

U.S. House Committee on The Judiciary
Subcommittee on Antitrust, Commercial and Administrative Law

“Online Platforms and Market Power, Part 1: The Free and Diverse Press”

Testimony of Kevin G. Riley
Editor
The Atlanta Journal-Constitution

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Chairman Cicilline, Ranking Member Sensenbrenner, and members of the Subcommittee on Antitrust, Commercial and Administrative Law: thank you for inviting me to testify at today's hearing.

My name is Kevin Riley, and I am the Editor of The Atlanta Journal-Constitution (AJC), a position I have held since 2011. I have been a professional journalist for 36 years and was a judge for the 2019 Pulitzer Prizes. In short, I have spent a career in the business, and I'm passionate about what I believe it takes to provide quality local journalism, the core to any successful paper. The Atlanta Journal-Constitution is the largest newspaper in Georgia. We have a rich 150-year history, and members of our staff have won 11 Pulitzer Prizes. The AJC has always been a watchdog for Georgia's citizens and the home of journalists who shaped our city's history – and that of our state and nation. I am responsible for the AJC's news coverage in print and in digital formats.

About four years ago, in a downtown Atlanta courtroom, a Fulton County jury convicted 11 educators in one of the longest trials in Georgia history. With those convictions, 32 educators had been found guilty of altering students' standardized tests in the largest school cheating scandal in the nation's history. The reading of that verdict culminated a heroic journalistic effort by The Atlanta Journal-Constitution.

AJC reporters had noticed that Atlanta Public School student scores on Georgia's standardized tests showed extraordinary improvement. They decided to analyze the scores and set off down a remarkable path. Their analysis showed that some schools had improved so much that it raised questions about cheating on the tests. Their first story showed the gains of some schools defied statistical possibility.

Later, after many more stories, an investigation ordered by the governor as a result of the AJC's reporting found system-wide cheating in 44 Atlanta public schools, with 178 teachers and principals routinely erasing incorrect answers on standardized tests and replacing them with correct ones. The cheating inflated the scores of thousands of students, giving the false impression of their -- and the school district's -- success.

The story would never have been uncovered without the AJC. And the educators would have never faced justice, the system would not have been fixed, and most important of all, students wouldn't have been offered the chance to gain the knowledge they had been denied.

No other news organization in Atlanta has the capacity and expertise to do that kind of work. No other organization could have stood up to the relentless pressure to back off, unleashed by the school district and the business community. No other news organization would have stuck with the story for years, as the AJC did. It would be impossible to even put a cost estimate on the work.

That story illustrates the vital importance of today's hearing. Preserving local journalism means that these kinds of stories will be reported. Too often, the debate about media and tech platforms is framed within a discussion of international news brands. But the greatest peril for our nation lurks at the local level, where a regional or community paper must cope with a fast-changing technological and financial landscape.

Social media has forever altered the local news ecosystem and changed the way people consume news. In the sea of fast-moving, 24-hour news, newspapers provide deeply reported, authoritative local news amidst the frenzy. Local newspapers employ reporters and have a very real stake in a local community's well-being and economy. Only a local newspaper would commit to telling an important story like the Atlanta Public Schools cheating scandal. Only a local newspaper would make the years-long commitment. Only a local newspaper could document the impact on a community's children.

It's important to note that newspapers spend money to appear in news feeds and create stories specifically designed to gather online audience. Besides the expense of creating our content, we must attract users to our web site to expose them to the important, reliable, well-reported local journalism we've created. In fact, at the AJC we have numerous staffers assigned to monitor social media, create content for social media and search engines, and to evaluate its performance. Remaining viable and visible on these important platforms is a constant, expensive challenge for news organizations like the AJC. Fortunately, the AJC can afford to fund these positions. Smaller newspapers have a bigger challenge.

Social media and technology companies have enormous influence on the distribution and availability of news. But we should be worried about losing newspapers, the fountainheads within the local news ecosystem. It is worth considering what will be lost – those things only a local newspaper does:

- **We produce in-depth local journalism that lets the community know what's really going.** The Atlanta community deserved to know why those test scores were improving in defiance of logic.
- **We protect the public's right to know.** Newspapers demand public records be available on behalf of citizens.
- **We document our communities' moments, milestones and people.** What do people want when their team wins the Super Bowl or World Series? A copy of the front page.

We produce journalism that is distinguished by its depth, accuracy and originality. That costs money and is expensive, but if the system works correctly, it also makes money that the paper uses to investigate and develop the next story or cover the next local event. If others repackage our journalism and make money off it, yet none of that money makes its way back to the local paper, then it makes breaking that next story or exposing the next scandal more challenging. If that cycle continues indefinitely, quality local journalism will slowly wither and eventually cease to exist.

It's worth noting what ingredients and qualities make up the journalism of a newspaper.

Newspapers dig for original, often hidden information. At The Atlanta Journal-Constitution, journalists pursued a long investigation into public records abuses by the former Atlanta mayor's administration. Reporters showed that spending and other records, which should be available to the public, were hidden and obscured. The Georgia Attorney General stepped in, based on our reporting, and filed criminal charges. That action was a first under the Georgia Open Records Act.

Newspapers constantly monitor local and state institutions with beat reporting. Newspaper reporters are often experts at what they cover and monitor their beats to assure that they are the first to discover news of value. For example, The Atlanta Journal-Constitution has a reporter who covers the state budget and has for decades. It's hard to find anyone in Georgia with a better understanding of the state's finances.

Newspapers take the time to get it right. Our journalists might spend many months developing an important original investigation or analysis and know they can invest the time many stories need to develop. For example, in the case of the school cheating case, a team of reporters stuck with that story for years, using computerized analysis and meticulously working on accuracy and fairness in the reporting.

Newspapers master the details. Because we know our topics with depth and context, we are able to report with clarity and certainty. The format and mindset of newspaper journalists allows for thoughtful explanations of important stories – like the controversial financing of a new development in downtown Atlanta.

Newspapers hold officials and politicians accountable. We devote the resources, time and expertise needed to develop and produce high quality investigations that shape the community we live in. The Atlanta Journal-Constitution produced the most extensive review of police shootings ever undertaken in Georgia and cast doubt on claims by police that deadly force was always justified. Working with a local TV station as a partner, the newspaper showed that nearly half the 184 Georgians shot and killed by police since 2010 were unarmed or shot in the back. The year-long investigation exposed flaws in the way the state handles police shootings and led to grand jury reform. Reporters analyzed thousands of pages of records and conducted more than 100 interviews with prosecutors, police, grand jurors, family members and others.

Newspapers master public records laws. We have the highest level of expertise in the state on the public's access to documents and other information that is important to how the state and local governments operate. The AJC was an active participant in Georgia's 2012 revision of its public records laws. We retain an attorney to counsel us on these laws – while we advocate on behalf of the public.

In conclusion, a final anecdote.

Each year during Georgia's legislative session, I spend a day at the Capitol with our statehouse reporting staff. The Atlanta Journal-Constitution maintains the largest staff in the state to cover Georgia's government. Much has been written about how statehouse bureaus have shrunk around the nation, and that's true in Georgia. At times, the AJC's reporters appear to be among the only journalists covering the bills, the lobbyists and the political developments. It's an enormous responsibility to know that Georgia's citizens are so dependent on us. But as other newsrooms have been unable to commit to the cost of traveling from Macon, Savannah, Columbus or Valdosta, I recognize how that hurts our state. We miss those competitors and would welcome them as the competition makes us all better and is better for the citizens we serve.

Every day, we take on the job to inform and empower our readers who value credible, in-depth journalism. By providing this important public service, we help build a better Atlanta and Georgia for generations to come. All newspapers pursue similar missions.

Original journalism is difficult, time consuming, expensive and complicated. And perhaps not well understood.

But it's crucial to our democracy.

Thank you, and I welcome your questions.