoidable”](#)
- [My Kingdom for a Platform: The Opportunities and Threats of Publishing Direct to Facebook](#)
- [Reporter files suit against Ferguson police](#)
- [Newspaper offers online stories for 27 cents each](#)
- [NAA: Young adults feel most informed with traditional media](#)
- [NAA CEO Caroline Little to step down](#)
- [NYT: Facebook May Host News Sites’ Content](#)
- [Brace yourself: ‘Significant changes’ are coming to AP Style-book’s sports section](#)

Texas Press Job Bank

The [TPA Job Bank](#) is updated as positions become available. Listings are free for any job seeker and for all TPA members. Listings from non-member newspapers are \$25 each. Job Listings will remain on the site for 30 days or until notified to remove. E-mail job listings to: jobbank@texaspress.com or fax to 512-477-6759. Questions? Call 512-477-6755. To receive all job listings as they are posted, subscribe [here](#).

Most recent jobs posted as of April 15, 2015:

PAGE DESIGNER/COPY EDITOR, AUSTIN

Newspaper designers and copy editors have always been a quirky, fun, interesting mix of folks. Well, multiply that by a lot, throw in the "keeping it weird" vibe of Austin, Texas, and add an open, collaborative environment, and you get a sense of the experience of working at The Center for News & Design. The design center is looking for people who are smart, creative, quick and accurate to join our team to produce news pages for papers around the country. And the place keeps growing as GateHouse Media adds newspapers to its portfolio. The center is part of a long-term strategy to offer a range of content services to GateHouse newspapers and market those services to other media organizations. Here are some other cool things about the design center: Our top designers work alongside those with less experience, giving everyone a chance to learn from the best. We look for opportunities to promote from within. And we're in a new bright and open office. If you know Adobe InDesign, have experience designing news pages (your college paper counts), love writing headlines and know AP style, enjoy working on a team, remain undaunted in the face of deadlines, and have that crazy mix of creativity and attention to detail that only those who work on newspapers really understand, apply now. All applicants must submit design clips or links to online portfolios. <http://ghm.applicantstack.com/x/openings>.

REGIONAL NEWS REPORTER, MARSHALL

Regional News Reporter Award winning daily newspaper is seeking energetic reporter to cover regional news. This growing daily newspaper is seeking an enterprising reporter who lives to beat the competition online and in print. Candidates will have a proven ability to:

- Build a beat and break news.
- Generate story ideas independently and collaborate with online and print staff on daily news and enterprise.
- Produce fast-turnaround stories on major news that can help drive online traffic.
- Produce enterprise off the news to advance the story.
- Produce content in multiple formats and embrace social media.
- Write with an authoritative voice, and have the ability to quickly synthesize material from multiple sources.
- Copy editing

Two years of newspaper experience is preferred, but will consider recent graduate with good clips from internship or college newspaper work. The Marshall News Messenger is part of Texas Community Media Newspapers, a family owned group in the oil-rich piney woods of East Texas, an area known for its outdoor recreational opportunities and temperate climate. Comparable compensation package to include a Benefits;

medical, dental, vision, life insurance, disability insurance, vacation and 401k plan. To apply, please send your resume, cover letter, clips or links to published work demonstrating your ability to fulfill the job requirements, and salary requirements to employment@news-journal.com.

PUBLISHER/EDITOR, HEREFORD

Publisher/Editor Immediate opening for a hard-working, take-charge publisher/editor for the Hereford Brand, a semi-weekly newspaper in the Texas panhandle. Experience in sales and sales management required. The right person will be active in the community and lead the paper as a community newspaper. Bilingual a plus. Gas allowance, paid vacation and health insurance coverage provided. Salary negotiable based upon experience. Send resume and cover letter to Kim Ware, publisher@azlenews.net.

EDITOR, BIG SPRING

The Big Spring Herald in Howard County, Texas is seeking a full-time Editor who is responsible for overseeing the day-to-day editorial operations and managing the editorial department. The successful candidate must have a strong track record in the journalism field. Applicants should have superior writing, editing, proofreading and organizational skills. Must be able to pay attention to detail have ability to prioritize workload, possess excellent communication and interpersonal skills. Email resume to publisher@bigspringherald.com.

GENERAL ASSIGNMENT MULTIMEDIA JOURNALIST, SAN ANGELO

The San Angelo Standard-Times is looking for a full time general assignment multimedia journalist to help our collegial newsroom cover one of the best news areas in Texas. The Standard-Times is a digital leads, print completes outfit in which the newsroom is fully integrated with the digital staff. The successful candidate for this job will be a journalist with strong writing skills, a commitment to quality and fairness, a bottomless curiosity about public affairs and a heart for community service. Our newsroom values flexibility and teamwork. Candidates should have some proficiency with social media, and photo and video skills will be considered a plus, along with a willingness to embrace data-driven reporting. Recent J-school grads are encouraged to apply. The Standard-Times has been serving San Angelo, a West Texas city of 100,000, since 1884 and recently became a member of a new, all-newspaper enterprise, Journal Media Group, which includes 14 newspapers around the country. The Standard-Times has won more than three dozen awards from the Texas As-

sociated Press Managing Editors over the past three years. We place a high value on career development for our staff and offer competitive compensation and benefits. To apply, send your cover letter and resume along with clips and references to Michael Kelly, editor: mike.kelly@gosanangelo.com.

SALES EXECUTIVE, DUMAS

The Moore County News-Press is a bi-weekly 3,500 circulation broadsheet newspaper located in the Panhandle approximately 45 miles north of Amarillo. The paper was established in 1927 and has very strong readership and community support. We are currently seeking a full-time retail sales executive. Qualified applicants must have a solid sales background and strong communication skills as well as being confident, energetic, outgoing, self-motivated to achieve goals and thrive in a competitive market, and have a knowledge of local businesses. Full-time benefits include vacation, sick time, life and health insurance, base salary as well as tiered commission-based earning, paid holidays, and travel compensation. We are a drug-free equal opportunity employer. Pre-employment drug screening may be required. Interested individuals may mail resume (must include professional references) and portfolio samples to Moore County News-Press, PO Box 757, Dumas, TX 79029, or e-mail Publisher Wanda Brooks at wandab@moorenews.com.

COMPOSITION, DUMAS

The Moore County News-Press is a bi-weekly 3,500 circulation broadsheet newspaper located in the Panhandle approximately 45 miles north of Amarillo. The paper was established in 1927 and has very strong readership and community support. We are currently seeking a full-time composition employee. Qualified applicants must have a strong knowledge in desktop publishing (preferably QuarkXpress), image manipulation (Photoshop/Illustrator) and Microsoft Office, as well as experience with Macintosh systems. We are seeking a dependable, hard-working team player who is capable of multitasking and working in a fast-paced environment while staying organized and meeting established deadlines. Full-time benefits include vacation, sick time, life and health insurance as well as paid holidays. We are a drug-free equal opportunity employer. Pre-employment drug screening may be required. Interested individuals may mail resume (must include professional references) and portfolio samples to Moore County News-Press, PO Box 757, Dumas, TX 79029, or e-mail Publisher Wanda Brooks at wandab@moorenews.com.

Free Training Opportunities

On-site InDesign, Photoshop training by TPA Mobile Lab

TPA Mobile Computer Lab is FREE to all attendees if the event is open to other member newspapers. Training is available in InDesign, Photoshop, Mac OS X, Quark, Pagemaker, Acrobat and Dreamweaver

The Mobile Lab consists of: 10 laptops; one instructor and projector. To schedule a class, contact Fred Anders at 1-800-749-4793.

Money in politics seminar applications due by May 15

The National Institute on Money in State Politics and the Knight Foundation will bring 20 journalists to an all-expenses-paid Follow The Money Train(ing) seminar. Reporters from U.S. news organizations, both large and small, will go to the University of Montana–Missoula, for a hands-on training Aug. 12-14, 2015. Journalist will learn how to use the Ask Anything website and others for computer-assisted reporting.

The program is seeking 20 newsroom leaders who are willing to go out on a limb to write important stories relevant to special interest influences in elections or policy decisions. Minorities are strongly encouraged to apply.

Each reporter is asked to bring two story ideas on local or state campaign and/or policy issues. For both stories, the outcome of the policy issue should be expected to impact companies or individuals. Local community issues—utilities, gas and oil development, judicial elections, and education—are a few potential topics.

Applications are due by May 15, 2015; successful applicants will be notified by June 3. Visit followthemoney.org/media-room/followthemoney-training.



Tablet: Dead or alive?

By DIRK BARMSCHIEDT

Date: 08:25 PM - 05 April 2015
inma.org

International News Media Association (INMA)

The fourth quarter of 2014 was the first with lower tablet sales since the market debut of the Apple iPad in Q2 2010, with 12% fewer sales and 67 million devices worldwide.

In comparison to the booming smartphone and especially booming phablet market, it was a disaster. Apple tried to work against this downsize with a large advertising campaign, but it couldn't solve the problem.

The iPad and tablet are, in general, at-home devices. And they are not as good as a smartphone for communication like chatting because of the missing GSM module WhatsApp, which is not running on iPads and only on some smaller Android tablets.

What does this mean for media companies and publishers? Did you waste your money and invested in the wrong applications? And should you stop any development of tablet apps at all?

Absolutely not! You did everything right and you have to do more of the same in future!

Why? Here are the most important reasons:

Tablets are the best devices to present editorial and multi-media content because of the size and high-resolution, coloured displays.

Tablet use is enjoyed in a more casual setting, not at a desk, which is the same as print. And it is slower than smartphone usage, which is driven by speed.

Editorial content apps represent premium products that justify a (higher) price point from users' points of view.

But the success will not come easily around the corner. To be successful, you need to:

Concentrate on the right, the "golden generation" target group. This target group is nearest to your print brand, has the money to buy premium digital products, and needs

a convenient way to start the Internet life.

You have to customise a whole product offering, not only the content. Have a look at the value chain and the easiest way for your target group to consume your content.

Think of the best way this could be offered to a subscriber: Combine the tablet and content app as one product for one monthly price. No one will buy offline content without a newspaper. The same will work in digital.

Adapt your print product nearly 100% to a digital issue. No innovations, no new way of consumption. Your target group learned over the course of 10 to 20 years the way to consume a newspaper or magazine. Don't change this!

The tablet market is more alive than ever for publishers. Take the chance and build a profitable digital business!

Recently updated federal datasets, which can be used to inform or serve as a launching point for local stories

Compiled by: journalistsresource.org

Comparing hospital outcomes: Medicare.gov offers “Hospital Compare” data, last updated in December 2014. You can find surveys of patients’ experiences, death rates, payment information and more. Just enter a zip code in their database: <http://www.medicare.gov/hospitalcompare/search.html>. Or download the datasets: <https://data.medicare.gov/data/hospital-compare>.

Storm injuries and damages: The National Climatic Data Center provides statistics on injuries and damages relating to all storms recorded between 1950 and the present: <http://catalog.data.gov/dataset/ncdc-storm-events-database>. Bulk download of all data is also available: <http://www.ncdc.noaa.gov/stormevents/ftp.jsp>.

Doctors prescribing drugs: ProPublica has cleaned-up Medicare Part D prescriber/doctor data (2012), including “providers’ names, addresses, specialties and contact information, as well as additional information on doctors’ prescribing habits.” Use their app to search: <http://projects.propublica.org/checkup>.

Payments to doctors by companies: ProPublica also offers Medicare/Medicaid open payments data to doctors by pharmaceutical and medical device companies. Use their app to search: <http://projects.propublica.org/open-payments>.

Harvesting all criminal justice datasets: The Sunlight Foundation is amassing a huge inventory of all criminal-justice datasets from the federal government and the states (26 so far). Search, download or contribute: <http://sunlightfoundation.com/criminaljustice>.

Alternative fuel stations in the United States: The Energy Department has data on all alternative fuel stations (everything from biodiesel to electric): <http://catalog.data.gov/dataset/alternative-fueling-station-locations-b550c>. Also see an interactive map: <http://www.afdc.energy.gov/locator/stations>.

Bus and large truck crashes: The Transportation Department has updated crash data involving large vehicles on U.S. roads. While the raw data isn’t available, there is a database with useful filters: <https://ai.fmcsa.dot.gov/CrashStatistics/rptSummary.aspx>.

Environmental health hazards: The CDC offers data from the National Environmental Public Health Tracking Network, a “system of integrated health, exposure, and hazard information and data from a variety of national, state, and city sources”: <http://catalog.data.gov/dataset/cdc-national-environmental-public-health-tracking-network-tracking-network>.

Nursing home problems: The Centers for Medicare and Medicaid Services has information on nursing homes with serious quality issues and their status: <http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/CertificationandCompliance/Downloads/SFFList.pdf>. There’s also a compendium of facilities and residents: <http://catalog.data.gov/dataset/nursing-home-data-compendium>.

Beer production: The Alcohol and Tobacco Tax and Trade Bureau, part of the U.S. Treasury Department, provides monthly updates on brewery production: <http://www.ttb.gov/beer/beer-stats.shtml>.

Defense Department dataset list: The Sunlight Foundation has long been pursuing a comprehensive list of government datasets through FOIA. One of the interesting recent disclosures from Sunlight’s request was a Defense Department list of datasets: <http://www.defense.gov/data.json>. But as Sunlight notes: “The Department of Defense, somehow, has not cataloged within its index any ‘non-public’ or ‘restricted’ data, nor does it appear to have redacted any information under FOIA.”

Data with fees:

Small business loans: Investigative Reporters & Editors (IRE) through its NICAR database has new data on small business loans backed by the government (1990-2014). Find names and addresses, lenders, loan amounts, loan status and more: <https://www.ire.org/blog/nicar/2015/03/20/updated-small-business-loans-data-now-available> (\$50 for members; \$150 for non-members).

Campus crime reports: The NICAR database also offers the latest college campus crime data (2013), cleaned up and usefully consolidated. IRE also offers tips on how to cover your local institutions of higher education: <https://www.ire.org/blog/nicar/2015/01/06/new-campus-crime-reports-2013-available-nicar-data> (\$25 fee for members; \$75 for non-members).



June 18 - 20

Register Now

TPA Newspaper Leadership Retreat

Registration is now open for the 2015 TPA Newspaper Leadership Retreat at the Westin Austin.

Register online or download a printable form at texaspress.com/2015-leadership-retreat.

The retreat will begin June 18 with the Robert Burns Golf Classic, benefiting the Texas Newspaper Foundation; followed by two days of inspiring speakers, critical group discussions and fun.

The three-day retreat will culminate with an awards luncheon on June 20, highlighting the 2015 Texas Better Newspaper Contest, Fred Hartman Excellence in Sportswriting Award, Golden 50 Award and Frank W. Mayborn Award for Community Leadership.

To reserve a hotel room at the group rate of \$129 you must make your hotel reservation by 5 p.m. June 3. Contact the Westin Austin at the Domain at 512-832-4197.

You may register for the entire retreat or just the awards luncheon.