

Written by Jeff Ignatius

Thursday, 07 August 2014 05:40

---

- [9.95\\$ Lynda.com - Real-World XML cheap oem](#)
- [9.95\\$ Wireless All In One For Dummies cheap oem](#)
- [Buy Rosetta Stone - Learn French \(Level 1, 2 & 3 Set\) MAC \(zh,en,fr,de,it,ja,ko,es\)](#)
- [99.95\\$ Adobe Creative Suite 4 Web Premium cheap oem](#)
- [Buy Cheap ACDSee Pro 3](#)
- [Buy OEM Microsoft Office 2010 Home and Business with SP1 \(32-bit & 64-bit\)](#)
- [Download Adobe Presenter 9](#)
- [Buy Microsoft Expression Studio 3 \(en\)](#)
- [Download Avid Media Composer 2.8](#)
- [Buy OEM Apple Final Cut Express 4 MAC](#)
- [Buy Cheap Adobe RoboHelp Server 9 \(32-bit\)](#)



The July 9 *Rock Island Argus/Moline Dispatch* article announcing a verdict for Benton Mackenzie on drug charges [began](#) like this:

“Even as the 12 jurors shuffled into the courtroom to announce their verdict, Benton Mackenzie could already sense his fate. Guilty.”

As storytelling journalism quickly establishing a mood and then getting to the point, it’s pretty good.

Yet with the basic facts of the case never in dispute, the verdict had long been almost a foregone conclusion because of a pre-trial ruling in May – which the Illinois-based newspapers mentioned in trial coverage but didn’t actually cover. Judge Henry Latham ruled that Mackenzie couldn’t claim he grew marijuana out of medical necessity to treat his cancer.

The *Quad-City Times*, on the other hand, *did* cover that ruling, and did a decent job explaining the precedent behind it.

But the Benton Mackenzie coverage from both entities, while voluminous, overlooked or ignored frameworks in which daily events could be understood, processed, and put into a more-meaningful context. The story is ultimately not just about one man with terminal cancer

Written by Jeff Ignatius  
Thursday, 07 August 2014 05:40

---

facing a criminal trial. Nor does it *merely* illuminate the general issue of medical marijuana.

Rather, it's a heart-wrenching, complicated example of something larger: how the justice system deals with an area of rapidly changing law – one that is itself chasing a swift change in public attitudes following decades of calcified prohibition policy.

And within that are smaller “big picture” stories: critically ill people in the justice system, the difficult choices faced by prosecutors when straightforward law comes into conflict with human tragedy, questions about how and to what extent judges, prosecutors, and even juries may interpret and essentially change the law in executing their duties.

These issues were missed opportunities for our daily papers – institutions with the reporting resources, frequency, and space to explain, enlighten, and contextualize what's happening in our community.

There's a similar gap in Rock Island County between daily reporting and creating an understanding of its importance: the self-evidently dysfunctional inner workings of the county board, resulting in inaction on key issues and revelations about behavior indicating something between corruption and the absence of common-sense oversight.

## Ripe for Exploration

These two topics are illustrations of how long-running stories dealing with important issues are covered by our daily newspapers – sometimes well, but often with critical questions left unanswered and perhaps unasked.

I've reviewed recent coverage from both the *Quad-City Times* and the *Argus/Dispatch* on both the Benton Mackenzie prosecution and Rock Island County government – some 45,000 words in total. (That's the equivalent of roughly 180 double-spaced typed pages.)

Written by Jeff Ignatius

Thursday, 07 August 2014 05:40

---

My goal was to see how well reporting and writing over a period of time captured what I believe are essential issues.

And my ultimate purpose is to show how our dailies might better allocate their reporting and space resources to explore key angles that sometimes get lost in day-to-day coverage. My hope is that by highlighting both strengths and promising paths not taken in local coverage, there can be improvements moving forward – on these specific stories but also in reporting generally.

A few notes on the outset:

- I initially had a handful of target topics/stories to include in this analysis, but after collecting articles from both newspapers, it became apparent that several of them weren't going to bear much fruit. That's because there's a standard way to cover certain topics – highlighting obvious conflict and answering the basic who, what, when, where, why, and how questions. There was the additional problem that obvious conflict doesn't change (or change *much*) over the course of a topic's run in the media, so coverage tends to be repetitive.
- Ultimately, I chose these two topics – one from Scott County and one from Rock Island County, with the “home” paper providing the vast majority of coverage but the other paper doing significant reporting. Both deal with typical grist for daily newspapers: a criminal trial and good government.
- Most crucially, both lend themselves to enterprise reporting – that is, contextual and/or in-depth coverage beyond the unfolding of daily events. These two national topics – medical marijuana and government accountability – are ripe for exploration using local news as a springboard for coverage with broader relevance and meaning. And as daily newspapers struggle to find their ways in 24-hour news cycles and the digital world, the type of reporting I'm suggesting would be good business – widening the potential audience beyond the borders of the jurisdictions being covered.
- These topics were covered by only a few reporters at each paper, and the analysis and commentary here applies specifically and only to stories on these topics. I mean them as examples rather than evidence supporting some blanket conclusion.

## Benton Mackenzie

Since Benton Mackenzie was arrested and charged last year, the *Quad-City Times* has devoted somewhere in the neighborhood of 20,000 words exploring his case.

*Argus*

/

*Dispatch*

coverage was roughly half that.

Mackenzie was charged after marijuana plants were seized at his residence in Long Grove, Iowa. He has never denied growing marijuana, which he used to create cannabis oil to treat lesions resulting from his angiosarcoma – cancer of the blood vessels.

At heart, his story is an accident of time and geography. Given the facts of his case, it's clear that he would have been in violation of the law pretty much wherever he lived because he was growing his own marijuana. But what if he lived in a state that had a more expansive allowance for medical marijuana – and where marijuana (or the oil derived from it that he used for relief) was legally and locally available for purchase? What if his situation had come up in Iowa in five or 10 years – when it's possible or even likely that the state will have broadened its medical-marijuana law?

In that sense, the story is about medical marijuana. And on that front, the *Quad-City Times* did a reasonably strong job presenting a context in which to understand his case.

In late September, the newspaper published [a pair](#) of articles (by *Times* bureau reporters) on the status of medical marijuana in Iowa and Illinois. The stories didn't specifically tie that coverage to Benton Mackenzie, but they were presented with a 1,900-word article on his situation titled [“Medical marijuana heads for trial in Iowa.”](#)

The package represents the best of what our daily papers can do – an in-depth story on Mackenzie flanked by background-information articles giving the broader context.

Written by Jeff Ignatius  
Thursday, 07 August 2014 05:40

---

But that's just the start of what insightful coverage should have entailed. The key event in the saga was that May 29 pre-trial ruling in which Latham forbade Mackenzie from employing a medical-necessity defense.

The legal issue was clear. At the time of his arrest, Iowa didn't allow the medical use of cannabis. And while the Iowa legislature did pass a medical-marijuana law that was signed by Governor Terry Branstad prior to Mackenzie's trial, the statute is narrow, applying only to epileptic patients and not permitting a person to grow their own pot. (If a medical-marijuana law had been on the books for Mackenzie's condition, of course he could have gotten his cannabis legally.)

Again, the *Times* did a good job presenting this. In a May 30 article titled ["Cancer patient: 'If I'm found guilty, I'm a dead man,'"](#) the paper noted the 2005 Iowa Supreme Court decision in *State V. Bonjour*, "a case similar to Mackenzie's. Lloyd Bonjour, an AIDS patient, was convicted of growing marijuana, and the Supreme Court upheld the conviction."

And the *Times* referenced the prohibition against a medical-necessity defense at every appropriate opportunity.

Although the *Argus/Dispatch* didn't report on the ruling itself, its trial coverage regularly noted it.

So both papers emphasized the single most important legal factor leading to Mackenzie's conviction.

But neither dealt with the questions raised by Latham's ruling.

Is the judge bound by the letter of the law? And, if so, is he equally bound when the legal climate is so clearly in flux around the country – and when the Iowa legislature is dipping its toes into medical marijuana? Could the judge have sidestepped the law and allowed Mackenzie's circumstances to be heard by the jury, with clear instructions that they were not relevant to the

Written by Jeff Ignatius

Thursday, 07 August 2014 05:40

---

law? If the judge did allow a medical-necessity defense despite the clarity of present law, would prosecutors have had a recourse? And does the judge at this post-conviction point have latitude to allow Mackenzie's medical condition and medical use of marijuana to be mitigating factors in sentencing – perhaps even sparing him incarceration?

Attorneys, retired judges, court-watchers, and law professors could have weighed in, and spoken to the judge's options. Some of my questions might be stupid to lawyers and other experts in law, but they're the types of questions that real people might ask. Think of how much readers would *learn* from this type of coverage – not just what happened in the courtroom, but how a courtroom and the law actually *operate*. And if it turns out that the judge is legally and ethically bound by the law – however inhumane it might be in this situation – that would help readers understand the rigidity of the legal system, and how it doesn't allow for the nuances that the Mackenzie case offered.

There's another critical issue that neither paper dealt with at the time of its greatest relevance: the initial decision to prosecute Mackenzie.

Following the jury's verdict, on July 10 the *Times* did run an article titled [“Walton defends prosecution of Mackenzie family.”](#)

In it, Scott County Attorney Mike Walton claimed: “I don't see we had a choice.”

He elaborated: “If he's not prosecuted, do I prosecute anyone who claims to grow medical marijuana? Aren't I just changing the law for Scott County? And is that right, or should the law be changed in Des Moines for the whole state? Essentially, I'd be legalizing the growing of marijuana in Scott County on my own.”

(The *Argus/Dispatch* had no equivalent article.)

I wish Walton would have spoken prior to the trial about his office's decision to prosecute, but the timing of the article likely lies with him and not the *Times*. And I wish Walton's quotes in the story weren't so few – although that's probably a function of his simple argument that the law is the law.

Written by Jeff Ignatius

Thursday, 07 August 2014 05:40

---

Yet the article still left many questions hanging for readers. Mackenzie reportedly rejected plea bargains offered to him, but what precisely were they? (I found no newspaper account of his most recent prosecution that was specific on that front.) Have any other twice-convicted nonviolent drug felons been spared incarceration for a third offense in Walton's tenure through a plea deal? Did Walton personally sign off on the decision to prosecute, and on any plea deals that were offered? Given that, prior to trial, Mackenzie was released from Scott County's jail without bond because of his medical condition and the cost of his care, were there any efforts made at prosecution that would have secured a conviction but saved the county and state the costs of a trial, medical care, and incarceration? And would Mackenzie's highly unusual case truly have created a precedent?

Walton should have been given the opportunity to answer those questions, and disinterested expert sources might have helped support or undermine his answers. They could have also spoken to his claim that he had little choice in the matter.

Meanwhile, the *Times* editorial board, while far more forceful than the *Argus/Dispatch's* on the Mackenzie case, has still been too indirect. An October 6, 2013, editorial

[bemoaned](#)

the Mackenzie case and hinted that the prosecution should not move forward. But it was only a hint.

The article said that "the Scott County justice system enforces the letter of a law that is doing much more harm than good," and "prosecution continues under an unforgiving Iowa drug law that is far behind the rest of the nation," and "county authorities have spent tens of thousands of taxpayer dollars in investigation, raids, and court appearances that will lead to even higher incarceration costs upon conviction."

As you might expect, the *Times* editorial board advocated for greater allowances for medical marijuana in Iowa, with the bitter-pill admission that "reform at this point can't spare the Mackenzie family or restore the tax dollars squandered in his prosecution."

But if the tax dollars have been squandered, shouldn't the board have held Walton's office explicitly accountable for the prosecution? The editorial plainly says the prosecution is unjust and wasteful; so why not fault Walton directly? Or encourage some creative thinking – or, God forbid, some messy, potentially-precedent-setting compassion – to save taxpayer dollars and let free a man who nobody thinks presents a public-safety threat?

Written by Jeff Ignatius  
Thursday, 07 August 2014 05:40

---

In the July 14 editorial [“Mackenzie verdict indicts drug war,”](#) the *Times* board let Walton’s I-had-no-choice claim fly without challenge or supporting evidence. Perhaps the county attorney is correct, but the editorials and reporting should have given outside perspectives with which readers could evaluate Walton’s defense of his office.

Both Scott County judges and its attorney are elected officials, after all, so explorations of Latham’s and Walton’s key choices in the high-profile Mackenzie case are matters of great civic interest and importance.

## Rock Island County Government

Unlike the clearly defined scope of the Benton Mackenzie narrative, what’s happening in Rock Island County government is nebulous. By my count, the *Argus/Dispatch* has devoted well over 10,000 words to various components, while the *Times* has done roughly a third of that.

In truth, I don’t have any idea what the *Argus/Dispatch* spot coverage on the inner workings of Rock Island County government *means*. I know it has nothing to do with the actual performance of the county in terms of delivering services to taxpayers. And I know the smell coming off it ain’t pleasant.

Four basic themes emerge, and the biggest question is to what extent they’re related.

First – and the only thing even remotely related to the performance of government in service of the taxpayers – is a failure of leadership, as the county seems to be getting no closer to resolution on the major issues of replacing or updating aged and inefficient buildings and the financial problems plaguing Hope Creek nursing home.

Second is a lack of clarity in the handling of reimbursements – for mileage and comp time – that



Written by Jeff Ignatius

Thursday, 07 August 2014 05:40

---

results in the appearance of county employees inappropriately (and perhaps illegally) lining their pockets at taxpayer expense.

Third are accusations in whistle-blower lawsuits of illegal activity.

And fourth is interpersonal and political conflict, and the question of whether the previously noted issues have been raised with genuine concern or something less altruistic.

The common denominator in all of these has been County Board Chair Phil Banaszek, who is also the *de facto* county administrator.

And underlying all of it is Rock Island County's longstanding Democratic rule, which has had the effect of little or no accountability and oversight – either externally at the ballot box or through the media or internally from within the county board.

I suspect that Banaszek, in his first term as chair following a 10-year tenure by Jim Bohnsack, has found himself in a perfect storm of crises, inexperience, a Republican party trying to get a foothold in county government, intraparty squabbles among Democrats, and a legacy of (shall we charitably say) generous-to-county-employee practices. And I further suspect based on my limited dealings with him that Banaszek might be in over his head, at this point lacking the skills to navigate admittedly treacherous waters.

What I'm less sure of – and I think this is the key issue – is whether Banaszek is in the wrong place at the wrong time (and is perhaps also the wrong person) or if he's the *source* of these problems.

Determining that has not traditionally been the purview of daily newspapers – although there's no reason it couldn't be. Daily journalism has an established model of “objectivity,” of presenting facts and opposing sides and letting readers decide for themselves.

Written by Jeff Ignatius

Thursday, 07 August 2014 05:40

---

The problem with the coverage of Rock Island County government is that while we see the opposing sides, the facts are notably absent. I – and readers – can't possibly come to any reasonable conclusions based on the reporting that's been done. Even with the relatively low bar of standard "objective" journalism, there are so many holes that the big picture cannot possibly be grasped.

Ironically, despite devoting significantly fewer resources and space to the topic, the *Quad-City Times* has done a better job presenting the larger narrative.

Its May 27 editorial "[Rock Island County needs outside help](#)" concisely sketched out the situation in 10 bullet points, collecting in one article the largest indications of serious disease. It concluded: "These developments suggest Rock Island County is declining under a board incapable of professional management and consumed by compensation disputes easily managed by other local governments. The county's workforce, courthouse, and nursing-home management are creating scandals where none existed."

Contrast this with the *Argus/Dispatch's* June 13 editorial titled "[RICO voters: Ask for real, meaningful, systemic change.](#)" which vaguely alluded to "financial crises, costly management problems, and ... the absence of long-range planning."

Put simply, the *Argus/Dispatch's* editorial-page bully pulpit has been far meeker in the face of deep problems in Rock Island County government that are readily discernible within its own pages.

Discernible, but not clear in the news reporting of either paper.

The most serious allegation against Banaszek has appeared in multiple newspaper reports in various forms. This one comes from the July 29 *Times* article "[McGehee asks state to probe county pension case.](#)" dealing with a whistle-blower lawsuit filed in May by Margaret Hoskins: "In her lawsuit, Hoskins claims she was fired last August for refusing to submit information to the Illinois Municipal Retirement Fund that would have allowed members of the county's Forest Preserve Committee to collect

Written by Jeff Ignatius

Thursday, 07 August 2014 05:40

---

pension benefits illegally. Hoskins said County Board chairman Phil Banaszek, through county administrative assistant Shelly Chapman, encouraged her to submit information to the retirement fund in the hopes it would not notice.”

Some dots appear obvious for connecting. Chapman’s payment for comp time – approved by Banaszek – was, according to an opinion from Rock Island State’s Attorney John McGehee, against official policy. He also said the IRS hadn’t been notified of payments – as the law requires – to Banaszek for his mileage from his home to his office (whose appropriateness had also been questioned). A second whistle-blower lawsuit from three former county employees “alleges they were fired for reporting financial corruption at a job-training agency controlled by Rock Island County,” [according to the Argus / Dispatch](#); Banaszek is also named as a defendant in that suit.

Banaszek’s name keeps popping up, yet you’d never see the pattern reading any individual article.

That’s exacerbated by Banaszek not being pressed about this apparent pattern, or about any individual charge involving him. The chair says not much of anything in these articles, and what he does say screams for clarification and expansion. (Of course, defendants often decline to comment on pending litigation, so we’ll give a pass on the lawsuits.)

Consider these statements attributed to Banaszek in the daily newspapers, none showing evidence of being challenged by reporters for evading the larger issues:

- The May 19 *Argus/Dispatch* article [“McGehee: Policy ignored in Chapman OT, IRS should know Banaszek mileage pay”](#) related: “Mr. Banaszek said he was open to encouraging the county board to make policy changes based on the state’s attorney’s opinion.” But wasn’t the policy already there? (I couldn’t find any reference to the policy in either newspaper until McGehee’s opinion.)

- On the comp-time issue, Banaszek said in a [May 9 Argus / Dispatch article](#): “We’ve been doing it this way for years. All of a sudden these things have become an issue, which is rather curious.” Does past practice make it right?

Written by Jeff Ignatius

Thursday, 07 August 2014 05:40

---

- In an [April 16 Argus / Dispatch article](#) on his decision to stop claiming mileage after it had been questioned by another county-board member: “I like to lead by example.” But only after it’s been made a public issue?
- In a [May 28 Times article](#) on Republican calls for a special prosecutor on the pension-fund issue: “It does sound, on their part, like a little partisan and ... election-year grandstanding.” But does that necessarily mean the request is unfounded or inappropriate?

The most insightful coverage of all this came from the *Argus/Dispatch* in the June 28 news story [“Pension could be factor in whether Banaszek retires or stays on RI Co. Board.”](#)

The article begins: “Embattled Rock Island County Board Chairman Phil Banaszek could face a real quandary in December: retire from the board and cash in on a sizable pension or stay put and lose a small fortune.” Readers get more wisdom from that sentence than from the remainder of the paper’s recent reporting on Rock Island County government – mostly because the paper has not done a good job of connecting seemingly related events and asking better follow-ups.

More-direct questioning of Banaszek by reporters would, hopefully, cut through some of his bullshit answers. At a minimum, those questions – and his answers or lack thereof – could be noted in articles.

And the *Argus/Dispatch* in particular needs to be less circumspect in its editorials. Answers might be hard to come by at this point, but the questions and their implications are plenty obvious. If the county’s daily newspaper can’t point out the stinks of corruption, lax oversight, and reactionary management coming from the Rock Island County Board and its chair, something is seriously amiss.