

Note: Since the e-mails he published on his website included his e-mail labeled off-the-record and were incomplete by not including all e-mails from us, we've posted every e-mail between iMediaEthics and Kevin Deutsch. All of our responses to Deutsch are included. We redacted, where marked, if Deutsch labeled something off-the-record, before we told him March 1 to stop sending information labeled off-the-record as we would consider it on-the-record. We are happy to publish all e-mails if Deutsch consents to retroactively making his e-mails prior to March 1 on-the-record. -- iMediaEthics

----- Forwarded message -----

From: **Kevin Deutsch** <kevinscottdeutsch@gmail.com>

Date: Sun, Mar 12, 2017 at 10:23 PM

Subject: Re: Media Inquiry - Publishing Monday AM

To: Sydney Smith <sydneysmithwriter@gmail.com>

Your questions, and my responses to them, are below.

We are preparing for publication of a new story concerning your reporting. We have the following series of questions.

Please let us know if you have any on-the-record response and comment. We have listed detailed questions below to offer you every opportunity to provide evidence.

1) You reported in this Orlando story (<http://www.newsday.com/news/nation/omar-mateen-cheered-on-9-11-as-towers-fell-says-classmate-1.11911197>) an interview with a Jason Hart, described as a gym-goer who had seen Omar Mateen work out at Gold's Gym Port St. Lucie.

Gold's Gym Port St. Lucie has no record of a Jason Hart in its records.

a) Where did you meet Hart?

b) How did you verify his claims?

c) Any response to the fact Gold's Gym has no record of him attending the gym in question?

First, I'd like to point out that you're attempting to reproduce honest criminal justice reporting I did in the field from your seat in a Manhattan cubicle. Your reporting is intellectually dishonest, and your claims wholly inaccurate.

Not a single news outlet, government agency, or person I've written about has ever accused me of a single ethical breach. That's because I haven't committed any, and, despite your efforts to create a false narrative, I will continue to report and publish stories that make a difference. I'm not going to be silenced. You have no evidence to suggest I got anything wrong in any of my work, because I didn't. Your use of innuendo and implication to try and call my work into question says more about your desire for relevancy than it does about my reporting. But I understand that, from your perspective, claims get clicks. Even false ones.

You're taking a handful of stories, from among the thousands I've written, and calling them into question based on the fact that your Google searches aren't turning up current phone numbers for a handful of people, among the thousands I've interviewed over the years. This approach is so blatantly disingenuous, I don't know how any reader could take your coverage seriously.

I've been a criminal justice journalist for nearly 15 years, and was stepping in blood at crime scenes when you were doing public relations work. You should be asking about the opiate epidemic that's killing record numbers of Americans, or the disparities in treatment for people of color—both themes of my book 'Pill City'. Instead, you're attacking an honest reporter who's trying to bring these issues to light. It's shameful.

As I've stated/written, and this applies to you as well:

The actions of my peers demonstrate a fundamental truth about journalism today: Its practitioners publicly preach tenets of objectivity and fairness, but are more than willing to set those ideals aside once a competing journalist—or any convenient target—is in their sights. Without institutional backing, independent journalists like me can become sitting ducks the moment a competing outlet decides to try and discredit them. Write a story that upsets the wrong people—press included—and they'll use whatever means necessary to cast doubt on your work. There's not a shred of evidence to suggest I made up sources, but by ignoring exculpatory evidence, misconstruing facts and making the most of implication and innuendo, dishonest reporters have drummed up some good copy at my expense.

Based on the misguided efforts of a handful of reporters like yourself, several outlets are reviewing my work. Those reviews haven't turned up one shred of evidence showing I committed any ethical breaches, or got a single fact wrong. That's because my reporting is solid, and I worked my ass off to get the story right each and every time I went into the field.

Your attempt to preempt reviews of my work with this rushed, sloppily reported piece serves no purpose but to earn you a few extra clicks. This kind of misguided attack says far more about your commitment to ethics than it does mine.

You're a transcriber of unsubstantiated claims, and should be clear with readers about that fact. No one is fact checking the fact checkers. In essence, you've got a license to lie.

With regards to my Orlando coverage, I interviewed a man who gave his name as Jason Hart outside the Gold's Gym in Port St. Lucie. He was among a group of several men who appeared to have just finished working out at the gym; when I asked if they were members of the facility, they said they were. Hart gave me the quotes attached to his name in the story. The interview lasted all of a minute or two, as I recall; among the people in that particular group of men, Hart was the only one who told me he recalled seeing Mateen, and who commented when I asked what these men remembered about Mateen, if anything. Nothing in my story was inaccurate. If you want to hang a false claim on the word of a Gold's Gym record keeper, that says more about your commitment to ethical journalism than mine.

2) In this New York Daily News story, you reported on Eddy Coello being "heckled" during his 20 hours at Bronx Central Booking by "jailbirds," listing a "Joel Gutierrez, 32, an accused drug dealer" and a "Ronaldo Simms, who was locked up for fighting" and comments they said they made when taunting Coello.

<http://www.nydailynews.com/new-york/eddy-coello-ex-cop-accused-charged-murdering-wife-taunted-night-jail-article-1.124971>

a) Where did you meet these men?

I met them while reporting a story about an ex-cop who murdered his wife and was being taunted by fellow arrestees. I covered the Bronx for years, and I'm certain you don't know the first thing about how the system works there, or the way the NYPD processes arrestees. Reporting in the field is considerably more difficult than sitting in a cubicle criticizing another reporter's work years after the fact.

b) What evidence did they provide or did you obtain for them having actually been in Bronx central booking with Eddy Coello?

I interviewed both men, who provided information demonstrating their accounts were accurate. Their accounts remain accurate. Beyond that, I don't see why I should share a shred of information with you, given your dishonest approach to my work. You have zero credibility, and you're hardly an arbiter of truth.

c) NYPD is in charge of Bronx Central booking. The NYPD has no record of either man being arrested in month of March 2011 which includes when Coello was held in Bronx central booking. Any response? You're suggesting I reported things I didn't. My story did not state that the men were "arrested in month of March 2011 which includes when Coello was held in Bronx central booking." Your reporting is inaccurate, and you know it. Your questions here and throughout this inquiry are rife with inaccuracies and false assumptions.

Beyond that, in the real world of reporting, sources sometimes provide names other than their birth names, unbeknownst to journalists. We don't exclude real people from journalism and storytelling because they don't have identities that are intrinsically attached to a stable wireless phone number, or who perhaps live in an apartment that isn't in their name, is jobless, grappling with addiction, or has low level offenses or legal troubles that would preclude them from wanting their real name used, but who are still as real as you or I.

Not everyone has the privilege of a footprint attached to a stable home address, nor is everyone unblemished by contact with the criminal justice system. Your questions suggest a fundamental lack of understanding about the realities of criminal justice journalism.

3) In your Newsday article on Lu Lingzi, the Boston Marathon victim, you quoted a "classmate" Patricia Dula and a friend Michele Hua. <http://www.newsday.com/news/nation/boston-marathon-bombing-victim-lu-lingzi-honored-with-posthumous-degree-1.5295546>

a) Where did you meet these women ?

b) There is no record at BU of Patricia Dula attending. Do you have any response to this missing classmate?

c) Do you have any evidence in support of these women's existence?

Dula was among a number of people I communicated with on and around the BU campus, as well as by phone, email, and social media, after Lingzi was identified as a victim of the Boston Marathon bombing. Dula identified herself as a classmate and friend of Lingzi's and related some memories and impressions of her. I have no doubt she was a student at BU, though it's unclear what name she was enrolled under. As for Hua, she identified herself as a friend of Lingzi's; I have no record in my notes of her identifying herself as a BU student, nor did I report that she was. Your reporting is inaccurate. And again, you're taking the names of two interviewees from among thousands I've spoken with and attempting to construct a narrative around them to discredit me; a narrative based not on any evidence you uncovered, but on a complete absence of evidence. Your approach is despicable.

4) Regarding your complaints concerning our reporting on Aahil Khan

a) Where did you meet Khan?

Why in the world would I share this information with you?

b) How did you verify his story?

I verified his story while reporting in the field during my time in Orlando following the terrorist shooting. His story is accurate, and you have no evidence to suggest otherwise.

c) Have you filed any correction request with Newsday?

That's not how journalism works, Sydney. Your web site made an error in a story about me; you're supposed to fix it.

d) Our reporting revealed that there is no record of you contacting the school district to confirm Khan's claims about Mateen -- that he was suspended after cheering for 9/11. Again, we ask if you dispute this fact or have any evidence to support any fact checking you did, please let us know. .

Unsurprisingly, your reporting is wrong. I dispute not only this false claim, but every false claim in this inquiry.

5) Regarding Eric Baumer, we saw your complaints in the Observer, although we note that we heard no complaint from you whatsoever on this matter.

My article did not state that Baumer worked for G4S, nor did it specify any other company by name. It said he knew Mateen from working security with him at the PGA property. I'm requesting an additional correction from you to address this inaccuracy in your piece.

- a. We note that G4S provides the security at the golf course you name, PGA Golf Club, that Omar Mateen was employed by G4S as you wrote, and G4S had no record of an Eric Baumer. Are you saying that Baumer gave you a fake name?

b) You erroneously claimed in the Observer that iMediaEthics' article "falsely suggested that I said Baumer worked for the same security company that employed Mateen, when no such claim was made." Your own reporting states Baumer's "security guard shifts at the PGA Golf Club at PGA Village overlapped with Mateen's in 2015," that Baumer was a "colleague," and that Mateen worked for G4S. We contacted the security guard house, which directed us to G4S. Therefore your own reporting clearly indicates Baumer works for G4S. Any response? Why would you deny this? Will you correct your error?

My article makes no mention of Baumer working for G4S. Not one. Your questions are disingenuous, and your reporting on this matter full of holes. I'd ask that you correct your error. My story is accurate, and again, you've provided no evidence to the contrary.

My Observer piece also stated the following, which applies to the inaccurate piece you're writing, as well as the ongoing reviews of my work. To be clear, this also serves as my response to some of your misguided questions/allegations, as well as to your inquiries about the ongoing reviews of my work: *Since I'm a crime reporter, I can't help thinking about all this in the context of the law. In the criminal justice system, there are protections built in to any prosecution: the presumption of innocence, stringent rules about what evidence is or isn't admissible, an impartial judge and a burden of proof that rests wholly on the prosecutor.*

When news outlets investigate a reporter, none of these protections exist. My accusers have placed the burden of proof squarely on my shoulders. Instead of proving that I committed ethical breaches, they've demanded I prove I didn't commit them. That's the same unreasonable standard the Sun, City Paper and iMediaEthics expected me to meet when questioning my book—a standard set with the express purpose of making certain the accused is seen as guilty.

Since there are no official rules for journalistic reviews of a reporter's work, every outlet makes their own. There's no impartial third party weighing evidence for and against; just a roomful of well-paid editors serving as judge, jury and executioner.

It's hard enough to get a story published by an outlet in the days after you pitch it. Editors want proof to back up every sentence, as they should. Now, I'm being asked to back up every sentence in stories I wrote months or years earlier—a near impossible task for a journalist like me who immerses in protracted gangland conflicts, spending long hours with dealers and addicts.

How can a reporter demonstrate his innocence in such cases? By providing voluminous notes from his interviews? That wasn't enough for my accusers. By offering records? That wasn't enough, either.

Unless I put editors and reporters in touch with each of the drug-dealing gang members, addicts and witnesses that I interviewed on the streets long ago, they won't stand by—or stop questioning—my work. It's a standard that didn't exist when these stories were published. To institute it now is disingenuous.

Maybe these critics want to see additional proof like the bloodstains in my backseat—which are still there from the time I aided a stabbed gang member on Long Island—or the medical records from when I was diagnosed with post-traumatic stress disorder following a [year I spent covering a Bloods-Crips gang war](#). Maybe they want to talk to my former fiance, who couldn't accept the risks I was taking in Baltimore, or to any of my colleagues in the industry, who know me as a reporter who goes where others won't in pursuit of a story.

6) Regarding the NYTimes missing sources:

- a) Have you found or provided any evidence since the editor's note published by the NYTimes to prove the existence of these men?

b) You state that it's often the "standard occurrence" for people related to drug/addiction stories provide "something other than their real name." If that is the case, why did you not take verification steps to ensure the sources you spoke with gave you correct information? Why not inform the Times you were not sure the sources gave the correct information before publication?

These questions are so misguided, the thinking behind them so naïve, I don't know where to begin. No outlet but yours has used the term "missing sources." Just because an iMediaEthics reporter can't find someone via a Google search from her cubicle doesn't mean a source is "missing." It just means the reporter doesn't know what he/she is talking about.

The Times said they couldn't track down two people I interviewed following addiction recovery meetings, and for that reason, they removed the two interviewees quotes from my piece. The Times hasn't retracted my story, nor have they issued a correction. That's because the story and all of my other journalism is accurate, and your attempts to impugn it, dishonest.

Here's what I've posted on my site with regards to the Times matter:

On Feb. 25, 2017, The New York Times published an inaccurate editor's note about my work. I've twice submitted a letter to the editor (pasted below), and contacted the newspaper's public editor, Liz Spayd, in an attempt to have this brief response published in The Times' print or online editions. So far, The Times has not responded to my letter. This, at a time when the paper is publicly boasting of their commitment to free speech and objectivity.

I'm posting the still unpublished letter here to demonstrate a simple fact: The Times does not get to decide who has a voice in our society, and who doesn't.

"I was disturbed by the misleading editor's note The Times published on Feb. 25, 2017 about my Dec. 29 article, "Fentanyl Outpaces Heroin as the Deadliest Drug on Long Island." The note stated that "the main facts and thrust of the article, including the official data and quotes from the authorities, were confirmed. However, after extensive reporting efforts, The Times also has been unable to locate or confirm the existence of two people who were named and quoted." The note also claimed that I had "not been able to put The Times in contact with either source, or to provide any further material to corroborate the account." I share The Times' commitment to accuracy, but the above statements are untrue. I offered to provide Times editor William Ferguson, who'd been tasked with investigating my work, with the notebooks I'd used during the relevant interviews. He never responded to my offer.

I also provided details about how and where these interviews were conducted. Both occurred following 12-step recovery meetings attended by the interviewees. It now seems clear each interviewee gave me a name other than their legal name, but I had no reason to believe that at the time. Instead of taking into account the very real stigmas surrounding heroin addiction and overdose, The Times chose to ignore this context . People in general are hesitant to give their real names to reporters; after walking out of 12-step meetings, even more so. Covering addiction and rehabilitation is a difficult task, and for doing my job, The Times has attempted to tarnish my reputation. There's not a shred of evidence to suggest I made up sources in my journalism or books, including "Pill City: How Two Honor Roll Students Foiled the Feds and Built a Drug Empire," which has come under fire from competing reporters in Baltimore who remain angry they missed this explosive story. That hardly seemed to matter to Times editors, whose rushed probe into my work--and convenient exclusion of exculpatory evidence--ensured their own reputations remained intact."

7) We are aware that Newsweek, Newsday and New York Daily News are all currently reviewing your work. And, we know you say you are participating in the reviews of Newsday and NYDaily News.

a) Are you also participating in the Newsweek review?

b) What is your involvement with the reviews? Are you in the newsrooms meeting with the reviewers/editors on a frequent basis, or are you asked for information when needed? How is the review operating on your end of it?

You're not aware of much, Sydney. The reviews of my stories haven't uncovered a single inaccuracy, because my work is solid. The responsible thing for you to do as a reporter would be to wait until these outlets complete their work. Your attempt to preempt their reviews with this story demonstrates your desire to try and discredit my work without evidence. A reporter who attacks other reporters for doing their jobs—in essence, a journalistic bottom feeder—is not someone the public can trust.

Again, I'll refer you to my Observer piece about reporters who engage in this kind of garbage:
<http://observer.com/2017/03/kevin-deutsch-plagiarism-allegation-response/>

8) Regarding Twitter:

a) We note that you blocked many critics and reporters from your Twitter account, including us on March 7. Why?

b) The Twitter user @donvito89 that tweeted in defense of you last night from a new account

--- Did you set the account up?

---What role did he play in your book?

---Did you ask anyone else to tweet on your behalf?

c) The Twitter user @etamas44 was set up last month and tweeted in defense of you last night.

-- Did you set the account up? Have you written or suggested any of the tweets?

-- Did you ask Ms. Tamas to tweet in your defense or on your behalf?

I'm not responsible for what people Tweet about me or my work. I do appreciate the outpouring of support I've received from Pill City readers.

These other questions are so absurd, I'm not going to dignify them with a response.

9) You offered for the Baltimore City Paper and the Baltimore Sun the opportunity to review your notes in New York. We're based in New York. Does that offer extend to us?

The day I let you in my home, Sydney, will be the day you start doing real journalism.

10) Wikipedia has warned that your page is apparently being edited by someone close to you. Are you editing your page? Do you know who is?

Again, this question is so utterly ridiculous, I'm not going to dignify it with a response.

11) Regarding resignation:

a) You mentioned you resigned Queens College to work on your next book. Do you have a publisher lined up yet? St. Martin's Press said it doesn't have any other books under contract with you.

b) Queens informed us you sent in an e-mailed resignation Monday morning after the editor's note from the Times and our inquiries. Queens informed us you didn't teach your class that day. Why didn't you give them any notice if you resigned to work on a book, something you can plan in advance? Why didn't you show up for your class that day?

c) You wrote in your previous e-mail, "But I continue to teach journalism and writing to students interested in the craft." Where and how are you doing this?

I love teaching, and continue to work with students interested in journalism and writing. The privacy of my students is my priority; I'd ask that you not involve them in this fraudulent hit piece you're crafting.

I'm at work reporting another book. I won't say anything more about the project at this point.

But I will say this: Your dishonest targeting of my work—and your digging into my personal life—is anything but noble.

Kevin Deutsch

From: **Kevin Deutsch** <kevinscottdeutsch@gmail.com>

Date: Sun, Mar 12, 2017 at 5:11 PM

Subject: Re: Media Inquiry - Publishing Monday AM

To: Sydney Smith <sydney-smithwriter@gmail.com>

Before 5 am, to be certain.

On Sun, Mar 12, 2017 at 5:10 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
What time should we expect your response, to be clear?

On Sun, Mar 12, 2017 at 5:10 PM, Kevin deutsch <kevinscottdeutsch@gmail.com> wrote:
You'll have them by then.

On Mar 12, 2017, at 5:09 PM, Sydney Smith <sydneysmithwriter@gmail.com> wrote:

Our normal publishing time is 5 AM, fyi, so obviously we will need the answers before then.

On Sun, Mar 12, 2017 at 5:08 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
You'll have my responses by tomorrow morning, when you've said you're publishing.

On Sun, Mar 12, 2017 at 5:07 PM Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
I've told you I'll be responding in full.

On Sun, Mar 12, 2017 at 5:07 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
We assume from your last response you aren't going to be responding to our questions for our story with any comment? This email is confirmation of that.

On Sun, Mar 12, 2017 at 2:51 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
That last sentence is rich. I didn't realize you wrote comedy.

On Sun, Mar 12, 2017 at 2:49 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
No responsible publisher could promise to publish in full, sight unseen, anyone's statement and leave themselves open for charges of libel. Any factual claim will be fact checked, in fairness to you and our readers, just like we fact check all content.
Our questions fairly and ethically provide you all of the information we have found, asking for your explanations before publication. You said our questions are misguided, so guide us. We don't have any bias beyond finding the truth. We are the one independent publication, without fear or favor, willing to go to bat for you if all of what you are saying is true and there is evidence to back it up.

On Sun, Mar 12, 2017 at 2:43 PM, Kevin deutsch <kevinscottdeutsch@gmail.com> wrote:
I don't want you filtering my answers in order to bolster your inaccurate story. I wish to be quoted in full. Just reiterating this one last time, in the interest of fairness and objectivity--tenets your site claims to uphold.

On Mar 12, 2017, at 2:37 PM, Sydney Smith <sydneysmithwriter@gmail.com> wrote:

We will provide your answer to each question edited if it is too long, as any news outlet would. If your answers are brief and not libelous, we could potentially quote it in full. It depends on what you write. You obviously have your own platform and other outlets to provide fuller responses if you so choose.

You have our questions. We await your responses.

On Sun, Mar 12, 2017 at 2:33 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
So you get to decide which of my answers are factual, when you're also the one attacking my credibility? Is that correct?

On Sun, Mar 12, 2017 at 2:32 PM, Sydney Smith <sydneysmithwriter@gmail.com> wrote:
We've asked you factual questions. We will include factual responses and quote you accurately. You can choose to answer them or not. We are unable to promise what could be 100,000 words and attacks on other people in such an open-ended arrangement.

On Sun, Mar 12, 2017 at 2:28 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
So you won't say whether you'll be editing my answers? Very ethical.

On Sun, Mar 12, 2017 at 2:28 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
You have the opportunity to answer these questions.

On Sun, Mar 12, 2017 at 2:26 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
I'd like to respond in full, despite the biased nature of the questions. Will you edit my responses? I'd ask that they not be edited. I deserve to have my responses heard without your filtering them.

On Sun, Mar 12, 2017 at 2:24 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
These are neutral questions based on information we have found. We are giving you a full opportunity to respond to every point. These are simple questions. Please provide your responses.

On Sun, Mar 12, 2017 at 2:05 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
This is so misguided and inaccurate, and lacks even a modicum of objectivity. I'd like to respond to your questions and have my responses be published in your story unedited. I think that's fair, given the false attacks your making against me.

On Sun, Mar 12, 2017 at 1:30 PM, Sydney Smith <sydneysmithwriter@gmail.com> wrote:
Dear Mr. Deutsch,

We are preparing for publication of a new story concerning your reporting. We have the following series of questions.

Please let us know if you have any on-the-record response and comment. We have listed detailed questions below to offer you every opportunity to provide evidence.

1) You reported in this Orlando story (<http://www.newsday.com/news/nation/omar-mateen-cheered-on-9-11-as-towers-fell-says-classmate-1.11911197>) an interview with a Jason Hart, described as a gym-goer who had seen Omar Mateen work out at Gold's Gym Port St. Lucie.

Gold's Gym Port St. Lucie has no record of a Jason Hart in its records.

- a) Where did you meet Hart?
- b) How did you verify his claims?
- c) Any response to the fact Gold's Gym has no record of him attending the gym in question?

2) In this New York Daily News story, you reported on Eddy Coello being "heckled" during his 20 hours at Bronx Central Booking by "jailbirds," listing a "Joel Gutierrez, 32, an accused drug dealer" and a "Ronaldo Simms, who was locked up for fighting" and comments they said they made when taunting Coello.

<http://www.nydailynews.com/new-york/eddy-coello-ex-cop-accused-charged-murdering-wife-taunted-night-jail-article-1.124971>

- a) Where did you meet these men?
- b) What evidence did they provide or did you obtain for them having actually been in Bronx central booking with Eddy Coello?
- c) NYPD is in charge of Bronx Central booking. The NYPD has no record of either man being arrested in month of March 2011 which includes when Coello was held in Bronx central booking. Any response?

3) In your Newsday article on Lu Lingzi, the Boston Marathon victim, you quoted a "classmate" Patricia Dula and a friend Michele Hua. <http://www.newsday.com/news/nation/boston-marathon-bombing-victim-lu-lingzi-honored-with-posthumous-degree-1.5295546>

- a) Where did you meet these women ?
- b) There is no record at BU of Patricia Dula attending. Do you have any response to this missing classmate?
- c) Do you have any evidence in support of these women's existence?

4) Regarding your complaints concerning our reporting on Aahil Khan

- a) Where did you meet Khan?
- b) How did you verify his story?
- c) Have you filed any correction request with Newsday?
- d) Our reporting revealed that there is no record of you contacting the school district to confirm Khan's claims about Mateen -- that he was suspended after cheering for 9/11. Again, we ask if you dispute this fact or have any evidence to support any fact checking you did, please let us know. .

5) Regarding Eric Baumer, we saw your complaints in the Observer, although we note that we heard no complaint from you whatsoever on this matter.

a) We note that G4S provides the security at the golf course you name, PGA Golf Club, that Omar Mateen was employed by G4S as you wrote, and G4S had no record of an Eric Baumer. Are you saying that Baumer gave you a fake name?

b) You erroneously claimed in the Observer that iMediaEthics' article "falsely suggested that I said Baumer worked for the same security company that employed Mateen, when no such claim was made."

Your own reporting states Baumer's "security guard shifts at the PGA Golf Club at PGA Village overlapped with Mateen's in 2015," that Baumer was a "colleague," and that Mateen worked for G4S. We contacted the security guard house, which directed us to G4S.

Therefore your own reporting clearly indicates Baumer works for G4S. Any response? Why would you deny this? Will you correct your error?

6) Regarding the NYTimes missing sources:

- a) Have you found or provided any evidence since the editor's note published by the NYTimes to prove the existence of these men?

b) You state that it's often the "standard occurrence" for people related to drug/addiction stories provide "something other than their real name." If that is the case, why did you not take verification steps to ensure the sources you spoke with gave you correct information? Why not inform the Times you were not sure the sources gave the correct information before publication?

7) We are aware that Newsweek, Newsday and New York Daily News are all currently reviewing your work. And, we know you say you are participating in the reviews of Newsday and NYDaily News.

a) Are you also participating in the Newsweek review?

b) What is your involvement with the reviews? Are you in the newsrooms meeting with the reviewers/editors on a frequent basis, or are you asked for information when needed? How is the review operating on your end of it?

8) Regarding Twitter:

a) We note that you blocked many critics and reporters from your Twitter account, including us on March 7. Why?

b) The Twitter user @donvito89 that tweeted in defense of you last night from a new account

--- Did you set the account up?

---What role did he play in your book?

---Did you ask anyone else to tweet on your behalf?

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10) Wikipedia has warned that your page is apparently being edited by someone close to you. Are you editing your page? Do you know who is?

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a) You mentioned you resigned Queens College to work on your next book. Do you have a publisher lined up yet? St. Martin's Press said it doesn't have any other books under contract with you.

b) Queens informed us you sent in an e-mailed resignation Monday morning after the editor's note from the Times and our inquiries. Queens informed us you didn't teach your class that day. Why didn't you give them any notice if you resigned to work on a book, something you can plan in advance? Why didn't you show up for your class that day?

c) You wrote in your previous e-mail, "But I continue to teach journalism and writing to students interested in the craft." Where and how are you doing this?

Thank you.

Sydney Smith

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As background : [Art Science Research Laboratory](#) is a not-for-profit, co-founded by Rhonda Roland Shearer, an artist, art historian and journalist and her late husband, Harvard professor and scientist, Stephen Jay Gould. ASRL's non-partisan journalism ethics program and news site [iMediaEthics](#), encourages the media's use of scientific methods and experts before publication. iMediaEthics also publishes investigations of factual errors and ethical breaches by media outlets.

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From: **Sydney Smith** <sydneysmithwriter@gmail.com>
Date: Thu, Mar 2, 2017 at 3:18 PM
Subject: Re: Request for correction
To: Kevin Deutsch <kevinscottdeutsch@gmail.com>
Cc: "Rhonda R. Shearer" <rhonda.r.shearer@gmail.com>

It's been nine months. You had no problem with the headline until now. If Newsday publishes a correction admitting it erred, we will publish a correction. Newsday is aware of our reporting. Regarding your previous email today labeled off-the-record: Stop sending us information labeled off-the-record. We told you we have no off-the-record agreement. As a final reminder, anything you send us is on the record.

On Thu, Mar 2, 2017 at 3:12 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
Just following up: it would be accurate to say the headline of the story called him a "classmate," but my actual story--under my byline--did not. I didn't make that claim. Thus, the line in your story is innacurate.

On Thu, Mar 2, 2017 at 2:58 PM Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
Hi Rhonda,

I was so busy in Orlando, I wasn't looking at the headlines. Reporters don't write headlines at Newsday. I just filed my stories and kept reporting.

On Thu, Mar 2, 2017 at 2:56 PM Rhonda R. Shearer <rhonda.r.shearer@gmail.com> wrote:

Kevin, Did you ask your paper to correct the headline at the time of publication or since? If yes, did they decline? Please forward emails or other evidence that shows you disputed the paper's headline. If you let it stand all this time that would indicate to us that you agreed with their headline.

On Thu, Mar 2, 2017 at 2:31 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
Your story states: "Aahil Khan, who Deutsch claimed was a "classmate" and "childhood friend" of Mateen's...

This sentence is innacurate. I did not identify him as a classmate anywhere in my story. Please fix. Thank you.

Kevin

--

Best regards,
Rhonda

Rhonda Roland Shearer

director, Art Science Research Laboratory
editor-in-chief, publisher, [iMediaEthics](http://www.imediaethics.org)

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As background: Art Science Research Laboratory, a 501 (c) (3) not-for-profit that I co-founded with my late husband, Harvard professor and scientist, Stephen Jay Gould, publishes the award-winning [iMediaEthics](http://www.imediaethics.org) as part of non-partisan journalism ethics program. Students, young journalists and media professionals work with senior researchers to learn how to foster the media's use of scientific methods and experts before publication. We also publish international media ethics news stories and investigations of factual errors and ethical breaches by media outlets.

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From: Kevin Deutsch <kevinscottdeutsch@gmail.com>
Date: Thu, Mar 2, 2017 at 7:22 PM
Subject: Re: Media Inquiry-
To: Sydney Smith <sydneysmithwriter@gmail.com>

To answer your questions:

I'm an FIU graduate.

I proudly use my mother's last name as part of my byline.

I've stepped away from CUNY in order to work full time on my next book. But I continue to teach journalism and writing to students interested in the craft.

Best,

Kevin

On Mar 2, 2017, at 6:13 PM, Sydney Smith <sydneysmithwriter@gmail.com> wrote:

Hi Kevin,
Following up.

On Thu, Mar 2, 2017 at 4:29 PM, Sydney Smith <sydneysmithwriter@gmail.com> wrote:

Hi Kevin,
So you use Deutsch as your last name even though it is not your legal last name. That still counts as an alias.

Our reporting has found

- 1) You resigned Queen's College this week.
- 2) No one named Kevin Deutsch graduated from FIU
- 3) Someone named Kevin Shulman with your birthday graduated FIU.

Are you disputing any of this? Do you have any comment on the record about any of this, including why you resigned Queen's College?

Thank you.

On Thu, Mar 2, 2017 at 4:21 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:

<http://kevin.deutsch.tripod.com/story.pdf>

From: **Kevin Deutsch** <kevinscottdeutsch@gmail.com>
Date: Thu, Mar 2, 2017 at 4:20 PM
Subject: Re: Media Inquiry-

To: "Rhonda R. Shearer" <rhonda.r.shearer@gmail.com>, Sydney Smith <sydneysmithwriter@gmail.com>

But you're going to make an error without this info, and I can't share this info on the record .
It's not journalism related.

On Thu, Mar 2, 2017 at 4:19 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
In addition, is Kevin Shulman your alias? Why would you use an alias, and what is your real name?

On Thu, Mar 2, 2017 at 4:15 PM, Sydney Smith <sydneysmithwriter@gmail.com> wrote:
Hi Kevin,
No. Those are our questions. Please let us know if you have any on-the-record information or comments.

On Thu, Mar 2, 2017 at 4:06 PM, Sydney Smith <sydneysmithwriter@gmail.com> wrote:
Looping in Rhonda for this. Her call.

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From: **Kevin Deutsch** <kevinscottdeutsch@gmail.com>
Date: Thu, Mar 2, 2017 at 4:05 PM
Subject: Re: Media Inquiry-
To: Sydney Smith <sydneysmithwriter@gmail.com>

Can I share something off the record?

On Thu, Mar 2, 2017 at 3:58 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
Hi Kevin,

We're working on a follow-up story. We have the following questions:

1. Queen's College told us you resigned. Why did you resign this week?
2. There is no student with your name listed by FIU as a student who graduated. Why does the university say they have no student who graduated with your name when it's listed on your website?

Thank you.
Sydney

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From: **Kevin Deutsch** <kevinscottdeutsch@gmail.com>

Date: Thu, Mar 2, 2017 at 1:53 PM

Subject: Clarification

To: "Rhonda R. Shearer" <rhonda.r.shearer@gmail.com>, Sydney Smith <sydneysmithwriter@gmail.com>

Off the record: to clarify, I didn't identify Mateen as a classmate of Mateen's in my story. That word was in the headline, which I didn't write. I identified him only as "childhood friend" of Mateen's, which is how he identified himself to me.

Regards,

Kevin

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From: **Kevin Deutsch** <kevinscottdeutsch@gmail.com>

Date: Thu, Mar 2, 2017 at 1:30 PM

Subject: Re: Media inquiry-For publication noon

To: "Rhonda R. Shearer" <rhonda.r.shearer@gmail.com>, Sydney Smith <sydneysmithwriter@gmail.com>

Sydney,

For me, journalistic ethics are sacrosanct. They've remained so throughout my nearly fifteen-year criminal justice journalism career--a career I'm extremely proud of. To suggest that I would violate journalistic ethics in any sense is wrong. Journalism is my life. I stand behind every word I've written.

I've provided all notes from my coverage of the Orlando nightclub shooting to Newsday, and I'm cooperating fully with reviews of my work. I'm eager to show all my stories have met the highest standards of journalistic ethics.

In response to the stories you cite:

These sources provided their names and quotes as they appeared in my stories, verbatim. I had no reason to doubt their veracity.

Again, I stand by all of my reporting.

On Thu, Mar 2, 2017 at 12:14 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
We are publishing momentarily. We take it you have no response?

On Thu, Mar 2, 2017 at 9:55 AM, Sydney Smith <sydneysmithwriter@gmail.com> wrote:
Dear Kevin,

We are working on a follow-up story. We are publishing by noon Eastern.

We urge you to provide evidence on the record as the allegations and investigations by your former employers are mounting.

NYDN Editor-in-chief Arthur Browne told us, "All of his stories are under review."

We believe if you know that you have erred by fabricating sources, coming forth early is better, because the truth will come out. We also believe we are the most capable of being fair to you in this case.

Regarding your June 2016 article for Newsday, "Omar Mateen cheered on 9/11 as towers fell, says classmate." <http://www.newsday.com/news/nation/omar-mateen-cheered-on-9-11-as-towers-fell-says-classmate-1.11911197>

You quoted from an Aahil Khan in your story as a classmate of Omar Mateen.

QUESTIONS:

An "Aahil Khan" was not enrolled at either the St. Lucie School District or the Martin County School District, the two school districts Omar Mateen was enrolled in according to school district representatives. This indicates at best, that the claims he was a classmate are false. At worst, that he does not exist.

1. Is Khan a real person? Do you have any documentary evidence? Witnesses?
2. How did you find Khan? How did you communicate? Do you have email or phone records?
3. What school did he say he attended with Mateen?
4. The Martin County School District says you have not contacted them for information regarding Omar Mateen or Khan. Do you have any e-mail or phone records to prove you did?
5. What, if any, fact checking did you do for your story?
5. What is Khan's contact information?

QUESTIONS:

Regarding this story: "Orlando shooting suspect showed signs of violence, reports say." <http://www.newsday.com/news/nation/orlando-shooting-suspect-showed-signs-of-violence-reports-say-1.11906792>

You quoted an Eric Baumer, described as a "colleague" of Mateen's at G4S.

1. G4S told us it never employed an Eric Baumer. Is he a real person? Please provide evidence.
2. How did you find Eric Baumer? What attempts did you make to fact check his claims? What evidence do you have?
3. What is Baumer's contact information?

Thank you.

Sydney

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From: **Sydney Smith** <sydney smithwriter@gmail.com>

Date: Wed, Mar 1, 2017 at 2:23 PM

Subject: Re: Story idea

To: Kevin Deutsch <kevinscottdeutsch@gmail.com>

In response, in yellow:

Off the record:

From now on we are on the record if you choose to write us again

[REDACTED AS ORIGINAL EMAIL LABELED OFF-THE-RECORD]

Facts: your statement indicates some sort of agreement with sources and this inference is not credible if your story has no indication of any agreement.

[REDACTED AS ORIGINAL EMAIL LABELED OFF-THE-RECORD]

Those are biographical details you list. There is no ethical problem with quoting from your bio info from your bio page. We use quotation marks around your words for accuracy. We did not want to reword your words. If we disputed the information we would have said so.

[REDACTED AS ORIGINAL EMAIL LABELED OFF-THE-RECORD]

Your defense starts after graph 6 in a 30 graph story. The story was about missing sources. If you offer something of substance (proof, evidence) in your defense--which you have not done so far--we would even make it the lede.

We need verification steps such as proof such as the existence of the AA group(s) you visited and met the missing sources? What are the AA organizers' contact information and locations where you met these men?

You say your reporting is perfect and have lots of notes to back up your reporting, so what went wrong that you "lost" your sources? This makes no sense without more information.

Are you saying the men simply disappeared without a trace and you have independent documentation and public records to prove they are real people and had real stories (and nephew)? Are you saying you were tricked because you did not verify the men's identity and stories before publication?

On Wed, Mar 1, 2017 at 1:05 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
[REDACTED AS DEUTCH LABELED AS OFF THE RECORD]

From: **Sydney Smith** <sydneysmithwriter@gmail.com>
Date: Wed, Mar 1, 2017 at 9:43 AM
Subject: Re: Story idea
To: Kevin Deutsch <kevinscottdeutsch@gmail.com>

Hi Kevin,
We only used what you sent us on the record.

On Wed, Mar 1, 2017 at 8:30 AM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
Sorry, just rereading this. Meant to write "off the record" where it says "on the record". Please don't use. Thank you.

On Tue, Feb 28, 2017 at 11:27 PM Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
A little more information:

[REDACTED, LABELED OFF-THE-RECORD]

On Tue, Feb 28, 2017 at 11:07 PM Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
[REDACTED, LABELED OFF-THE-RECORD]

On Tue, Feb 28, 2017 at 10:40 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
Dear Kevin,

Thank you for your e-mail. Our news story about your case will be published in the morning.

I spoke with my editor regarding publishing what you suggested. The problem for us is your suggested proposal as written is only comprised denials without any new information, evidence or details.

We would be, however, open to publishing a Q & A with you. Please let us know if you would be open to a Q &A.

Thank you
Sydney

On Tue, Feb 28, 2017 at 6:59 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
Dear Sydney,

Hope this finds you well **[REDACTED AS LABELED OFF-THE-RECORD]**
Kevin

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From: **Sydney Smith** <sydneysmithwriter@gmail.com>
Date: Mon, Feb 27, 2017 at 1:20 PM
Subject: Re: Media Inquiry
To: Kevin Deutsch <kevinscottdeutsch@gmail.com>

OK thank you. Please let me know if there is anything more moving forward.

On Mon, Feb 27, 2017 at 1:19 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
[REDACTED AS DEUTSCH LABELED OFF-THE-RECORD]

On Mon, Feb 27, 2017 at 1:11 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
Sorry, Kevin. I mis-typed. Meant Andrew Giordano.

On-the-record, did you have any information regarding the death of Sheridan's nephew? What information did you provide the Times in terms of tracking down the two sources Sheridan & Giordano?

Thanks!

On Mon, Feb 27, 2017 at 12:59 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
[REDACTED AS DEUTSCH SAID OFF-THE-RECORD]

On Mon, Feb 27, 2017 at 12:57 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
Thank you, Kevin. What sensitive ground rules? Did you obtain or have any information indicating the death of the nephew and the addict?

On Mon, Feb 27, 2017 at 12:19 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
This should have been in my last note, too:

The two sources in question were an admitted heroin addict who'd once survived an overdose from injecting a heroin-fentanyl mixture, and a self-described addiction counselor who told me he'd lost a nephew to a fatal fentanyl overdose. I'd interviewed both men following 12-step recovery meetings they'd attended, and which I'd been allowed to sit in on. There were sensitive ground rules in place, and the *Times* was fully aware of those details.

On Mon, Feb 27, 2017 at 12:00 PM Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
Dear Sydney,

I share the Times' commitment to accuracy and ethical reporting, but disagree with the paper's conclusions. I provided Times editors with every piece of information and detail I had regarding these interviews. I also offered to send the paper my notebooks containing extensive notes from these interviews.

I reported this story ethically and in accordance with the highest journalistic standards. The quotes and interviewee names and details that appeared in the story were recounted to me by the interviewees, verbatim.

I'm proud of the piece and the attention it's drawn to the dangers of fentanyl. I consider journalistic ethics sacrosanct, and stand by all of my work.

I'm also including a response piece I recently wrote addressing the other issues you asked about. You can find it here:

<https://medium.com/@pillcitybook/pill-city-how-two-honor-roll-students-foiled-the-feds-and-built-a-drug-empire-410e9254f46?source=linkShare-49e0d69c2427-1488214715>

[REDACTED OFF THE RECORD]

Thanks,

Kevin

From: **Sydney Smith** <sydneysmithwriter@gmail.com>

Date: Mon, Feb 27, 2017 at 11:40 AM

Subject: Re: Media Inquiry

To: Kevin Deutsch <kevinscottdeutsch@gmail.com>

Hi Kevin,

Just wanted to check in on this.

In addition, since Jeffrey Sheridan's nephew and Andrew Giordano are dead, do you have the death records for this to confirm their existence?

Thank you.

Sydney

On Sun, Feb 26, 2017 at 1:35 PM, Sydney Smith <sydneysmithwriter@gmail.com> wrote:
Hi Kevin,

Thanks for your e-mail. We would like to post tomorrow if possible.

On Sun, Feb 26, 2017 at 12:53 PM, Kevin Deutsch <kevinscottdeutsch@gmail.com> wrote:
Hu Sydney, when is your deadline? I'm traveling but want to get back to you with statements on all of these issues when I can access my laptop.

Thanks,

Kevin

On Sat, Feb 25, 2017 at 9:25 PM Sydney Smith <sydneysmithwriter@gmail.com> wrote:
Dear Mr. Deutsch,

I am a reporter for US media ethics news website iMediaEthics (more about us below my signature).

We're working on a brief news story about the NYTimes editor's note concerning your December freelance article.

1. Do you have any comment on the editor's note or the decision to scrub references to Jeffrey Sheriidan and Andrew Giordano?
2. The Times said you were "not able to put The Times in contact with either source, or to provide any further material to corroborate the account." Why is that? What information did you provide the Times?
3. The Baltimore Sun reported that Newsday is also reviewing your work. Do you have any comment on that review?
4. Do you have any comment in response to the questions raised about Pill City by the Sun's reporting?

Thank you
Sydney Smith
reporter

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