

WTTW COMMUNITY ADVISORY BOARD

2015 ANNUAL REPORT

December 16, 2015

EXECUTIVE SUMMARY

→ The future of public television in general, and of WTTW, in particular, came into sharper focus for the Community Advisory Board during 2015, as the CAB's understanding of two important and connected trends emerged: (1) Over-the-air broadcasting of programs will be less and less important in the future, as new technologies — some probably not yet even invented — will increasingly deliver content to consumers. (2) Changes in technology are likely to free up resources that can be devoted to the creation of more and diverse content. The CAB appreciates the need to prepare prudently for these changes, and commends WTTW's trustees and management for the steps already taken to commence the necessary strategic planning. In the face of these major changes, the CAB's key concerns are these:

- Before abandoning over-the-air broadcasting entirely, WTTW should be certain that successor and replacement technologies will permit the dissemination of WTTW's educational and cultural content to all segments, including the least socio-economically advantaged segments, of the geographic community that WTTW has traditionally served.
- Because new technologies permit the dissemination of content to global audiences, and not just to audiences physically located within the territory of WTTW's traditional broadcasting range, WTTW should consider carefully how to pursue content-creation, content-acquisition, and content-dissemination in such a way that educational and cultural needs that are specific to Chicagoland — including the examination and showcasing of the issues, concerns, institutions, and personalities of this region — are strongly advanced and are properly balanced with programming designed for universal audiences.
- WTTW should ensure that high and uniform standards of quality, including of journalistic integrity, artistic merit, and adherence to the scientific method, are adopted and applied to all content-creation and content-acquisition, regardless of the internal organizations or processes through which such content is produced or acquired.

→ “Chicago Tonight” is the jewel in the journalistic crown of WTTW and public television. “Chicago Tonight” conducted a forum for mayoral candidates held one week before the Chicago Municipal General Election of 2015. Many members of the public and of the CAB believe that, as conducted, it failed to demonstrate sound journalistic judgment, fairness, and the appearance of sound judgment and fairness. WTTW should soberly study the conduct of the forum, with the aim of improving journalistic practices in the future, and should make its findings and its corrective actions public.

→ At the top of any journalistic agenda in Chicagoland must be the shedding of light — persistently, relentlessly, imaginatively, and fearlessly — on grave dangers to the health of our community, including to all the educational and cultural enterprises, public and private, that the people of our community pursue: Violent crime; the ineffectiveness and climate of distrust that afflict policing and law enforcement; and the financial irresponsibility of government at nearly all levels in Illinois.

The Community Advisory Board consists of:

Joseph A. Morris, Chairman

Mary Lou Mockus, Vice Chairman

Ava Holly Berland, Secretary

Joe Bosco, Co-Chairman of the Community Engagement Committee

Barbara Cragan, Chairman of the Program Committee
Lennette Meredith, Chairman of the Membership Committee
Sharon Meroni, Co-Chairman of the Community Engagement Committee
Heather M. Penn, Chairman of the Technology Committee
Maggie Steinz, Chairman of the Education Committee
Norma J. Sutton, Chairman of the Nominating Committee
Christopher Vaughn, Chairman of the Cultural Research and Development
Committee
Denise Avant
Joe Bosco
Helen Bracey
Leatrice Campbell, Retired Nurse/Hospital On-Site Duty Administrator
Jennifer Fletcher
Kimberly Frost
Janice Goldstein
Susan Ivers
Linda Jackson
Derrick Kimbrough
Edward B. Moran, Jr.
Shonna Pryor
Chester T. Szerlag
Renée Summers
Rita Tandaric
Felicia L. Townsend

In addition, during 2015 the following persons also served as members of the Community Advisory Board:

Jeffrey B. Berkowitz, A.B., U.C.L.A.; A.M., ABD, J.D., University of Chicago,
Chairman of the Cultural Research and Development Committee;
Susan Buckner;
Yvette Brown, Ph.D., Chairman of the Technology Committee;
Ronald Kurzejka, M.D.; and
Arlene Swartzman, Ph.D.

Their terms ended or they resigned from membership during the year.

The CAB ended the year with a complement of 26 members (out of a maximum of 27, elected to serve three-year terms in classes of nine, such that the terms of one-third of the members of the CAB expire each year). The CAB attained its full membership strength in 2012 and has now had a full membership roster with only transient vacancies for four consecutive years.

The CAB is a self-perpetuating entity whose new members are elected by current members as vacancies occur or when terms end (at annual meetings in April of each year). New members nominate themselves by applying in writing or via the CAB's page on the WTTW website; are

recommended by current members; or are otherwise recommended to the Membership Committee. The Membership Committee vets candidates and the Nominating Committee nominates candidates at the annual meetings and when vacancies occur between annual meetings; nominations may also be made from the floor.

The CAB works through its committees as well as in plenary sessions.

CAB members, all of whom are unpaid volunteers, represent communities served by WTTW. Several of the members of the CAB have formerly worked for WTTW; several have worked as journalists or otherwise in the field of communications; at least two have practiced communications law; and one is an attorney formerly on the staff of the Federal Communications Commission, which licenses and regulates WTTW.

The following persons regularly attended meetings of the CAB in the past year:

V. J. McAleer, Senior Vice President of WWCI for Production and Community Partnerships, and Management's liaison to the CAB.

Yvonne Davis, administrative assistant and staff liaison at WTTW.

Barbara Proctor, a Trustee of Windows to the World Communications, Inc. (WWCI, the owner of WTTW), and one of the Trustees designated by the Board of Trustees to serve as their liaison to the CAB, throughout 2015 had (and continues to have) a standing invitation from the CAB to attend the CAB's public meetings.

In her absence Michael Gonzalez, another Trustee of WWCI, was designated by the Board of Trustees during 2014 to serve as an additional liaison from the Trustees to the CAB and he continued actively in that role throughout 2015. He also has a standing invitation from the CAB to attend the CAB's public meetings, and he attended and participated in nearly all of the CAB's meetings and events during 2015.

The current terms of office of officers and committee chairs began in April 2015 and will continue until April 2016. Mr. Morris has been Chairman since April 2011. Mrs. Mockus has been Vice Chairman since April 2014. Ms. Berland has been Secretary since April 2013.

The principal duties of the CAB are (a) to "advise the WTTW Board of Trustees with respect to whether or not the programming and other policies of WTTW are meeting the educational and cultural needs of the Chicago metropolitan area" and (b) to "make such recommendations as it considers appropriate to meet such needs". (By-Laws, Art. II, § 2(a)).

Pursuant to its mandate, the CAB herewith submits its advice regarding "educational and cultural needs of the Chicago metropolitan area" and "significant policy decisions rendered by WTTW".

WHAT WE DID AND HOW WE DID IT

To carry out its advisory mandate, the CAB endeavors to learn as much as possible about community needs that can be met through public media and about station and network policies. In 2015 the CAB undertook this work through various events, and by applying various methods of information-gathering and inquiry, summarized as follows:

1. Met in a private meeting on February 10, 2015, with Newton N. Minow, a Trustee *Emeritus* of WTTW, a former Chairman of the Board of Trustees of WTTW, and a former Chairman of the United States Federal Communications Commission. Michael Gonzalez, V. J. McAleer, and a few other invited guests also attended the session. In his wide-ranging discourse, followed by a robust question-and-answer session, Mr. Minow reviewed the history of public television, in general, and of WTTW, in particular, and offered thoughts about their futures.
2. Met in public session on October 20, 2015, with Anne Gleason, Senior Vice President of WWCI for Marketing and Interactive Media, for a discussion of the WTTW website and the means by which WTTW disseminates content to the public other than via over-the-air, cable, and satellite broadcasting. Ms. Gleason helped the CAB understand current trends in communication, such as how social media and means of program-transmission such as over-the-top dissemination affect public broadcasting. She also disclosed that her web-oriented organization within WTTW is a locus of content-creation and acquisition independent of, and in addition to, the production and acquisition operations overseen by Daniel Soles, WTTW's Chief Television Content Officer, and V. J. McAleer, WTTW's Senior Vice President for Production and Community Partnerships.
3. Invited public commentary and submissions, including via notices posted on the CAB's page of the WTTW website; via CAB sites in social media; and via individual efforts by CAB members.
4. Heard and considered oral comments from several members of the public who attended public meetings of the CAB, including representatives of Fix Channel Eleven, the Illinois Family Institute, the Illinois Right-to-Life Committee, and the Latino Policy Forum.
5. Received and considered written comments from sundry members of the public.
6. Received and considered written comments from Daniel J. Schmidt, President and CEO of WWCI, in response to the CAB's 2014 Annual Report, and met in public session on February 26, 2015, with Mr. Schmidt.
7. Heard oral reports and comments from V. J. McAleer, Senior Vice President of WWCI for Production and Community Partnerships, at each public meeting of the CAB.
8. Conducted a survey, through its Community Engagement Committee, for a fifth year (intended to be on-going, expanded from year to year, and methodologically consistent, so as to provide both snapshot and longitudinal information) of public opinion in the Chicagoland area regarding educational and cultural needs and WTTW programs and policies. (Execution and

evaluation of the survey were on-going at the time of the adoption of this report. Its results were not available for analysis in 2015 and do not figure in this report.)

9. Monitored, through regular individual viewing by CAB members of the broadcasts of WTTW and through individual visits to the WTTW website, the programming of WTTW.

10. Continued its consideration of WTTW's News Standards and journalistic practices. Stimulated by a request from the CAB, management decided in 2014 to make public, for the first time, the written guidelines on News Standards that it adopted in 1988. The CAB strongly commends this embrace of transparency, however delayed, and believes that such acts of openness, including openness to constructive criticism, will enhance public trust in WTTW's journalistic work. The CAB expects that its work plan for 2016 will include, if not an evaluation of the standards and an assessment of the extent to which, and how, the station is faithful to them, at least some recommendations in those directions.

In 2015 the CAB renamed its Outreach Committee as the Community Engagement Committee. This brings the nomenclature into line with similar usages in their respective spheres by the WTTW Board of Trustees and by WTTW management. The Community Engagement Committee met regularly during 2015 to discuss ways in which the CAB could communicate with the viewing community. Committee members attended, as observers, some of the meetings of the WTTW Board of Trustees and also attended meetings of other CAB committees. The committee also reached out to community and college-based groups who had expressed interest in participating in WTTW programming choices. In a session apart from her meeting on October 20, 2015, with the plenary CAB, Anne Gleason, WWCI's Senior Vice President for Marketing and Interactive Media, met with the committee to discuss ways that WTTW management polls viewers and potential viewers to discern the needs of the viewing community.

The CAB called the attention of WTTW management to certain technical defects in the station's efforts to make media — in particular, the WTTW website — fully accessible to the visually impaired. Acting in response to reports by Senior Vice President McAleer of discussions of the subject led by CAB member Denise Avant at a plenary public session of the CAB, WTTW technicians acted promptly to correct the deficiencies, so no further remedial action was immediately necessary and no further proceedings on the matter were taken by the CAB.

The CAB's Program Committee developed, and the CAB adopted, a program proposal on "Art and Context" aimed at encouraging partnerships between WTTW and local artists in the creation and dissemination of timely visual artistic responses to important news and emerging trends of the day. The program proposal is set forth as Exhibit A to this report.

In addition, during 2015 several members of the CAB attended advance screenings of new programs and live productions of WTTW programs; observed public meetings of the WTTW Board of Trustees; took part as newsmakers in WTTW programs; and attended other WTTW meetings and events. Recently as well as in the past, WTTW CAB members have shown individual support for WTTW as donors and as pledge-drive volunteers. All CAB members are regular viewers of WTTW programs and regular visitors to the WTTW website.

FINDINGS AND RECOMMENDATIONS ON EDUCATIONAL AND CULTURAL NEEDS

The CAB finds and recommends as follows regarding educational and cultural needs of the community served by WTTW:

1. Meeting the Educational and Cultural Needs of the Community in an Era of Continuous and Revolutionary Change in the Technology of Communications.

FINDINGS:

- (a) Digital technologies (means of dissemination of content other than via traditional over-the-air broadcasting) are dramatically increasing opportunities for the dissemination of educational and cultural programming.
- (b) New technologies, after initial investments required to adapt to them, significantly reduce the costs of the dissemination of educational and cultural programming.
- (c) It is clear that new technologies permit virtually global dissemination of WTTW's content. It is less clear that new technologies, as currently existing and deployed, ensure access to WTTW's content by all segments of the geographic community (Northeast Illinois, Northwest Indiana, Southwest Michigan, and Southeast Wisconsin) traditionally served by WTTW.
- (d) With increasing dissemination of content via new technologies, and less dependence on over-the-air broadcasting, the sale of spectrum rights associated with traditional over-the-air broadcasting becomes thinkable and attainable, and may generate substantial one-time realizations for WTTW of large amounts of money.
- (e) Increasing dissemination of content via technologies with interactive features raises dangers of abuse and exploitation of consumers, especially for vulnerable populations such as children.

DISCUSSION:

On February 10, 2015, the CAB met with Newton N. Minow, a Trustee *Emeritus* of WWCI, a former Chairman of the Board of Trustees of WWCI, and a former Chairman of the United States Federal Communications Commission. The meeting was held at Mr. Minow's offices in Chicago. In the course of that meeting, Mr. Minow opined that in the next ten years, WTTW may abandon over-the-air transmissions, sell its frequencies, and focus on the development and distribution of original content programming on non-traditional platforms. Mr. Minow's remarks underscored conversations that had already been underway among CAB members during 2013 and 2014 regarding content acquisition, needs for increasing amounts of high-quality educational and cultural programming, and concerns about adapting to new technologies.

On February 26, 2015, the CAB met publicly with Daniel Schmidt, the Chief Executive

Officer of WWCI, for a discussion of the CAB's 2014 Annual Report. The meeting with Mr. Minow being fresh in the minds of CAB members, Chairman Morris orally summarized Mr. Minow's statements for Mr. Schmidt and invited Mr. Schmidt's oral response. Mr. Schmidt responded that he could not argue with Mr. Minow's views, and stated that the WTTW's Trustees and the Strategic Planning Team are seriously considering and planning for the future along those lines. By way of background, Mr. Schmidt explained that more radio spectrum is needed to handle the "broadband explosion," and thus the Federal Communications Commission (FCC) has proposed to auction off and clear 84 MHz of radio spectrum (Channels 36-51) currently used by television broadcasters, for wireless telephony and other uses. (He further explained that the FCC previously auctioned radio spectrum, which required broadcasting stations to migrate from analog to digital, a more efficient utilization of spectrum. Mr. Schmidt cautioned that the FCC's proposed auction rules are being litigated (challenges to the rule revisions regarding greater accepted interference levels, smaller coverage contours, and channel sharing), given the need for additional spectrum Mr. Schmidt stated his belief that radio frequencies ultimately will be auctioned off, and further stated that the FCC's opening bid estimates are "eye-poppingly" high.

Mr. Schmidt reported that, in light of all this, the Board of Trustees of WWCI has established a Strategic Planning Committee which is chaired by Susan Stone, whom he described as a protégée of Mr. Minow and also an attorney at Mr. Minow's law firm, Sidley and Austin. He noted that Ms. Stone's committee has recommended that, at this go-around, it is "premature" for WTTW to enter the auction fray. Having just returned from pertinent meetings in Washington, D.C., he added that while some small public stations may consider, most have decided to decline, participating in the upcoming FCC-organized auction (tentatively scheduled for 2016).

Mr. Schmidt continued that he believes that "the day will come when radio spectrum will no longer be used for broadcasting transmissions," dissemination of content will be "radically different," and traditional over-the-air programming will be a "quaint notion." To that end, he mentioned WTTW's collaboration with ten other public stations to establish the "Digital Convergence Alliance." The Alliance is pooling member stations' resources and devising economies of scale to develop digital master delivery controls as well as content. Ultimately, the Alliance could generate additional revenues by charging other public stations to utilize its services.

Finally, at the CAB's meeting on February 26, 2015, Mr. Schmidt mentioned that WTTW is in the initial phase of its \$75 million campaign drive that will enable it to create more local and national programming. He also mentioned that WTTW is striving to increase and be more proactive in its engagement with the community, elevating its presence on the scale of such organizations as the Chicago Symphony Orchestra and the Lyric Opera of Chicago. To that end, WTTW has held discussions, and seeks to partner, with United Way, Parent Power, the Mayor's Office, and others. Mr. Schmidt stated that this is one area where CAB's assistance, ideas, and suggestions would be greatly appreciated.

Mr. Schmidt's remarks generated some immediate replies from CAB members, including Chairman Morris, who opined that WTTW's long term future looks bright, and that with enormous resources possibly to be generated by the future sale of frequencies comes a potential to become a program developer, such as Disney, capable of reaching communities on a global scale. Ms.

Swartzman noted that, as a professor at University of Maryland, she “grabs” content from all over the world and presents it to, and interacts with, her students online. Mr. Vaughn noted that it appears that the streaming of content will be a dominant means of future dissemination. Ms. Steinz warned that with streaming comes added cybersecurity risks. Mr. Schmidt acknowledged the risks identified by Ms. Steinz. Mr. Bosco noted that manifold concerns, ranging from security issues to frequent needs to evaluate and adopt ever-evolving technology and the inherent complexities of the internet age, will require the development and maintenance by WTTW of an expert technical staff with knowledge and skills far beyond those historically associated with broadcasting engineering.

Over the course of 2015, CAB members have reflected on the numerous entities that populate the Chicagoland region and that have potential for becoming partners with WTTW in the generation of content, including great universities such as The University of Chicago and Northwestern University, with their significant faculties, research facilities, and histories of engagement with the general public; civic organizations such as the City Club of Chicago; cultural organizations including the Chicago Symphony Orchestra, the Lyric Opera of Chicago, and Chicago’s many great museums and arts-oriented foundations; scientific institutions, in addition to the great universities, including robust pharmaceutical, aviation / aerospace, and energy industries and major public and private national laboratories (among them Argonne National Laboratory, Fermilab, and the Underwriters Laboratories); and associations, colleges, and other bodies representing the learned professions, particularly in law (*e.g.*, American Bar Association; American Judicature Society); health care (*e.g.*, American Medical Association, American College of Surgery, American Dental Association, American Dietetic Association, American Psychological Association); and information services (*e.g.*, American Library Association). At the same time, members reflected, just as these entities all have inherent capacities as content-generators, they all have their own increasingly easy access to modern technologies of ready and inexpensive dissemination (such as via their own often well-promoted websites) and they all have profound interests in promoting and protecting their own undiluted “brands” and in seeking to “monetize” or gain financial value and sustainability from the dissemination of their content.

During her meeting with the CAB in public session on October 20, 2015, Anne Gleason, the Senior Vice President of WWCI for Marketing and Interactive Media, contributed several valuable insights to this on-going discussion, among them the information that in her organization within WTTW she supervises and operates a staff of producers and other content-creators and content-producers who function in cooperation with, but independently of, the production and content-acquisition staffs who report to V. J. McAleer, the Senior Vice President for Production and Community Partnerships, and Dan Soles, the Senior Vice President and Chief Television Content Officer. She also noted that, via WTTW’s website, consumers have access to a wide variety of content that is actually controlled by other entities, such as the Public Broadcasting System (“PBS”), who have their own standards, protocols, and privacy safeguards; she acknowledged, in this context, that for the typical consumer, especially young people seeking educational and entertainment programming, transitions from one disseminator to another (as from one website to another) may seem seamless, but with such convenience may come a diminution of accountability, especially for protections against cyberthreats and invasions of privacy.

In particular, it seems that some interactive programs aimed at young children, offered by

PBS and other providers and accessible through WTTW's website, ask children to make disclosures about themselves and their families that make some parents uncomfortable. Asked about these matters, Senior Vice President Gleason informed the CAB that she understands the concerns, assured the CAB that no interactive programs produced or offered directly by WTTW make intrusive demands on children or other participants (distinguishing children's programming from such elements of the WTTW website as membership enrollment), but admitted that WTTW has no control over such devices if and as deployed by PBS and other providers who partner with WTTW and whose sites can be reached by clicking through the WTTW website.

In November 2015, Chicago media commentators speculated that, if sold at the FCC's 2016 auction, the spectrum rights of WYCC, a PBS-member public television station also serving Chicago, might fetch nearly one-half billion dollars for the station's owner, the City Colleges of Chicago, an arm of the municipal government of the City of Chicago. Although that sum would appear to qualify, in Dan Schmidt's words, as "eye-popping", local media also reported that the Mayor of Chicago had instructed the City of Colleges not to sell WYCC's frequency rights — or at least not to sell them *yet*. The reasons for the Mayor's views, if accurately reported, were undisclosed.

The CAB intends to put these and related issues on its work plans for 2016 and undoubtedly later years.

RECOMMENDATIONS:

- 1-A. The CAB commends the Board of Trustees for establishing a Strategic Planning Committee and instructing it to study matters relating to the possible transition of dissemination of content from over-the-air broadcasting to new technologies.
- 1-B. Prudence and patience are warranted in the gathering of market data and other relevant information to guide possible decisions on whether or not, and when, to sell or otherwise dispose of spectrum rights.
- 1-C. Before abandoning over-the-air broadcasting entirely, WTTW should be certain that successor and replacement technologies will permit the dissemination of WTTW's educational and cultural content to all segments, including the least socio-economically advantaged segments, of the geographic community that WTTW has traditionally served.
- 1-D. Because new technologies permit the dissemination of content to global audiences, and not just to audiences physically located within the territory of WTTW's traditional broadcasting range, WTTW should consider carefully how to pursue content-creation, content-acquisition, and content-dissemination in such a way that educational and cultural needs that are specific to Chicagoland — including the examination and showcasing of the issues, concerns, organizations, activities, events, and personalities of this region — are strongly advanced and are properly balanced with programming designed for universal audiences.

- 1-E. Particularly if and as its resources for the creation and acquisition of content increase, WTTW should encourage public awareness and discussion of the content that it seeks to produce and acquire. To encourage others to cooperate in its efforts and to step forward to offer, voluntarily or for compensation, to participate in content-production, WTTW should strive to be as transparent as possible regarding the content that it seeks as far into the future as practicality allows.
- 1-F. WTTW should strengthen and regularly evaluate and update its efforts to market its content, as disseminated across all platforms, to all segments of the Chicagoland community.
- 1-G. WTTW should ensure that high and uniform standards of quality, including of journalistic integrity, artistic merit, and adherence to the scientific method, are adopted and applied to all content-creation and content-acquisition, regardless of the internal organizations or processes through which such content is produced or acquired.
- 1-H. WTTW should attach a high priority to the acquisition of expertise in fields relevant to cybersecurity and should empower and direct its cybersecurity technicians and engineers to be vigilant in protecting WTTW and, to the extent possible, the consumers of its content, from injury via weaknesses and vulnerabilities in new technologies, and particularly in interactive features of such technologies.
- 1-I. Where interactive features of programs that may be accessed via WTTW platforms are controlled by entities, such as PBS, other than WTTW itself, make intrusive, privacy-threatening, or other inappropriate demands of vulnerable audiences, such as children, WTTW should bring such concerns to the attention of the controlling entity, urging the controlling entity to remedy them; and if the controlling entity fails or refuses to remedy such a situation, WTTW should either (a) post on its website conspicuous warnings of the danger or (b) terminate the use of its platforms as a means of access to such programs.

2. **Ensuring Journalistic Integrity of “Chicago Tonight”.**

FINDINGS:

- (a) “Chicago Tonight” is the “front page” of WTTW. It is probably the single most important news and public affairs program in Chicagoland, and it historically has set a standard of fairness, accuracy, and responsibility, accompanied when appropriate by a sense of *gravitas*, that has elevated journalism in this community. It is a “crown jewel” of public television in Chicago and without peer in the nation.
- (b) “Chicago Tonight” and WTTW historically have offered valuable coverage of local elections in the Chicagoland area, with an attention to substantive political and public

policy issues that has surpassed that offered by most other journalistic services in the community. In particular, “Chicago Tonight” has offered voters with opportunities to hear the views of candidates for major offices both via unfiltered presentations and through moderated interviews and debates. These offerings, in 2015 as in prior years, were of substantial value in educating citizens in connection with matters to be decided in elections.

- (c) On March 31, 2015, “Chicago Tonight” hosted and disseminated, live and in repeated showings, a forum featuring the two candidates for Mayor of Chicago in the Municipal General Election (the so-called “final round” or “run-off”) that was held in Chicago on April 7, 2015. The forum thus was held one week before the election. Both candidates — Rahm Emanuel, the incumbent who was eventually reelected, and Jesus “Chuy” Garcia — participated in the forum, which was held at the WTTW studios. Phil Ponce, the Alexandra and John Nichols Chief Correspondent and Host of “Chicago Tonight” moderated the forum.¹
- (d) During the forum, Mr. Ponce asked Mr. Garcia about his son’s arrest record.

Mr. Ponce: “Your son has been arrested numerous times and court records describe him as a gang member, repeatedly. In 2013, he was charged with a felony for attacking an off-duty police officer. Is he still a gang member?”

Mr. Garcia: “Phil, my wife and I live in a neighborhood with its share of problems, including gang activity. My son grew up in that community. It’s been challenging. We tried to be as loving and as caring and as supportive of my son as possible. He made some mistakes. I’m not proud of it. Perhaps all the love that we gave him wasn’t enough. Gladly, my son learned from his mistakes. He has four children that he’s raising. He is a chef and he mentors kids in the community. He turned his life around. I’m proud of him.”

Mr. Ponce then pressed the question.

Mr. Ponce: “Is he still in a gang?”

Mr. Garcia: “No.”

Mr. Ponce then made a connection between Mr. Garcia’s son’s history and Mr. Garcia’s ability as a public official to fight crime.

¹ A video record of the WTTW Chicago Mayoral Forum in its entirety is archived at <http://chicagotonight.wttw.com/2015/03/31/chicago-tonights-mayoral-runoff-forum>. (Accessed November 17, 2015.) The quotations from the forum that appear *infra* in this report were transcribed from that video file. The colloquy regarding Mr. Garcia’s son that figures prominently in this matter will be found commencing at 37:01 on the video record.

Mr. Ponce: “With respect, a lot of voters might wonder, Commissioner, if you can’t keep your own son out of a gang, how can you steer the city away from gangs and violence?”

Mr. Garcia: “Phil, it was growing up in a neighborhood that has had its share of gang violence that deepened my resolve and my wife’s resolve to stay there, to work to improve the community, to reduce gang violence. It was one of the highlights of my work at Enlace, the organization we were talking about. Today, people come from all over the country to look at the work that the organization has done.”

Mr. Ponce: Commissioner, that wasn’t the question. If you can’t keep your own son out of a gang, how can you steer the city away from the gangs?”

Mr. Garcia: “My son has only been convicted of two misdemeanors. And what you are spreading is something that was published anecdotal in the newspaper. OK? We did the best that we could for him. There are other things that you don’t know about my son. OK. And the work that he has done. He’s been a mentor with the YMCA Street Intervention Program. He’s worked for CeaseFire. He’s mentored kids in the neighborhood and in many other neighborhoods. He has also worked on trauma issues in the city of Chicago. I mean, it’s a great story, Phil. I’d like to introduce him to you.”

After Mr. Ponce’s second question in this sequence, Mr. Emanuel interjected himself, saying, that he found the line of questioning unfair. This evoked applause from the studio audience. Mr. Ponce persisted, and when he asked his next question, “If you can’t keep your own son out of a gang, how can you steer the city away from gangs and violence?”, the studio audience responded with jeers. In the end, Mr. Ponce’s questions regarding the Mr. Garcia’s son consumed more time than any other single subject of questioning pursued by Mr. Ponce during the forum.² Meanwhile, Mr. Ponce neglected to ask either candidate meaningful questions about other aspects of crime and justice problems in Chicago, including questions pertaining to crime statistics, the causes and consequences of crime, and the crime-detering and crime-fighting strategies and policies of the candidates.

- (e) Also during the forum, when Mr. Emanuel made reference to a document that he asserted permitted the drawing of negative inferences regarding Mr. Garcia, Mr. Ponce visually displayed, and made reference to, the IRS tax form 990 relating to a community organization that Mr. Garcia headed and that was said to be experiencing financial difficulties.

² The discussion regarding Mr. Garcia’s son, including Mr. Ponce’s questions and Mr. Garcia’s responses, commenced at 37:01 on the video record cited at n. 1, *supra*, and ended at 40:40.

- (f) During the forum voices were heard in the studio audience objecting as Mr. Ponce pressed his line of questions regarding Mr. Garcia's son, and in subsequent days Mr. Ponce's choice of questions and the apparent aggressiveness with which he pursued them attracted a great deal of published and other public negative comment, much of it from other than partisan supporters of Mr. Garcia.³ Also following the forum, many critics, including some of Mr. Garcia's supporters, adverted to Mr. Ponce's act in holding aloft the document to which Mr. Emanuel had referred, and claimed that Mr. Ponce's act was evidence of collusion with Mr. Emanuel in the conduct of the forum.
- (g) In a subsequent interview with Mr. Ponce published in *The Huffington Post*⁴, Mr. Ponce defended himself, saying, "I do think it's relevant to know if the future mayor of Chicago has a son that is a member of a gang. I think it is an intuitive question in the minds of a lot of voters. I felt there was a void of coverage of that topic, and so we saw that as an opportunity to address it."⁵ In the view of the CAB, although there is merit in the on-going work of "Chicago Tonight" in identifying significant "voids" in coverage of important news topics, a more important purpose of a candidate forum, as opposed to a more typical edition of "Chicago Tonight", is furnishing voters with information about the candidates' views on issues pertinent to the offices they seek, on their priorities, and on their abilities to discharge those offices, all set forth, to the extent possible, in the candidates' own voices.
- (h) Mr. Ponce later issued a statement in which he said, "On further reflection we feel that we missed the mark in the series of gang questions I asked Commissioner

³ Kristen McQueary, a member of the Editorial Board of the *Chicago Tribune*, wrote in a commentary in her paper, "But Ponce — as delightful and fair and professional as he is — crossed a line." See <http://www.chicagotribune.com/news/opinion/blog/chi-chuy-garcia-phil-ponce-son-gang-member-20150401-story.html>. Elias Cepeda, in NBC / WMAQ's "Ward Room" blog, pronounced WTTW the "loser" of the debate, writing, "However, only one person on stage Tuesday night got booed, and that was Ponce. He deserved it." See: <http://www.nbcchicago.com/blogs/ward-room/Why-the-real-lose-of-last-nights-debate-was-the-moderator-298327061.html#ixzz3rcr6krJO>. (Accessed November 17, 2015.) Some negative comment, of course, came from Mr. Garcia's partisan supporters. MoveOn.org, which endorsed Mr. Garcia and campaigned for his election, circulated a petition that received in excess of a thousand signatures calling for WTTW to fire Mr. Ponce.

⁴ See http://www.huffingtonpost.com/2015/04/01/chicago-mayoral-debate-phil-ponce-chuy-garcia_n_6986570.html. (Accessed November 17, 2015.)

⁵ In fact, the younger Garcia's criminal history and his relations with his father had been the subjects of prior news coverage, including in the Chicago metropolitan daily newspapers. See, e.g., <http://chicago.suntimes.com/news/7/71/356835/mitchell-light-punishment-garcias-son-raises-questions>. (Accessed November 17, 2015.)

Garcia.” No further explanation, apology, or statement was given, insofar as the CAB is aware, by Mr. Ponce, by “Chicago Tonight”, or by WTTW.

- (i) It is unclear to the CAB if Mr. Ponce was solely responsible for the questions he asked and the statements he made during the forum, or if the questions and statements were prepared and / or vetted by other editors and journalists employed by “Chicago Tonight” and WTTW.
- (j) The CAB holds Phil Ponce and the editors and producers of “Chicago Tonight” in well-earned and well-deserved respect.
- (k) The episode fell short of the high standards of fairness, accuracy, and journalistic integrity to which Phil Ponce, “Chicago Tonight”, and WTTW unquestionably aspire.
- (l) Mr. Ponce’s public comments to *The Huffington Post* and others subsequent to the forum, and the silence by the leadership of “Chicago Tonight” and WTTW that has otherwise prevailed, leave confusion and uncertainty as to how mistakes were made and what steps, if any, have been taken to ensure that they do not occur again.

DISCUSSION:

Members of the public, including, Silvia Puente, who has herself been a newsmaker guest on “Chicago Tonight” and who identified herself to the CAB as a representative of the Latino Policy Forum, addressed the CAB regarding these matters at the CAB’s public meeting held on April 21, 2015. A central issue in the discussion before the CAB was whether or not Mr. Ponce’s questions and statements during the mayoral forum had been his own spontaneous interventions or were, on the other hand, devised, prepared, and vetted in advance as a collective journalistic effort by the staff of “Chicago Tonight” and WTTW.⁶ Mr. McAleer, the Management Liaison to the CAB, told the CAB that the ordinary practice at WTTW, prior to a candidates forum, would have been for the moderator’s questions to be reviewed and edited by others at WTTW prior to the event. Mr. McAleer added that, under normal circumstances, he himself would have been part of the team that vetted the questions but that, on this occasion, he was on a scheduled vacation and did not participate in the pre-forum work.

⁶ A “Behind-the-Scenes” slideshow posted on the WTTW webpage cited at n. 1, *supra*, shows photographs captioned, *inter alia*, as “Chicago Tonight producers and Host Phil Ponce prep for tonight’s mayoral forum”; “Host Phil Ponce, executive producer Mary Field, and producer Alexandra Silets prep for tonight’s mayoral forum”; “Producer Alexandra Silets swaps out her good reading glasses while prepping for tonight’s forum. Correspondent Paris Schutz and producer Nick Blumberg appear to her left”; “Host Phil Ponce and correspondent Carol Marin prep for the mayoral forum”; “Executive Producer Mary Field and Host Phil Ponce discuss questions for tonight’s mayoral forum”; and “Host Phil Ponce prepares to knock the socks off the mayoral candidates in tonight’s forum”. (Accessed November 17, 2015.)

Given the foregoing, many members of the media, the general public, and the CAB view the question of the origination of Mr. Ponce's questions and statements as important. There is no evidence that there was collusion between Mr. Ponce and any candidate, and Mr. Ponce's stellar record and his reputation make such a scenario utterly implausible. If the questions and statements were of Mr. Ponce's own devising, unreviewed by other journalists at WTTW, and especially if they were devised spontaneously in the heat of the event, then they were unfortunate, but reflective only of a momentary and insignificant lapse: Anyone, in any profession, can have an off-night, but if the questions and statements were planned and calculated by WTTW's editors and journalists, they are more troubling.

The CAB as a whole understands that there are those in the community as well as on the CAB itself who would take issue in even stronger terms with the conduct of, and appearance of unfairness during, the mayoral forum. The CAB also acknowledges that political campaigns and debates are rough, and a candidate's personal, professional, and political relationships have and will be questioned. Searching inquiries into a candidate's background, associations, and performance in relevant activities are appropriate tasks for journalists. Hallmarks of WTTW's approach to journalism have been, and should continue to be, rigorous examination of pertinent facts undertaken with civility.

RECOMMENDATION:

- 2-A. If it has not already done so, WTTW should conduct a critical self-examination of the moderation and conduct of the 2015 Chicago mayoral forum with an eye to ensuring both the fairness and the appearance of fairness of such fora in the future.
- 2-B. WTTW should publish the report of its critical self-examination.

3. Spotlighting Public-Sector Financial Irresponsibility and Violent Crime.

FINDINGS:

- (a) Two overarching problems afflict our community, threatening and often actually impeding the achievement of the many educational and cultural goals that the people and institutions of our community pursue: Financial irresponsibility, including the accumulation of shockingly large unfunded liabilities, at nearly all levels of State and local government in Illinois; and violent crime, including both predatory activity at the street level and a police and law enforcement system that is not only ineffective but is also distrusted by the community and tends to bring the entire criminal justice system into disrepute.
- (b) Redressing public-sector financial irresponsibility, protecting the people against violence, and restoring the integrity of government institutions are not the missions of WTTW and public television. But WTTW and public television are well situated to inform the public about these matters and their causes and to help the people

obtain accurate, fair, and useful information about possible approaches to their amelioration.

- (c) These are issues on which an informed citizenry is capable of ameliorative measures, both through elections and the machinery of representative government; and by direct action of the people, in their homes and families, schools and houses of worship, in their places of business and assembly, and in the streets. Both governmental malefactors and violent predators depend on a populace that is inattentive, fearful, and supine. The ultimate answer to both problems is a people that is attentive, informed, and resolute. Public television can and should supply the information with which a sovereign and self-governing people must be armed.
- (d) WTTW, through its flagship news program, "Chicago Tonight", and other programming, already addresses these topics. It would be irresponsible and ungrateful of the CAB not to acknowledge and commend the steady work that WTTW is already doing to devote its journalistic and other resources to informing the public about them. But even this level of attention is not enough. These issues are so important, and have been so poorly and inadequately covered elsewhere, that the attention given to them by WTTW must be relentless and heightened.

RECOMMENDATION:

- 3. Issues of the financial irresponsibility of government at all levels in Illinois and the problem of violent crime merit the sustained and heightened attention of "Chicago Tonight" and WTTW.

4. Planning for Coverage of the Illinois Bicentennial.

RECOMMENDATION:

- 4. The approaching bicentennial, in 2018, of the Statehood of Illinois is an occasion both for just celebration and sober reflection. Programming on WTTW in anticipation of the bicentennial should recall and celebrate the history, personalities, natural beauty, rich land and wonderful waters, creative and productive enterprises, and public and private institutions of Illinois, and the ties of this State to the National Union and to the principles and values that define America, but should also use the occasion for searching and constructive critiques, particularly in the light of current crises of public-sector financial irresponsibility and poor public administration, criminal violence, and ineffective and untrusted law enforcement, of the shortcomings of Illinoisans as a people and of Illinois as a republic.

5. **Expanding Meaningful Public Awareness of the Identities and Views of Candidates for Public Office Through Increased Use of Recorded Unedited Candidate Statements Disseminated Via the WTTW Website.**

FINDINGS:

- (a) Including all units of local government, Illinois has more elective units of government and more elective offices than any other State in the American Union.
- (b) Communication by candidates and their campaigns to voters is expensive, and the costs of media to candidates and campaigns are increasingly costly.
- (c) Commercial and other mainstream media tend to concentrate their coverage of campaigns and candidates only on the highest offices involved in any particular election, and thus, in Federal elections, tend to cover candidates for the Presidency and the Senate while ignoring candidates for the House of Representatives; in State elections, tend to cover candidates for Governor and other statewide constitutional offices while ignoring candidates for the General Assembly; in Cook County elections, tend to cover candidates for President of the County Board, State's Attorney, and Sheriff, while ignoring candidates for the County Board and lower county executive offices and all offices in other counties; in municipal elections tend to cover candidates for Mayor of Chicago while ignoring candidates for alderman and candidates in suburban cities, towns, and villages; and nearly all candidates for election to and retention in the judiciary in a State where judicial staffing is accomplished via the ballot box rather than through other, appointive systems. Thus the media, generally, fail to provide adequate coverage of most candidates for most offices from among whom Illinois voters are called upon to choose.
- (d) The new digital technologies which, increasingly, are platforms for the dissemination of content by WTTW afford means of covering campaigns and elections that are far less expensive than is traditional over-the-air reporting and broadcasting.
- (e) To great public benefit WTTW has already pioneered, for many Illinois elections, a practice of permitting all candidates for certain offices to use WTTW facilities to record unedited statements, of equal length, which are then broadcast and rebroadcast to WTTW viewers. The number of offices for which candidates are invited to record such statements could be significantly expanded and disseminated at little cost beyond relatively small recording costs and archived on the WTTW website in a section indexed by date of election, name of office, and name of candidate. Viewers and voters could then access the archived video statements at any time, on demand. The only use of air-time in connection with the service would be promotion of the website archive through mentions on "Chicago Tonight" and via short public service announcements sprinkled throughout the broadcasting schedule during the run-up to each election. Of course the station would be free, if it chose, to broadcast some of the statements, presumably on an equal-time basis per office, or to use excerpts from

the statements, if newsworthy, in the ordinary course of its journalism.

DISCUSSION:

This topic was brought directly to the attention of the CAB by Daniel Johnson and his organization, Progressive Public Affairs. His suggestions strongly echoed the views of many individual members of the CAB and those often voiced prior to his death by the late Redd Griffin, a former Vice Chair of the CAB. In writing to the CAB on November 17, 2015, Mr. Johnson said:

“One role that I think public media can play in our democracy is to offer to campaigns a chance to create their own five or ten minute commercial (so to speak) that allows them to explain to viewers who they are, why they are running, and what they hope to accomplish.

“Then offering up on a website all of these candidates’ direct, unfiltered comments (or commercials, if you will) is a real public service for voters who want a chance to hear from candidates directly.

“As you know, the cost of campaigns is largely a function of the cost of television commercials. It would be nice if we served our democratic values by using the infrastructure of public television production by providing a pathway for candidates and political parties to convey their views to the electorate.

“If the station decided to broadcast some of this content over the air at some point, that’s all fine, but it’s likely that putting it on the WTTW website and letting viewers know about it so they can access the candidates at their leisure makes more sense.

“This is particularly helpful, I think for lower-tier candidates (state representative, county commissioner and the like) who don’t have access to sophisticated television production facilities.”

RECOMMENDATION:

5. WTTW should significantly expand the number of public offices candidates for election to which are invited to use WTTW production facilities to record unedited statements for reasonable lengths of equal time per office and should disseminate the statements to the public via posting on the WTTW website, with WTTW reserving the rights, at its choice, to broadcast over the air such statements for major offices and to use the contents of any such statements for appropriate journalistic purposes.

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WTTW STATION POLICIES AND PRACTICES

Daniel J. Schmidt, the President and CEO of WWCI, met with the CAB in 2015, as he did in 2012, 2013, 2014, to respond, both orally and in writing, to the CAB's annual reports. Other senior managers of WTTW, including V. J. McAleer (who meets regularly and communicates frequently with the CAB) and Anne Gleason, met with the CAB during 2015, thus making clear that the CAB commands the attention of the station's senior management and *vice versa*. This is a welcome history, and a big, and it appears, permanent, improvement over CAB-Management relations as they prevailed prior to 2012.

That said, station management and the CAB have not yet worked out satisfactory arrangements to permit the CAB, as set forth in Section 2(B) of the CAB's By-Laws, "to review the WTTW programming goals established by WTTW, the community service provided by WTTW, and the impact on the community of significant policy decisions rendered by WTTW."⁷ Mr. McAleer routinely brings the CAB up to date on various community service activities of the station. But the program goals established, and significant policy decisions rendered, by WTTW are not systematically communicated to the CAB and the CAB is often left to improvise its own devices to detect and discern them. Indeed, information gathered by the CAB from senior managers of the station suggests that in some important areas, such as the creation of content, the station does not have a systematic approach to identifying its goals; thus "WTTW programming goals" are not disclosed to the CAB because, in fact, they have not been established by management. Objectives may apply to varying time horizons, and both objectives and in a large organization operating through many diverse internal units policies may be adopted and revised, almost unconsciously, through day-to-day operations. In this regard, then, the CAB offers to WTTW the following additional advice.

RECOMMENDATIONS:

6. Management and the Board of Trustees of WTTW should, from time to time, spell out — preferably for the information and benefit of the public, but at a minimum for the assistance of the CAB in the discharge of its duties — its programming goals and its significant policy decisions, especially if and as the station's goals and policies are intentionally changed.
7. Programming goals and policy decisions that are particularly important, and merit systematic review by WTTW and communication to the CAB if not the public, are the station's philosophy and strategy regarding content acquisition and production.

⁷ The appearance of "WTTW" twice in the quoted section of the By-Laws, referring to "WTTW program goals established by WTTW" is not a typographical error committed in the preparation of this report, but is how the text reads in the conformed version of the By-Laws as they appear, as amended through October 20, 2015, on the CAB page of the WTTW website. See <http://interactive.wttw.com/about/community-advisory-board/bylaws>. (Accessed on December 15, 2015).

8. The CAB is informed, and believes, that the station receives a flow, via telephone, postal mail, social media, and electronic portals, of public and viewer reactions and complaints regarding programming. The station should share with the CAB the flow of reactions and complaints, either in the aggregate as to trends or, if and as appropriate, for individual attention; or, in addition or in the alternative, persons communicating reaction or complaints to the station should be informed that they may also communicate their views and concerns to the CAB and a convenient electronic channel should be supplied for the purpose.

The CAB regrets the continued absence from its meetings of Barbara Proctor, the Trustees' liaison to the CAB. Meanwhile, the CAB welcomes the designation of Michael Gonzalez as an additional liaison on behalf of the Trustees. A year ago the CAB expressed the hope that Mr. Gonzalez would become deeply engaged in productive dialogue with the CAB. That hope has been realized. Mr. Gonzalez has proved himself to be a willing and useful channel of communication. Treading carefully to respect the independence of the CAB, he has also been a valued source of good judgment.

The station continues to be well served by V. J. McAleer in his role as Management's liaison to the CAB. He is tireless, unfailingly courteous, and always good-humored. He is indispensable to the CAB in facilitating its timely access to information and to opportunities for discussion with station personnel. His work is deeply appreciated. The CAB also gratefully acknowledges the support and many kindnesses it receives from Yvonne Davis, Mr. McAleer's Administrative Assistant.

The CAB renews its invitation to the Trustees and management of WTTW to refer to the CAB any specific questions regarding the educational and cultural needs of the community or the policies and programs of WTTW with respect to which the Trustees and management would like to have the advice of the CAB.

Adopted in plenary session on December 15, 2015.

Respectfully submitted,

For the Community Advisory Board,

A handwritten signature in black ink that reads "Joseph A. Morris". The signature is written in a cursive style and is positioned above a horizontal line.

JOSEPH A. MORRIS
Chairman

Dated: December 16, 2015.

Exhibit A

Program Proposal on “Art and Context”

WTTW COMMUNITY ADVISORY BOARD

PROGRAM PROPOSAL

“Art and Context”

December 15, 2015

Art has a long history of offering commentary on events of the day, sometimes witty, sometimes affecting, sometimes incisive, and sometimes memorable to the point of entering the canons of our culture. For examples in the visual arts, recall the “Bayeux Tapestry” as a narrative of, and commentary on, the Norman Conquest of England, or of “Guernica” as Picasso’s commentary on the Spanish Civil War of the 20th Century. Scott Stantis today provides editorial cartoon commentary on the news daily in the pages of the *Chicago Tribune*. Other fields of art know the same phenomenon: In music, think of Beethoven’s Symphony No. 3 in E-flat Major, Opus 55 (“Eroica”) as a commentary on the early effects of Napoleon on the politics of Europe; in theater, think of Shakespeare’s plays as veiled commentaries on the politics and mores of late Tudor and early Stuart Britain. In earlier times, art installations and events — from church paintings to plays at The Globe — were major public media and channels of expression.

The CAB hopes to encourage partnerships among WTTW and local artists to offer worthwhile artistic “rapid responses” to news of the day that could be swiftly and inexpensively created, and, by posting on the WTTW website, disseminated through the public media of our era.

Originator of Proposal

SHONNA PRYOR • 4055 S. Ellis Ave. Chicago, IL 60653 • 312.208.4837 • spryor1@saic.edu
and the PROGRAM COMMITTEE of the Community Advisory Board

Proposal & Format Suggestions

“Art and Context” is an arts/news video that would be disseminated via the WTTW website, where it would be archived for public access on demand. It reports primarily on local news or hot topics inspired by the latest “Chicago Tonight” program—yet through the lens of gallery/museum/public art within the city and beyond.

Background on the Proposal

The “Art and Context” pilot studio format resembles a CNN broadcast with Skyped, rotating guests who are current Arts Journalist graduate students from The School of the Art Institute of Chicago as well as other visual arts professionals from the industry. The on-site host mediates the bridge between the “Chicago Tonight” topic(s) and the guest’s research and commentary on the topic. For example, “Chicago Tonight” initiates a topic on GMO. Genetically modified food may be explored on Art and Context with an Arts Journalist profiling a Chicago artist responding to this issue through visual language/discourse during a discussion with the show’s host. Images are screened upon approval by appropriate authorities. The Proposal Originator has Master's level credentials in both the Arts and the Media sectors. In addition to teaching at The School of the Art Institute of Chicago, she is also herself, a practicing visual artist residing in the city of Chicago.

Local Appeal

The “Art and Context” program video serves to inspire a more passionate interest and involvement in the city's concerns through an alternative presentation lens. It also serves to inform and educate viewers on how to appreciate art in a way that makes sense in the context of real life, particularly in the context of that of the city of Chicago.

WTTW Resources Required

Host presentation from the WTTW studio would be beneficial in that the same environment would explicitly connect “Chicago Tonight”'s conversation as an initiator, inspiration and extension to the “Art and Context” webcast content. Broadcast from this location is not absolutely necessary but most appropriate.

Benefits of the Proposal to WTTW

The “Art and Context” program video brings a unique visual reference to the topics presented on Chicago Tonight via art that can be accessed in the city and beyond. It seamlessly interconnects the news plus visual arts for innovative broadcasting that speaks to both in a practical and accessible way. It enhances the Chicago Tonight conversation through practical reference and visual imagery. It provides equal elements of cultural information, education, entertainment, conceptual accessibility and an interactive option relative to visiting referenced city arts locations/events. The concept of the show transforms the oftentimes opaque narratives of high art to practical and accessible applications that educate, inform and inspire.