

## **“A Congressman’s Past” - Part A**

*(This case was prepared by University of Georgia journalism student Daniel Burnett for JOUR 5170, Advanced Studies in Journalism, based on sources cited in the case.)*

Just three weeks before the 2004 election, Portland's *The Oregonian* learned that a Democratic congressman named David Wu was accused of sexual assault by his ex-girlfriend – 28 years prior. Wu was running for a fourth term to serve Oregon’s 1st District in the Capitol. Criminal charges were never filed and when asked, Wu – who told police at the time that the sex was consensual – nor his girlfriend were willing to discuss the details.

Rumors about this had circulated among politicians since Wu's first Congressional run in 1998. Reporters were unable to get interviews with Wu or the female, but were able to talk to others related to the incident. In this instance, editors had to make the decision of whether to run the story by defining, for themselves, the line drawn between a reader's right to know and a reader's need to know.

### **DISCUSS:**

- Was *The Oregonian* right in printing the story?
- Should *The Oregonian* have required the writer to get either Wu or the woman on the record before agreeing to run the story?
- What else in Wu’s past would have altered your decision to print?
- If Wu had been openly charged with sexual assault more recently, would you be more likely, less likely or as likely to print?
- What effect could this have on the minds of the voters, slated to head to the polls in just a few weeks?
- How can partisan politics have an effect on running a story like this?

## **“A Congressman’s Past” – Part B**

The situation stems from an incident in the summer of 1976 when Wu allegedly sexually attacked a woman whose name was not released. The duo met their freshman year at Stanford University and started a relationship their junior year – one that was kaput by the summer of 1976, before their senior year.

According to the piece from *The Oregonian*, police responded to “a scuffle in the woman's dorm room,” an altercation the alleged victim later told a professor was “attempted rape” involving a pillow forced over her face to muffle her screams. Wu, then 21, was taken to the campus police annex to be fingerprinted and photographed. Raoul Niemeyer, the patrol commander who questioned the student, said Wu had scratches on his face and neck, along with an awkwardly-stretched T-shirt. When asked about the altercation, Wu said the two simply “got a little carried away,” then clammed up upon further questioning.

The female declined to press charges or file a formal disciplinary complaint, which, in a he-said, she-said situation, could have led to going to jail. The only punishment to befall Wu was his “de-selection” as a resident assistant for the following semester.

### **DISCUSS:**

- Would the fact a report was never filed affect your decision to run the story?
- How much clout do you give to witness testimonies nearly 30 years after the incident?
- How damning was Niemeyer’s interview regarding the scratches and stretched T-shirt?
- If you were the editor, how many sources would you have required the writer to speak to on the record?
- How much does Wu’s de-selection for the resident assistant position in a dormitory affect your assessment of the situation?

### “A Congressman’s Past” – Part C

The editors at *The Oregonian* decided to publish the 3,000-plus article about the sexual assault accusations less than a month before election day. On Oct. 12, 2004, the Wu campaign held a news conference in response to the story. In the news conference, Wu did not speak candidly about the situation, but did apologize for what he considered to be “inexcusable behavior.”

#### **DISCUSS:**

- Is it *legal* to run the story? Is it *ethical* to run the story? And is it *important* to run the story?
- Should the amount of time and money poured into gathering a story be a consideration in the decision to run it?
- Is there a distinction between running the article in the paper and running the article online?
- Is the pressure that another newspaper may break the story first a consideration in the decision to run the story?
- Was it courageous to run the story, regardless of canceled subscriptions and reader outrage?
- Would it have been more courageous to decline to print the story if, in your opinion, the story is simply “juicy,” but not pressing?
- Who in the newsroom ultimately makes the final decision?
- So... do you run the story?

### **“A Congressman’s Past” – Epilogue**

The aftermath of the decision caused outrage among some readers, as well as canceled subscriptions. In the end, however, Wu easily won re-election, garnering 58 percent of the votes to his Republican opponent’s 38 percent. Wu still serves in the Congress today.