

William Hein Freivogel

Office: School of Journalism

Southern Illinois University Carbondale

Cell phone: 314-322-0396; Home phone: 314-965-4131

Home address: 348 Geyer Forest Dr.; Kirkwood, Mo. 63122

ACADEMIC PREPARATION:

JD – Washington University Law School – 2001 – Order of the Coif, law quarterly, legal ethics award, 7th in class, class marshal

B.A. – Stanford University – 1971 – honors political science, cum laude

PROFESSIONAL EXPERIENCE:

Professor, School of Journalism, Southern Illinois University – 2014-present;
Director - 2007 to 2014; **Interim Director**, 2006-7

Professor – 2012; **Associate Professor**, 2007-2012

University professor – Paul Simon Public Policy Institute – 2006

Deputy editorial editor – St. Louis Post-Dispatch – 1997-2005 – writing editorials, editing editorials, setting editorial policy, helping supervise 10-person editorial staff

Assistant projects editor – 1992-96 - supervising news projects involving more than a dozen members of the newsroom.

Assistant Washington Bureau Chief – 1986-92 – covering U.S. Supreme Court, defense contractor fraud, EPA scandal, Justice Department; helping to supervise 7-person staff

Washington correspondent – 1980-92

City desk reporter – 1971-80 – legal and investigative projects

Investigator for Ralph Nader – 1971 – project on National Academy of Sciences

Co-editor of The Stanford Daily – 1970-71

LAW AND CIVIC AWARDS

Washington University Law School 2008 Distinguished Young Alumni Award

American Association of Law Schools National Security law writing competition winner – awarded Jan. 4, 2007 in Washington D.C. at a session titled, “Prosecuting Leakers and Leakees: The End of National Security Muckraking?”

ACLU Civil Libertarian of the Year with Margaret Freivogel – 1991

President’s award – National Women’s Political Caucus – 1989

JOURNALISM AWARDS (some shared with colleagues)

NATIONAL AWARDS:

Pulitzer Prize finalist 2002 – John Ashcroft and civil liberties in the wake of 9/11

ABA Silver Gavel

1989 - Constitution at 200

1991 - Bill of Rights at 200

Sigma Delta Chi Distinguished Service Medal and Bronze Medallion – Bill of Rights at 200

Benjamin Franklin award for the most outstanding newspaper series on the Constitution 1989 – Constitution at 200

IRE Investigative Reporting Award – 1984 – Defense fraud at General Dynamics

Sidney Hillman award – 1989 – Reagan counter-revolution in civil rights enforcement

Headliners Award – 1984 – General Dynamics defense fraud

National Press Club Washington Correspondence Award – 1983 – Dioxin contamination in Missouri and mismanagement of EPA

National Press Club Washington Correspondence award – 1984 – General Dynamics defense fraud

National Press Club Washington Correspondence certificate 1985 – Defense fraud

Emery Brownell award for helping to preserve the Legal Services program – 1981
National Legal Aid and Defender Association

American Legion Golden Press Award – 1989 – Constitution at 200

ABA Gavel Certificate

1979 - Mishandling of Police Brutality cases

1983 – Coverage of the U.S. Supreme Court

LOCAL AWARDS

Connie Rosenbaum award

Maplewood police corruption – 1978 –

Abuses by St. Louis juvenile court judge Gary Gaertner – 1974

Bail bond abuses – 1973

Missouri Press Association – 1981 – abuses in child support system

Excellence in Legal Journalism award from the Missouri Bar Association for analysis of legal issues in the St. Louis Beacon – **2010**

Excellence in Legal Journalism award from the Missouri Bar Association for coverage of the Affordable Care Act case before the U.S. Supreme Court – **2012**

Excellence in Legal Journalism award from Missouri Bar – analysis of legal issues surrounding the shooting of Michael Brown in Ferguson, Mo. 2015

Greater St. Louis Association of Black Journalists – 2002 – editorials on Attorney General John Ashcroft

NEWSPAPER PROJECTS

1

Liberty vs. Security in the wake of 9/11 – (2001-5) More than 100 editorials over four years explored the tensions between liberty and security in a time of war. The editorials argued that President George W. Bush and Attorney General John D. Ashcroft have been too willing to surrender basic freedoms and legal protections - **Finalist for the 2002 Pulitzer Prize; Greater St. Louis Association of Black Journalists**

2

The Constitution at 200 (1987) – Principal contributor to year-long project commemorating the Constitution with installments on judicial interpretation, judicial power, slavery, suffrage, the Bill of Rights, freedom of religion and freedom of expression. This was an unconventional series, unlike those that appear in newspapers today. The series was not an expose or investigation. Rather it was an attempt to explain the meaning of the Constitution in the context of legal controversies in St. Louis and around the nation. **Benjamin Franklin award for the most outstanding newspaper series on the Constitution; ABA Silver Gavel; American Legion Golden Press Award**

3

The St. Louis school desegregation settlement (1997-99) – More than one hundred editorials over three years helped block Attorney General Jay Nixon's attempt to end the metropolitan school desegregation case under which about 13,000 African-American children from the City of St. Louis attended suburban schools. The program not only expanded education opportunities for blacks, but also integrated all-white suburban schools. That gave black and white children a chance to learn to work and play together. After helping to stop Mr. Nixon's attempt to dismantle the program, the editorials supported a settlement negotiated by Dr. William Danforth. Then an editorial-a-day campaign in early 1999 led to passage of a sales tax to fund the settlement.

4

The Bill of Rights (1991) – Principal contributor to series explaining the way the protections of the Bill of Rights affect Americans' everyday lives. **Sigma Delta Chi Distinguished Service Medal and Bronze Medallion; ABA Silver Gavel Award; Metropolitan Bar Association.**

5

The Waco Investigation (1999-2000) – One of two reporters – the other Terry Ganey - who spent a year investigating the death of the Branch Davidians at Waco. When the Post-Dispatch began the investigation, much of the press coverage suggested that the government might have been responsible for touching off the fire that killed members of the religious group. But the Post-Dispatch obtained evidence contradicting that conventional wisdom. One of the national exclusives broken in the Post-Dispatch was the first pictures of the area surrounding the group's compound at the time of the federal assault. The pictures showed that there were no federal agents in the place where the Branch Davidians claimed agents had started the fire. John C. Danforth, special prosecutor in the case, praised the coverage as the best in the nation.

6

Defense fraud at General Dynamics (1984-85) – Stories over more than a year by Freivogel and reporter Jon Sawyer contributed to the resignation of Chairman David S. Lewis and repayment of millions to the government. **Investigative Reporters and Editors investigative reporting award; Headliners Award; National Press Club Washington Correspondence award (1984); National Press Club Washington Correspondence certificate (1985)**

7

Maplewood police corruption (1977-78) – Freivogel and reporter Paul Wagman investigated the killing of a mentally disturbed man at the Maplewood police station. The investigation disclosed a pattern of police brutality in the department. Three policemen were charged, the mayor was voted out and the police chief fired – all as a direct result of stories. After the Maplewood department was cleaned up, Freivogel expanded the scope of the stories nationwide, showing that the Justice Department's investigations of police brutality often were largely ineffective. **ABA Silver Gavel commendation; Connie Rosenbaum award**

8

Defeat of concealed gun initiative (1999) - Editor of editorials by Philip Kennicott opposing concealed guns. The editorials were credited with blocking passage of Proposition B to allow the possession of concealed guns. **Finalist for the 2000 Pulitzer Prize**

9

Dioxin in Missouri and the EPA scandal – Led Washington coverage of the dioxin contamination of Missouri, including a special section, Dioxin: Quandary of the 80s. The dioxin stories led to broader coverage of the EPA scandal that resulted in the dismissal of Rita Lavelle and Anne M. Buford. **National Press Club Washington Correspondence Award 1983**

10

Legal Services Corp. (1981) – The Post-Dispatch gave the most extensive coverage in the nation to the White House attempt to kill the Legal Services Corp. The stories were influential in blocking the president’s effort. **Emery Brownell award from National Legal Aid and Defender Association** for helping to preserve the program

11

The counter-revolution in civil rights (1989)– Freivogel and his wife, Margaret, examined the impact of the civil rights policy reversals during the years of the Reagan presidency. **Sidney Hillman award**

12

Bail bond abuses. (1973) Stories on corruption in the St. Louis Court of Criminal Correction turned up abuses by bail bondsmen and the pre-trial detention of people accused of misdemeanors and traffic violations. The stories resulted in the Missouri Supreme Court instituting a new recognizance system. **Connie Rosenbaum award 1973**

13

Juvenile court reform (1974, 1993) – Series on Juvenile Judge Gary M. Gaertner found that Gaertner misstated crime statistics. It also found that Gaertner locked up more juveniles accused of minor crimes in a bureaucratic ploy to ward off attempts by a state agency to gain access to part of his detention facility. Stories about the judge’s use of state money to pay private expenses led to an ethics investigation and his departure from the juvenile court. Two decades later, Gaertner’s nomination for a federal judgeship was withdrawn after Freivogel wrote a story reviewing his judicial record. **Connie Rosenbaum award 1974**

14

McDonnell Douglas “questionable payments” stories (1981) – Stories probed a debate in the Justice Department over how to proceed with a prosecution against McDonnell Douglas executives. The case involved questionable payments in connection with an airplane sale to Pakistan

15

Webster vs. Reproductive Health (1989-90) – Freivogel organized the Washington Bureau’s coverage of the legal and political impact of the Webster abortion. **President’s Award (with Margaret Freivogel) – Women’s Political Caucus** – for abortion case

coverage and for sharing a job as Washington correspondents

16

Missouri Medicaid (2005) - Editorial series with John Carlton examined the impact of the Medicaid health care cuts on lives of the working poor. In response, a group of health care professionals and advocates is pushing a cigarette tax increase to pay for the lost health care

17

Executing the Innocent (2000) - Editorial series highlighting cases of probable innocence on Missouri's death row and among those already executed. The series examined 13 cases of wrongful convictions in Illinois and identified the factors that the cases had in common. It then examined Missouri death row cases to look for those same factors. One of the Missouri cases identified involved Joseph Amrine, who later was released. Another involved Larry Griffin, whose execution has recently been questioned by St. Louis prosecutors.

18

The Contract with America (1995) – Assistant projects editor supervising year-long project of a dozen stories to explain how the different parts of the Contract with America would affect people's lives in Illinois and Missouri.

19

Day care abuses in Missouri (1980) – Stories on unsafe, poorly run day care centers and homes led to state reforms.

20

Breakdown of Missouri-III. child support enforcement (1993) – Series resulted in a law passed by Missouri Legislature to improve child support collection - **Missouri Press Association award with Martha Shirk**

21

Supreme Court coverage (1980-92) - **ABA Gavel certificate for Supreme Court coverage**

22

Illegal University City housing program (1979) – Disclosed a secret housing program run by a liberal activist who tried to stabilize the racial balance of northern University City by selling homes only to whites. The program ended after it was publicized.

23

Monsanto's questionable political contributions program (1975) – Stories disclosed a secret political contributions plan under which Monsanto's Washington lobbyist pressured top executives to give to favored candidates and then checked if they had by reviewing the bank statements of the special political accounts used for the donations. The plan was stopped after the disclosure by the Post-Dispatch.

24

City Hall goof-offs (1973) – Stories on St. Louis City Hall workers and officials who were goofing off or working other jobs on city time led to numerous dismissals, including the head of the city pound who simultaneously operated a tavern and providing color commentary on the St. Louis Football Cardinals radio broadcasts.

PUBLICATIONS

Academic journals:

Sage Guide to Key Issues in Mass Media Ethics and Law - Edited by **William A. Babcock**, *Southern Illinois University Carbondale* & **William H. Freivogel**, *Southern Illinois University Carbondale*

Chapters:

- 1. Ethical Responsibilities versus Legal Rights 3**
- 17. Free Press versus Public Safety 253**
- 18. Reporter's Privilege/Poster's Privilege 269**
- 20. The Right to Be Let Alone 303**
- 29. Journalism: Communications Decency and Indecency 439**
- 31. New York Times v. Sullivan 471**
- 52. Where Are the Schoolhouse Gates? 813**

Government approval antithetical to free press - Insights on Law & Society, American Bar Association, Spring, 2012

Is Julian Assange an International Version of Daniel Ellsberg and WikiLeaks the Modern Version of the Pentagon Papers? – Social Education, an ABA journal – May/June 2011.

Does the Communications Decency Act Protect Indecency? - Communication Law & Policy, Jan. 1, 2011.

Ethical Implications of Anonymous Comments Posted to Online News Stories – Laura Hlavach, William H. Freivogel – presented at 2010 Media Ethics 2000 Colloquium Series and published in Journal of Mass Media Ethics, Jan. 2011.

Publishing National Security Secrets: The Case for “Benign Indeterminacy” - Journal of National Security Law & Policy, Volume 3, Number 1, 2009.

Tom Eagleton and the ‘Curse to Our Constitution’ - St. Louis University Law Journal, Vol. 52, No. 1, Fall 2007.

St. Louis: Desegregation and School Choice in the Land of Dred Scott (2002) - Divided We Fail: Coming Together Through Public School Choice – Century Foundation, Century Foundation Press.

The Elusive Impact of Del Monte Dunes (2001) – note accepted for publication by the Washington University Law Quarterly on the impact of U.S. Supreme Court case opening the way for civil rights suits in regulatory takings cases.

Lessons From Thirteen Innocent Men (2000) – article identifying criteria present in most cases of innocence on death row in Missouri and Illinois. The article used 13 cases of innocence in Illinois to develop a model for identifying cases of likely innocence in Missouri. Results published in the St. Louis Post-Dispatch

Online Journalism publications:

Ferguson coverage – 2014-5

2014

<http://news.stlpublicradio.org/post/deadly-force-what-does-law-say-about-when-police-are-allowed-use-it>

<http://news.stlpublicradio.org/post/police-force-and-first-amendment-trespases-ferguson-protests>

<http://news.stlpublicradio.org/post/so-why-wasnt-officer-wilson-arrested-plus-answers-other-questions-about-law>

<http://news.stlpublicradio.org/post/whats-grand-jury-how-will-it-work-ferguson-case>

<http://news.stlpublicradio.org/post/what-could-happen-if-theres-no-indictment-or-conviction-michael-browns-death>

<http://news.stlpublicradio.org/post/if-officer-wilson-not-indicted-mcculloch-plans-release-grand-jury-transcripts-recordings>

<http://news.stlpublicradio.org/post/whos-who-justice-agencies-investigating-ferguson>

<http://news.stlpublicradio.org/post/changing-police-practices-ferguson-could-have-bigger-impact-indicting-officer-wilson>

<http://news.stlpublicradio.org/post/could-police-reform-cincinnati-provide-model-ferguson>

<http://news.stlpublicradio.org/post/what-we-know-and-dont-know-about-michael-browns-shooting>

<http://news.stlpublicradio.org/post/two-visions-municipal-court-reform>

<http://news.stlpublicradio.org/post/wilson-could-go-free-even-if-convicted-legal-experts-say>

<http://news.stlpublicradio.org/post/was-grand-jury-procedure-wilson-case-fair>

<http://news.stlpublicradio.org/post/grand-jury-wrangled-confusing-instructions>

<http://news.stlpublicradio.org/post/police-use-force-how-did-we-get-here-and-where-can-we-go>

<http://news.stlpublicradio.org/post/why-its-so-hard-hold-police-accountable-excessive-force>

<http://news.stlpublicradio.org/post/how-many-police-kill-black-men-without-database-we-cant-know>

2015

<http://news.stlpublicradio.org/post/grand-juror-doe-may-have-case-say-legal-experts>

<http://news.stlpublicradio.org/post/should-there-be-new-ferguson-grand-jury-can-there-be>

<http://news.stlpublicradio.org/post/flawed-bills-won-t-fix-confusion-about-deadly-force>

<http://news.stlpublicradio.org/post/justice-department-investigation-ferguson-policing-just-first-step-instituting-change>

<http://news.stlpublicradio.org/post/justice-department-delivers-searing-report-fergusons-discriminatory-practices>

<http://news.stlpublicradio.org/post/doj-has-limited-power-force-changes-areas-municipal-courts>

<http://news.stlpublicradio.org/post/experts-say-municipal-court-reforms-are-coming-dont-know-how-or-what>

<http://news.stlpublicradio.org/post/why-did-justice-department-conclude-hands-dont-shoot-was-myth>

<http://news.stlpublicradio.org/post/analysis-ferguson-baltimore-mcculloch-mosby-how-do-prosecutors-work>

<http://news.stlpublicradio.org/post/analysis-how-did-bob-mcculloch-do-ferguson-case>

Law Scoop blog and regular legal analyses published on StlBeacon.org

<http://www.stlbeacon.org/> **Winner of Excellence in Legal Journalism award from the Missouri Bar Association- 2010**

Kirkwood's Journey – 15-part series in the St. Louis Beacon –

<http://www.stlbeacon.org/content/view/100029/34005/>

Untold Stories: Pulitzer Center on Crisis Reporting -

http://pulitzercenter.typepad.com/untold_stories/2008/06/index.html

“Ethiopia: Fighting for a free press,” “Letter from Nairobi;” “Letter from Murchison Falls” – Pulitzer Center on Crisis Reporting – blogs reporting on State Department funded trip to Africa to present workshops on the press in a democracy.

http://pulitzercenter.typepad.com/news_points/letter-from-ethiopia.html

Panelist on NPR affiliate – 2007-present - Monthly panelist on legal roundtable on KWMU, the NPR affiliate in St. Louis. Podcasts at:

<http://www.stlpublicradio.org/programs/slota/feed.xml>

Podcasts:

June 20, 2011

<http://www.stlpublicradio.org/programs/slota/archivedetail.php?showid=4568>

May 18, 2011

<http://www.stlpublicradio.org/programs/slota/archivedetail.php?showid=4535>

April 25, 2011

<http://www.stlpublicradio.org/programs/slota/archivedetail.php?showid=4508>

March 28, 2011

<http://www.stlpublicradio.org/programs/slota/archivedetail.php?showid=4459>

Feb. 28, 2011

<http://www.stlpublicradio.org/programs/slota/archivedetail.php?showid=4433>

Jan. 17, 2011

<http://www.stlpublicradio.org/programs/slot/archivedetail.php?showid=4346>

Dec. 20, 2010

<http://www.stlpublicradio.org/programs/slot/archivedetail.php?showid=4302>

Nov. 23, 2010

<http://www.stlpublicradio.org/programs/slot/archivedetail.php?showid=4268>

Oct. 18, 2010

<http://www.stlpublicradio.org/programs/slot/archivedetail.php?showid=4221>

Sept. 20, 2010

<http://www.stlpublicradio.org/programs/slot/archivedetail.php?showid=4162>

Aug. 16, 2010

<http://www.stlpublicradio.org/programs/slot/archivedetail.php?showid=4128>

July 15, 2010

<http://www.stlpublicradio.org/programs/slot/archivedetail.php?showid=4086>

“All the President's Men” or “The Sopranos”? Reporters need to learn from both –
March 26, 2007 – St. Louis Post-Dispatch, March 26, 2007.

**“Integration – The law or justice? Court wrestles with lingering effects of
discrimination”** – St. Louis Post-Dispatch, Dec. 12, 2006.

Law Talk blog published daily on St. Louis Post-Dispatch web site (2003-8)

[\(http://www.stltoday.com/blogs/category/news-law-talk/](http://www.stltoday.com/blogs/category/news-law-talk/)

Academic papers presented:

The Anonymous Poster: Today's Hybrid of the Anonymous Pamphleteer and Anonymous Source? Lola Burnham and William H. Freivogel – presented at AEJMC conference in Denver, 2010

Publishing National Security Secrets: The case for “benign indeterminacy” – winner of competition for paper presented at the AALS National Security law conference Jan. 4, 2007 in Washington D.C. The title of the January conference is “Prosecuting Leakers and Leakees: The End of National Security Muckraking?”

Academic Panels:

10th Annual Harry Frank Guggenheim Symposium on Crime in America – Race, Justice and Community – Can We All Get Along – moderator – AFTER FERGUSON: LESSON FROM A TRAGEDY – Feb. 9, 2015

Conference of Court Public Information Officers (CCPIO) : A Year after Ferguson: Handling court communications during a crisis - August 3-5, 2015

Constitution Day: Supreme Court Review- American Constitution Society – Washington University Law School - 9/15/2015 (also 2014)

Supreme Court Review – Alumni Reunion Weekend Washington University Law School – 9/19/2015 (also 2014)

Media Law Seminar – Ferguson and the First Amendment – SIUC Law School - 9/24/15

2014-15 U.S. Supreme Court Review, Washington University School of Law, 9/25/15

A Landmark Decision; A Landmark Location – A panel discussion of the Dred Scott case in the rotunda of the Old Courthouse, where the trial occurred. June 27, 2012 – I was organizer and presenter along with David Konig, a Dred Scott expert at Washington University Law School, Mike Wolff, former Missouri Supreme Court chief justice and Lynne Jackson, great-great granddaughter of Dred and Harriet Scott – for Missouri Continuing Education credit

The Direction of the Roberts Court: Is It Making a Sharp Turn to the Right? James C. Millstone lecture panel with Linda Greenhouse, professor at Yale Law School. Saint Louis University Law School, April 7, 2011

AEJMC panel - Does the Communications Decency Act Protect Indecency? Free expression in the Twitter Age? – organizer and panelist, Denver 2010.

AEJMC Panel: "Are We a Mouthpiece?: Perspectives & Ethics in War Reporting"
- August 11, 2008 in Washington D.C.

Examining the Risks of Wrongful Executions and the Role of Prosecutors, Defense Attorneys, Academia, and the Press – presenter at conference co-sponsored by Washington University in St. Louis School of Law and St. Louis University – Nov. 17, 2006.

Legacy of Nuremberg Today: Issues of International Justice – Nov. 16, 2006 – speech co-sponsored by the Holocaust Museum and Learning Center and Jewish Community Relations Council

The Communications Gap Between Journalists and Judges on Publishing National Security Secrets – Sept. 25, 2006, The Donald W. Reynolds National Center for Courts and Media – invited lecturer

Threats to Judicial Independence – speech delivered Feb. 17, 2006 at the Bar Association for Metropolitan St. Louis as part of Missouri Continuing Legal Education program in ethics.

Medmal in Illinois – speech delivered in 2005 at Southern Illinois University Carbondale Law School

Public Affairs Panels and speeches:

Missouri Bar Mini Law School for the Public – Saint Louis University Law School – Ferguson and the Media – April 8, 2015

The Ferguson Story: Social media's impact on news – Oct. 25, 2015 – Ethical Society of St. Louis

Liberty Tree Conference – “Are the traditional media tools of accountability – ombudsmen, newsroom ethics codes, journalism reviews, news councils and public journalism – able to keep up with the mushrooming ethical issues of a Twitter, Facebook, WikiLeaks world?” – obtained a grant and organized a one-day conference that included national experts Alicia Shepard, NPR’s ombudsman, Jan Schaffer, executive director of J-Lab, Margaret Wolf Freivogel, editor of the St. Louis Beacon, Gary Gilson, former head of the Minnesota News Council and Gene Policinski, executive director of the First Amendment Center – April 12, 2011 at SIUC

Crisis in the Arab World – Jewish Community Relations Council – moderator, Feb. 15, 2011

Campaign finance after Citizens United – West County Democrats keynote speaker, March 8, 2010. <http://blog.showmeprogess.com/diary/4239/lets-fudge-a-little-on-the-first-amendment-shall-we>

Letter from William Woo: Are traditional values relevant in today's chaotic newscape? - panelist on Millstone Lecture - Oct. 25, 2007

The Future of the Media – April 24-25 – Paul Simon Public Policy Institute – organizer and presenter.

COMMUNITY ACTIVITY:

Saint Louis Beacon – president of the founding board of directors of new, nonprofit news site to be launched in the spring of 2008, current board member

Pulitzer Center on Crisis Report – member advisory board of organization that sponsors reporting of unreported international stories

Online News Association – member of the legal committee and author of summaries of of important court decisions on internet journalism - 2007-8

Millstone Lecture Series – president – helps plan and raise funds for annual lecture honoring former *St. Louis Post-Dispatch* editor.

President of PTA group in Bethesda, Md. that waged three-year-long campaign that kept open the local elementary school. Later served as mediator in divisive PTA squabble that led to removal of the PTA president who abused authority 1980-87.

REFERENCES:

Mike Lawrence, director, Paul Simon Public Policy Institute, Mail Code 4429, Southern Illinois University, Carbondale Il 62901.

Martha Shirk, author and former St. Louis Post-Dispatch reporter, 746 Los Robles Ave., Palo Alto, CA 95306, 650-857-0481. E-mail: mrs8468@aol.com

Michael A. Wolff, Chief Justice, Supreme Court of Missouri, P.O. Box 150, Jefferson City, MO 65102, 573-751-6644, E-mail: Michael.Wolff@courts.mo.gov