

Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

In the Matter of
Applications for Renewal of Station License of

WTMJ-TV)	
Milwaukee, WI	)	BRCT20050729CYF
WITI-TV)	
Milwaukee, WI	)	BRCT20050729DRL
WISN-TV)	
Milwaukee, WI	)	BRCT20050801CEF
WVTV)	
Milwaukee, WI	)	BRCT20050801BDQ
WCGV-TV)	
Milwaukee, WI	)	BRCT20050801BBZ
WVCY-TV)	
Milwaukee, WI	)	BRCT20050801AGS
WMLW-CA)	
Milwaukee, WI	)	BRTTA20050801ADM
WJJA-TV)	
Racine, WI	)	BRCT20050725ABE
WWRS-TV)	
Mayville, WI	)	BRCT20050729DNH
WPXE-TV)	
Kenosha, WI	)	BRCT20050729AIH
WDJT-TV)	
Milwaukee, WI	)	BRCT20050801ADL

PETITION TO DENY RENEWAL

Pursuant to Section 309(d)(1) of the Communications Act, the Milwaukee Public Interest

Media Coalition (MPIMC)¹(CMA) respectfully submits this petition to deny renewal of the above captioned applications. As is demonstrated below, grant of this applications is *prima facie* inconsistent with the public interest standard set forth in Section 309(a) of the Communications Act. Accordingly, these applications should be designated for hearing.

INTRODUCTION

This petition challenges the renewal of all the commercial television stations in the Milwaukee market. The basis of this challenge is that, singly and together, each of these stations has failed to meet the needs of their community of license and, therefore, that renewal of their licenses would not serve the public interest. Specifically, as documented below, these stations failed to present adequate programming relating to state and local elections during the 2004 election campaign. In the four weeks prior to the election, less than 1% of newscast time was devoted to state level elections, about 2% to ballot issues and about 1% to other local elections.

The current policies relating to license renewals were adopted in 1984. At that time, the Commission eliminated programming guidelines as to quantities of news and public affairs programming which would be presumed to constitute service in the public interest. However, in so doing, the Commission stressed that “the basic responsibility to contribute to the overall discussion of issues confronting the community is a non-delegable duty for which each licensee will be held individually accountable.” *Deregulation of Radio*, 98 FCC 1075 (1984).

¹Attachment A hereto is the declaration of Michael McCabe, which identifies MPIMC’s interest in these applications. MPIMC is an *ad hoc* coalition of viewers and civic organizations concerned about the vitality of the electoral process. Its members include the Wisconsin Democracy Campaign, the League of Women Voters of Wisconsin, the Wisconsin State AFL-CIO, the Milwaukee County Labor Council (AFL-CIO), Wisconsin Citizen Action, the Coordinating Committee Against Hate Speech and the Lutheran Office for Public Policy in Wisconsin, Common Cause in Wisconsin and Peace Action Wisconsin.

Attachment B hereto is a study prepared by the Center for Media and Public Affairs (CMPA).² CMPA was commissioned to analyze all regularly scheduled news programming and public affairs programming carried by the five highest-rated commercial stations in Milwaukee for the four weeks prior to the November, 2004 election. This programming represented substantially all of the regularly scheduled locally produced news available in Milwaukee.³ Additional information on the methodology and data collection for the study is contained in Attachment C, the declaration of Meredith McGhehee, Director of the Media Policy Program of the Campaign Media Legal Center.

As Ms. McGhehee explains, trained volunteers taped the programming,⁴ which was provided to CMPA for analysis using coding methodology which employs numerous statistical and other controls to assure completeness and accuracy of its analysis.⁵ She continues:

²CMPA is a nonpartisan research and educational organization which was founded in 1985 and conducts scientific studies of the news and the entertainment media.

³The remaining stations challenged carried no regularly scheduled locally-originated news programming or merely rebroadcast newscasts produced by another station.

⁴Between 93 and 99 percent of targeted programming was recovered, assuring a high degree of statistical reliability.

⁵As CMPA explains on its website,

Categories and criteria are rigorously defined and applied consistently to all material. Each system must be reliable, meaning that additional researchers using the same criteria should reach the same conclusions. Because it is both systematic and reliable, content analysis permits the research to transcend the realm of impressionistic generalizations, which are subject to individual preferences and prejudices.

CMPA researchers have honed their skills on a wide variety of projects since 1987, making them among the best trained and most experienced at news media content analysis. Researchers examine news stories on a statement-by-statement level, recording all overt opinions expressed by either the reporter or other individuals quoted in the story. Each opinion is catalogued according to the source of the comment, the target, and the issue under discussion.

Researchers do not assign overall positive and negative scores to entire stories, since such an approach is inherently subjective and fails to fully account for

The data show clearly an overall lack of news coverage of the 2004 local elections by the five highest-rated Milwaukee stations and illustrate further that there was a market-wide failure to provide voters in the Milwaukee viewing area with the information they needed about local races to be the informed voters essential to a healthy, working democracy.

Specifically, the data show that only 5.2 % of total newscast time was devoted to elections in the four weeks prior to a major election, and that the U.S. Presidential and U.S. Senate races accounted for 77% of that coverage.⁶ All other Wisconsin elections and ballot referenda together counted for approximately 4% of the election news coverage. This is well under 1% of the total time devoted to news on the stations on the five monitored stations.⁷

the nuances within each story. Individual statements are logged into a computerized database, allowing statistical analyses to fully describe the relationships among news sources, time periods, the focus of coverage and the tone of coverage.

Depending on the length and breadth of the study, CMPA's codebooks (which contain the categories and rules for coding) range from 100 to 300 pages long and include 20 to 50 different analytic variables. Research assistants are trained for between 150 and 200 hours before they begin work on a project. During the training process, researchers code sets of stories, and their work is compared to that of previous coders until a minimum reliability level of 80% is reached for all variables. That means that the new coders must reach the same conclusions as their counterparts at least four out of five times. For most variables, the level of agreement is much higher.

<http://www.cmpa.com/ourMethodology/index.htm>

⁶This figure actually overstates the amount of coverage, a single station, WVTV, accounted for a disproportionate share because it carries a largely national newscast masquerading as a local program.

⁷To examine whether information about non-Presidential races were made available on the national news programming, volunteers also examined national news programming aired during the two weeks leading up to Election Day. That analysis of 132 hours of national news and public affairs programming that aired on ABC, CBS, NBC and Fox networks found that 92% of the election coverage aired on national networks was devoted to the presidential contest, with 81.6% of the candidate soundbites coming from the presidential candidates. Candidate soundbites for U.S. Senate candidates constituted 0.4%, for U.S. House 1.2% and for other candidates 0.3%. Two percent of stories examined ballot initiatives and referenda, and slightly less than 2% were devoted to U.S. Senate or House races. The remaining stories were devoted to voting issues not specific to any

Analysis of the content of the election coverage demonstrates that qualitative factors make the picture even worse. CMPA reports that the dominant frame in Milwaukee coverage (over one third of all election coverage) was the strategic element of campaign and campaign activities, and that “horse race coverage” was about 10% of time devoted to campaign news. While these are certainly newsworthy, fully half of the news coverage did not inform voters about issues or other facts which actually assist them in voting or in deciding for whom to vote. Moreover, only 13% of the news coverage was devoted to carriage of candidates speaking on behalf of themselves, and the average candidate soundbite was 10.7 seconds long.

WTMJ carried a modicum of local coverage outside of news programming.⁸ This programming tended to follow the same pattern. In particular, about one-third of election related discussion was devoted to “horse race” and strategic matters.

ADDITIONAL FACTS

Members and representatives of MPIMC have presented several declarations which elaborate on the consequences of the inadequate coverage of state and local elections in Milwaukee.

Jennifer Morales is an elected member of the Milwaukee School Board and an unsuccessful candidate for State Senate in November, 2004. She explains that the failure of Milwaukee’s commercial TV stations to cover such elections required her to purchase air time on cable and radio.

particular race (like absentee ballots or voting machines). All told, the national networks devoted about 30 hours to local elections news – approximately one-fifth of their news hole. However, the majority of coverage focused on the horse race of the candidates’ campaign strategies rather than issues.

⁸This petition does not address advertising. Such programming is no substitute for news or public affairs coverage conducted by journalists. Indeed, under Section 315(a) of the Communications Act, licensees have no discretion whatsoever as to the content of candidate “uses.”

Even so, she was “struck by the number of voters who, when I came to their doors, were totally unaware that” there was a contested State Senate seat. See Attachment D.

Donald Richards is a former member of the Milwaukee City Council. He complains that the only candidate discourse available on over the air stations was in candidate advertising in which “questions were not answered.” See Attachment E.

Viewer Jerry Fredrickson says that “to be adequately informed, I need television stations to broadcast candidate debates at reasonable times; report on developments in geographically relevant races; and announce opportunities to attend candidate events.” See Attachment F.

Melanie Ramey is President of the League of Women Voters of Wisconsin, which has a statewide membership of 1,400. She declares that the League leadership has “found that most citizens were completely unfamiliar with” local electoral issues and that the League “believes that one of the causes of the failure of citizens to be informed is the lack of sufficient coverage of local politics and local public affairs by broadcast television stations.” See Attachment G.

Eva Robar-Orlich of Peace Action Wisconsin explains that her organization has some 2,000 members, half of whom reside in Milwaukee. She identifies debates which went uncovered, and declares that during Peace Action Wisconsin’s voter registration activities, “we discovered that members of the public we talked with had little knowledge of the local races that were occurring and [were] confused as to how and where to vote.” Ms. Robar-Orlich also discusses the dearth of information on voting rights.⁹ She attributes “this lack of an informed citizenry to the lack of sufficient coverage of local politics and local public affairs by broadcast television stations.” See Attachment

⁹The CMPA study documents how little voter information was provided; well under 1% of the total newscast time analyzed consisted of voter information.

H.

Geoff Davidian's expertise on the electoral process comes from his experience as a journalist. He states that the inadequate coverage of electoral issues impedes his ability to "intelligently and fully meet my responsibility as a citizen in the greater Milwaukee area...." See Attachment I.

Robert F. Miranda submits his declaration on behalf of the Coordinating Committee Against Hate Speech (CCAHS), which serves the Latino community in the Milwaukee area. He asserts that the Spanish language TV station has no state or local news coverage, and that this and other stations collectively failed to cover issues that were important to local races. He describes the failure of the TV stations in Milwaukee to cover inflammatory abuse of the Latino community during the election campaign. He states that "Increased coverage of political candidate activities and events would have significantly improved voter turnout by the Latino community...." See Attachment J.

LEGAL ANALYSIS

The Commission cannot grant a license renewal without hearing unless it determines, based on the available information, that the applicant has met its burden of establishing that grant is in the public interest. 47 USC §309. If, as here, a petition to deny raises substantial and material questions of fact as to whether grant of the application is in the public interest, the Commission must designate the matter for hearing. *Id.*

Localism (along with diversity and competition) is one of the three basic elements of the Commission's public interest analysis of broadcast applications. *See NBC v. U.S.*, 319 U.S. 190, 203 (1943) ("Local program service is a vital part of community life. A station should be ready, able, and willing to serve the needs of the local community"). Section 307(b) of the Communications Act assures that licenses are distributed with regard to assuring localism. *See FCC v. Allentown Broadcast*

Corp., 349 U.S. 358, 362 (1955) (upholding authority to distribute licenses “to a community in order to secure local competition for originating and broadcasting programs of local interest.”); *FCC v. Pottsville Broadcasting Co.*, 309 U.S. 134, 139 (1940) (renewal not in the public interest where “applicant did not sufficiently represent local interests in the community.”). Localism has been reaffirmed legislatively on countless occasions; *MPAA v. FCC*, 309 F.3d 796, 804 (D.C. Cir. 2002) (upholding power to promote localism). *See, e.g.*, H.R. Rep. 104-104 (1996) (“[Localism] is a vitally important value ... [and] should be preserved and enhanced as we reform our laws for the next century.”); Pub. L. 102-385 §§2(a)(10-11) (substantial governmental interest in ensuring localism and local program origination and “broadcast television stations continue to be an important source of local news and public affairs programming ... critical to an informed electorate.”)¹⁰

MPIMC recognizes that the Commission has afforded broadcasters wide discretion in determining how to meet the needs of their communities. However, the paucity of coverage of local elections available to Chicago area voters cannot be reconciled with the localism which the Communications Act demands. The failure to provide such coverage is a gross abuse of discretion which is incompatible with the broadcasters’ most fundamental obligations to the public and absolutely precludes grant of renewal without exploration at a hearing.

“It is the right of the public to receive suitable access to social, political, esthetic, moral, and other ideas and experiences which is crucial here.” *Red Lion Broadcasting Co. v. FCC*, 395 U.S. 367, 390 (1969). From the standpoint of the citizenry, their single most important need is access to information from and about candidates for public office.

¹⁰The Commission has recently reaffirmed its commitment to localism. *See, 2002 Biennial Review*, 18 FCCRcd 13620, 13643-44 ¶¶73-77, *rev’d on other grounds sub nom. Prometheus Radio Project v. FCC*, 373 F.3d 372 (3d Cir. 2004) (*citing NBC v. U.S., supra*).

The FCC itself has stressed the importance of political broadcasting many times. In one statement, it said:

In short, the presentation of political broadcasting, while only one of the many elements of service to the public ... is an important facet, deserving the licensee's closest attention, because of the contribution broadcasting can thus make to an informed electorate--in turn so vital to the proper functioning of our Republic. *Licensee Responsibility as to Political Broadcasts*, 15 FCC 2d 94 (1968).

Political Primer, 100 FCC2d 1476 (1984). Because freedom of speech is valuable not only as a personal liberty but also for the role it plays in the proper functioning of our entire democratic form of government, the Supreme Court has repeatedly recognized that the First Amendment “has its fullest and most urgent application’ to speech uttered during a campaign for political office.” *Eu v. San Francisco Democratic Committee*, 489 US 214, 223 (1989) (quoting *Monitor Patriot Co. v. Roy*, 401 US 265, 272 [1971]); *Mills v. Alabama*, 384 US 214, 218 (1966) (“[T]here is practically universal agreement that a major purpose of th[e First] Amendment was to protect the free discussion of governmental affairs.”); *Garrison v. Louisiana*, 379 US 64, 74-75 (1964) (“[S]peech concerning public affairs is more than self-expression; it is the essence of self-government.

Moreover, in 1984, the Commission made plain that, in giving greater discretion to TV broadcasters in meeting their programming obligations, it did “not constitute a retreat from our concern with the programming performance of television station licensees.” *TV Deregulation*, 98 FCC2d 1075 (1984).¹¹ It emphasized that the fact that a broadcaster carries some issue responsive programming is not dispositive, and that the Commission will conduct an “ad hoc review” to look into well-pleaded

¹¹In affirming the Commission’s radio programming policies, the Court of Appeals stressed that “[t]his power to license in the public interest ... necessarily entail[s] the power to license on the basis of program service.” *UCC v. FCC*, 707 F.2d 1413, 1428 (D.C. Cir. 1983).

allegations of insufficiency to determine “whether the challenged licensee acted reasonably in choosing the issues it addressed in its programming...,” and that “the burden will be on the licensee to demonstrate that the exercise of discretion was appropriate in the circumstances.” *Id.* See also, *UCC v. FCC, supra*, 707 F.2d at 1434 (“Quantity of programming remains ...a factor that the Commission may choose to deemphasize, but may not ignore altogether.”); *Television Deregulation (Reconsideration)*, 104 FCC2d 358, 362-3 n.8 (“Our decision ... cannot be reasonably read to have rendered quantity irrelevant.”).

CONCLUSION

WPIC has established a fundamental marketplace failure in the coverage of what is arguably the most important kind of programming in a modern democracy - coverage of local elections. It is impossible to find that Milwaukee TV stations have fulfilled their public interest obligation singly, or taken together. Accordingly, the Commission must grant this petition, designate the above-captioned applications for hearing, and grant all such other relief as may be just and proper.

Respectfully submitted,

Andrew Jay Schwartzman

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November 1, 2005

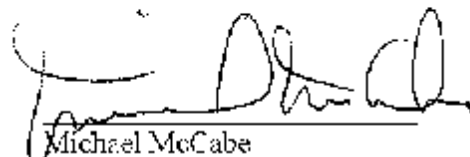
Attachment A:
Declaration of Michael McCabe

**DECLARATION OF MICHAEL McCABE IN SUPPORT OF
PETITION TO DENY RENEWAL APPLICATIONS**

I am Michael McCabe, coordinator of the Milwaukee Public Interest Media Coalition and executive director of the Wisconsin Democracy Campaign. The Milwaukee Public Interest Media Coalition's members include the Wisconsin Democracy Campaign, Common Cause in Wisconsin, League of Women Voters of Wisconsin, Wisconsin State AFL-CIO, Milwaukee County Labor Council (AFL-CIO), Wisconsin Citizen Action, the Coordinating Committee Against Hate Speech, Peace Action Wisconsin and the Lutheran Office of Public Policy in Wisconsin. MPIMC's collective membership includes many individuals who reside in the Milwaukee, Wisconsin television market and regularly watch television. The Wisconsin Democracy Campaign is a 10-year-old nonprofit organization working for clean government and a healthy and inclusive democratic process. WDC's members include many individuals who reside in the Milwaukee, Wisconsin television market and regularly watch television. WDC also is itself a coalition of 44 public interest advocacy groups whose collective memberships include many individuals who reside in the Milwaukee, Wisconsin television market and regularly watch television.

This declaration is submitted in support of the Milwaukee Public Interest Media Coalition's Petition to Deny Renewal of all Milwaukee area commercial television stations. I am familiar with the contents of the petition to deny and declarations submitted in support of the petition to deny. The facts set forth therein are true to the best of my knowledge.

Executed on October 28, 2005.


Michael McCabe
(signature of Declarant)

**Attachment B:
CMPA Study**



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2004 Campaign News Study in Chicago, Milwaukee and Portland Markets

Presented to:
The Media Policy Program of the
Campaign Legal Center

By
S. Robert Lichter
President

Daniel Amundson
Director of Research

August 10, 2005

Campaign News Study

Introduction

The Alliance for Better Campaigns (now the Media Policy Program of the Campaign Legal Center) contracted with the Center for Media and Public Affairs (CMPA) to examine local television news coverage of the 2004 elections. The Chicago, Milwaukee and Portland markets were chosen for the study. These three cities were chosen because they represented a range of market sizes, as well as providing an opportunity to explore the differences in coverage between battleground and non-battleground states.

To make the study large enough to be meaningful, but still of manageable size, the decision was made to focus on the final four weeks of the campaign (October 4 through Nov 1). This time period was chosen because it corresponds to the period of greatest voter interest and most intense campaign activities. Even the undecided and uninvolved voters pay the most attention to the campaign in these final days.

In each city we examined all locally produced newscasts on commercial English language stations. The 18 station sample that resulted included the ABC, CBS, Fox and NBC affiliates in each city, as well as the WB network affiliate WGN in Chicago and Sinclair Broadcasting affiliate WVTV in Milwaukee. Sinclair affiliate WVTV offered fewer hours of news than the major network affiliates. Otherwise the distribution of newscasts was fairly similar in all three cities.

Most frequently an early morning local news show led into the network morning news. Many stations offered a midday newscast followed by a block of news stretching from late afternoon until early evening. Typically these newscasts led into or surrounded the network national

newscasts. Most stations concluded the day with a late newscast after their prime time schedules were over.

Since the goal of the study was to examine coverage in all locally originated newscasts throughout the day, we did not examine national programming (e.g., *Good Morning America*, *ABC World News Tonight*, *Nightline*, *NBC Nightly News*, *Today Show*, *Dateline*, etc.). In this way the study could focus on locally made news decisions that were designed to capture local issues and races.

To this end the Alliance, through its partner organizations, arranged for the taping of the regularly scheduled newscasts on each of the sample stations. In some markets two tapers were assigned to each station to insure a high recovery rate in the taping. We will address the recovery rate in later sections discussing each market, but overall the recovery rate was very high.

The research presented in this report examined each taped newscast for any stories dealing with elections anywhere in the U.S. For each relevant story, we noted the story length, the contest that was being discussed, and the primary frame used to address the campaign (e.g., horse race, issue discussion, strategy, etc.). We also timed the sound bites of any candidates who spoke. The data obtained through this process are presented in the following three sections of the report.

To complete our analysis of local programming we also examined non-news public affairs programming that were found outside of regularly scheduled newscasts. These public affairs programs ranged from candidate debates to town hall meetings and from panel discussions with local pundits to extended candidate interviews. Because of the unusual nature of these programs they are discussed in a separate section for each city.

Chicago Market Results

In the Chicago market we examined regularly scheduled newscasts on WLS (ABC), WBBM (CBS), WFLD (Fox), WMAQ (NBC) and WGN (WB). Volunteer tapers were successful in recovering a very high percentage of targeted newscasts, as indicated in Table 1.

Table 1			
News Taping Rate for Chicago Stations			
	Total Possible Air time	Actual Taped Air time	Rate
WMAQ	118.25 hours	116.75 hours	99%
WFLD	128.5 hours	126.5 hours	98%
WGN	132.17 hours	125.17 hours	95%
WBBM	147.5 hours	141.75 hours	96%
WLS	136 hours	127 hours	93%

Our recovery rate ranged from 99% on WMAQ to 93% at WLS. The recovery rate was 98% at WFLD, 96% at WBBM and 95% at WGN. Some of the losses were due to taping errors; in a few cases tape quality was too poor to allow for accurate review of the newscast. Given this high rate of recovery we can be confident that this sample reflects the news offerings to Chicago viewers.

As can be seen in Figure 1, election news is a fairly small component of all news on the five stations monitored. Overall, election coverage accounted for just under eight percent (7.8%) of all news. Election stories may have had a prominent place in news casts, but they were not a major time component of the news.

Figure 1

Election News as a Percentage of all News

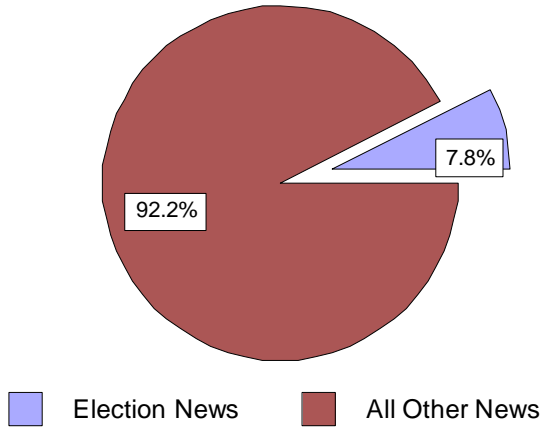


Table 2 provides a breakdown of election coverage by individual station in the Chicago market. The percentage of air time dedicated to election coverage ranged from just under six percent

(5.9%) at WBBM to just over nine percent (9.1%) at WLS. Coverage at WMAQ (8.9%), WFLD (7.8%) and WGN (7.4%) fell between these two extremes.

Table 2				
Campaign Air Time in Chicago Market				
<i>Station</i>	<i>Election Air Time</i>	<i>Actual Taped Air Time</i>	<i>Percentage of air time devoted to the election</i>	<i>Number of Stories</i>
WBBM	8 hrs 33min	141.75 hours	5.9%	480
WFLD	9 hrs 53 min.	126.5 hours	7.8%	444
WGN	9 hrs. 17 min.	125 hours	7.4%	492
WLS	11 hrs. 25 min.	127 hours	9.1%	489
WMAQ	10 hrs. 36min.	116.75 hours	8.9%	550
TOTAL	49 hrs. 38 min.	637 hours	7.8%	2442

All five Chicago stations combined aired 2,442 election related stories. WLS offered the most air time, but it ranked third in the overall number of stories, owing to a longer average running time of each story. Thus, WMAQ aired the most election stories (550), followed by WGN (492), WLS (489), WBBM (480) and WFLD (444). Just over 100 stories separated the most prolific station (WMAQ) from the least prolific (WFLD).

Focus of Coverage

After documenting the amount of coverage, we examined which contest was the subject of each story. As can be seen in Table 3, the presidential campaign dominated election coverage on local television news across the board in Chicago.

Primary Focus of Election Stories in Chicago												
<i>Contest</i>	<i>WBBM</i>		<i>WFLD</i>		<i>WGN</i>		<i>WLS</i>		<i>WMAQ</i>		<i>Total</i>	
	<i>Number of Stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>
President	324	68%	288	66%	349	71%	301	62%	355	65%	1617	66%
Senate	70	15%	51	12%	53	11%	58	12%	77	14%	309	13%
House	11	2%	20	5%	18	4%	25	5%	16	3%	90	4%
IL State House	2	<1%	2	<1%	0	---	2	<1%	2	<1%	8	<1%
Other IL State races	9	2%	14	3%	13	3%	3	1%	12	2%	51	2%
Other IL local races	1	<1%	3	1%	2	<1%	10	2%	3	1%	20	1%
Other states	2	<1%	9	2%	4	1%	19	4%	5	1%	39	2%
Election Process	61	13%	50	11%	53	11%	65	13%	80	15%	309	13%
TOTAL*	480	101%	437	101%	492	101%	483	100%	550	101%	2442	101%

* Percentages may not add to 100% due to rounding error.

Overall, two-thirds (66%) of all election stories addressed the Presidential race. WGN offered the greatest proportional coverage (71% of all election stories), while WLS offered the least (62%). WBBM placed second with 68%, followed by WFLD at 66% and WMAQ with 65%. In absolute terms WMAQ aired the most stories (355) followed closely by WGN (349). WBBM placed third with 324 followed by WLS (301) and WFLD (288).

The other big race in Chicago was the U.S. Senate race between Democrat Barack Obama and Republican Alan Keyes. Even though the race was never close, the campaign between the new wunderkind of the Democratic party and the theatrical, outspoken Mr Keyes drew heavy coverage. Overall the Senate race accounted for 13% of all election stories, nearly two-fifths (38%) of the air time that remained after the presidential coverage was accounted for. WBBM offered the greatest proportion of Senate coverage (15%) followed by WMAQ (14%), WFLD (12%), WLS (12%) and WGN (11%). Once again WMAQ offered the greatest number of stories (77) closely followed by WBBM (70). WLS aired 58 stories followed by WGN (53) and WFLD (51).

In combination the Presidential and Senate races accounted for nearly four-fifths (79%) of all election coverage at the Chicago stations. At WBBM and WGN the two races accounted for 83% and 82% of stories respectively while at WMAQ it was 79%. WFLD (78%) and WLS (74%) completed the picture.

After these two races, the next focal point was the election process itself. Probably as a result of the problems in the 2000 election, there was heavy coverage of problems and issues in the voting process almost anywhere in the country. Spurred by heavier than usual voter registration, there were also stories on how to register, how and where to vote, and what to do if you felt there were improprieties at your voting place. Across the entire Chicago market these stories made up 12% of the coverage, with little difference emerging among the five stations. On WMAQ Such stories made up 14% of all coverage on WMAQ, 13% on WLS, 12% on WBBM, and 10% at both WGN and WFLD.

All other Illinois races combined accounted for eight percent of all election coverage. This included races for the House of Representatives as well as the state legislature and other state and local offices. The contest for the 8th Congressional District race between Republican incumbent

Phil Crane and Democratic challenger Melissa Bean accounted for fully half of this coverage (four percent of election coverage overall). The most prominent state level race on TV was that of Jeff Tomczak, who was running as the incumbent for State Attorney in Will County. The race received virtually no attention until Mr. Tomczak's father was arrested in the hired truck scandal sweeping through Chicago at the time. Once that story broke, Mr. Tomczak's campaign faced questions about suspicious campaign contributions, Chicago city workers volunteering on his campaign, and other issues. Among the five stations WFLD offered the greatest proportional coverage at 11% followed by WLS with nine percent and WGN with eight percent. These races accounted for seven percent on WMAQ and six percent at WBBM.

Framing Election News

Election news can be told or approached through many different perspectives or frames. For example, a candidate's appearance may be presented as an issue-oriented discussion by focusing on the policies and ideas put forth by the candidate (issue frame). Alternatively, the same appearance can be viewed in terms of how the candidate was using an event to reach particular groups of voters or to appeal to voters who feel strongly about the issues the candidate addressed (strategic frame). And regardless of what the candidate says and why he or she says it, the appearance can be presented in terms of how it affects the candidate's chances for election (horse race frame).

As can be seen in Table 4, in the Chicago market, the dominant frame was strategic. Almost one third (32%) of all election stories approached the news from the vantage point of its strategic implications. At WBBM strategic frames accounted for 39% of election coverage. WMAQ was not far behind with 37% of all stories using a strategic frame. Strategy accounted for 35% of stories at WLS and 29% at WFLD. WGN had the lowest percentage of strategic discussions (21%).

Strategic frames were followed in number by horse race frames, which accounted for almost a quarter of all election stories (23%). While WGN trailed all stations in the proportion of stories using a strategic frame, it led in stories using the horse race frame, with a resounding 38% of all campaign stories focused on candidates' prospects rather than their policies or politics.

Table 4**Primary Frame of Election Stories in Chicago**

<i>Contest</i>	<i>WBBM</i>		<i>WFLD</i>		<i>WGN</i>		<i>WLS</i>		<i>WMAQ</i>		<i>Total</i>	
	<i>Number of Stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>
Strategy	185	39%	128	29%	101	21%	169	35%	205	37%	788	32%
Horse Race	80	17%	104	24%	185	38%	87	18%	95	17%	551	23%
Issues	112	23%	72	17%	73	15%	88	18%	97	18%	442	18%
Voter Info	35	7%	38	8%	34	7%	49	10%	47	9%	203	8%
Personal character	6	1%	21	5%	17	4%	5	1%	19	4%	68	3%
Ad watch	3	1%	1	<1%	2	<1%	1	<1%	3	1%	10	<1%
Other	59	12%	73	17%	80	16%	84	17%	84	15%	380	16%
TOTAL*	480	100%	437	100%	492	101%	483	100%	550	101%	2442	100%

* Percentages may not add to 100% due to rounding error.

WFLD was a distant second with 24% of coverage devoted to the horse race. The proportion of horse race coverage at WLS (18%), WMAQ (17%) and WBBM (17%) was very similar.

Information on how and where to register to vote or how to vote accounted for eight percent of campaign coverage. These percentages were fairly consistent across stations, ranging from 10% at WLS to seven percent at WBBM and WGN. There was little coverage of personal character (only three percent overall), and almost no ad watch stories, which analyzed or evaluated the candidates' advertising claims. Finally, coverage of alleged voting improprieties or potential problems was classified under "Other" in our analysis. This residual category was also used for scandals involving campaigns or candidates, vandalism to election signs, etc.

Candidate Soundbites

The final dimension of our analysis identified all instances in which a candidate for office spoke on camera. We then timed each of these soundbites and aggregated them to determine how much total air time the candidates were given. As can be seen in Table 5, candidate air time varied from a high of one hour 47 minutes at WGN to a low of one hour and five minutes at WBBM.

Table 5				
Candidate Air Time in Chicago Market				
<i>Station</i>	<i>Election Air Time</i>	<i>Candidate Air Time</i>	<i>Percentage of air time devoted to candidates</i>	<i>Number of Soundbites</i>
WBBM	8 hrs 33min	1 hour 5 min.	13%	406
WFLD	9 hrs 53 min.	1 hour 31 min.	15%	510
WGN	9 hrs. 17 min.	1 hour 47 min.	19%	570
WLS	11 hrs. 25 min.	1 hour 36 min.	14%	568
WMAQ	10 hrs. 36min.	1 hour 12 min.	11%	488
TOTAL	49 hrs. 38 min.	7 hours 11 min.	15%	2542

Overall, candidates accounted for 15% of the air time devoted to the election. WGN led in both absolute terms (1 hour 47 minutes) and proportionally (19%). On WFLD candidates accounted for 15% of air time for a total of 1 hour 31 minutes. WLS offered slightly more air time than WFLD (1hour 36 minutes), but that amounted to 14% of the station's total campaign air time. WBBM had the least candidate air time in absolute terms (1 hour, 5 minutes), but at 13% that was proportionally more than WMAQ, with 11% or 1 hour 12 minutes.

There was some variation in the length of the average soundbite at the Chicago stations. WGN had the longest soundbites on average at 11.3 seconds. WFLD was second with 10.7 seconds followed by WLS with 10.2 seconds. WBBM soundbites averaged 9.7 seconds while on WMAQ the average soundbite was 8.8 seconds. Thus WBBM and WMAQ, which devoted the least air time to candidates in both absolute and proportional terms, also broke up their on-air statements into the shortest soundbites. Conversely WGN, which provided the greatest candidate air time, also featured the lengthiest soundbites.

Chicago Public Affairs Programs

In the Chicago market all of the stations offered some public affairs programming outside of their regular scheduled newscasts. Due to technical problems and other omissions only some of this programming was available for our analysis. Table 6 identifies the programs included in our analysis.

Table 6			
Election Public Affairs Programming in Chicago			
<i>Station</i>	<i>Date</i>	<i>Program</i>	<i>Length</i>
WFLD	10/10	<i>Chicago Perspective</i>	30 min
	10/17	<i>Chicago Perspective</i>	30 min
	10/31	<i>Chicago Perspective</i>	30 min
WLS	10/21	Senate candidate debate	1 hour

WFLD's *Chicago Perspective* resembled a regular newscast with longer political discussions and interviews attached. WLS hosted a televised debate between Barak Obama and Alan Keyes as they campaigned for the U.S. Senate. Missing from this table are a special one hour long edition of WMAQ's *City Desk* that featured extensive interviews with Barak Obama and Alan Keyes. Only about 5 minutes of this program was recorded, so it was eliminated from the study. Also missing is an Hispanic election special WMAQ had on their schedule. WBBM had a public affairs program entitled *Eye on Chicago* that may or may not have had election related content. Similarly, WGN had the show *Adelante* scheduled, but since it was omitted from taping we cannot determine its relevance to the study.

The candidate debate on WLS was focused on issues as are most debates and represents the only program on WLS. WFLD offered a wider range of discussions, as can be seen in Table 7.

Table 7						
Story or Program Focus in Chicago Election Related Public Affairs Programs						
	<i>WFLD</i>		<i>WLS</i>		<i>Total</i>	
Issues	12	32%	1	100%	13	33%
Horse Race	12	32%			12	31%
Strategy	8	21%			8	21%
Other	6	15%			6	15%
Total	38	100%	1	100%	39	100%

Issue discussions and horse race appraisals each accounted for about a third (32%) of WFLD public affairs discussions. Strategic discussions were represented in 21% of discussions. The remaining discussions (15%) fell into a miscellaneous “other” category. This included discussions of the voting process, election improprieties, etc.

The candidate debate on WLS was entirely focused on the U.S. Senate race. The *Chicago Perspective* program on WFLD offered a broader menu of races. The presidential race was dominant, accounting for 61% of the coverage (see Table 8).

Table 8						
Campaigns Discussed in Chicago Public Affairs Programs						
	<i>WFLD</i>		<i>WLS</i>		<i>Total</i>	
President	23	61%			23	59%
House	5	13%			5	13%
Senate	4	11%	1	100%	5	13%
Electoral process	3	8%			3	8%
Mix of contests	2	5%			2	5%

House races came in a distant second with 13% of discussions. The Phil Crane – Melissa Bean race accounted for most of these discussions. The contest between Barak Obama and Alan Keyes was covered in 11% of discussions on WFLD. Stories without a focus on a specific race accounted for eight percent, while those covering a mix of contests accounted for five percent.

Finally, due to the absence of so many election related programs, candidate air time comparisons are problematic and not meaningful.

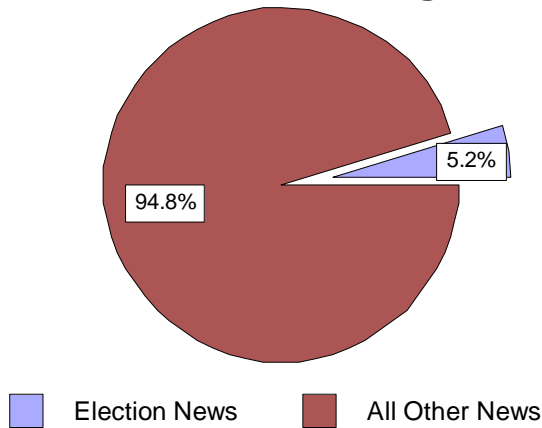
Milwaukee Market Results

In the Milwaukee market we examined regularly scheduled newscasts on WISN (ABC), WDJT (CBS), WITI (Fox), WTMJ (NBC) and WVTV (WB). Volunteer tapers were again very successful in recovering a high percentage of targeted newscasts, as indicated in Table 9.

Table 9			
News Taping Rate for Milwaukee Stations			
	Total Possible Air time	Actual Taped Air time	Recovery Rate
WISN	107.25 hours	103 hours	96%
WDJT	50.42 hours	49.42 hours	98%
WITI	170.9 hours	164.9 hours	96%
WTMJ	150.9 hours	144.7 hours	96%
WVTV	29 hours	28 hours	97%

The recovery rate in the Milwaukee market ranged from a high of 98% at WDJT to a low of 96% at WISN, WITI and WTMJ. The losses were generally due to taping errors or schedule changes. Given this high rate of recovery, we can be confident that this sample reflects the news offerings available to Milwaukee viewers. These totals do not include other public affairs programming outside of the regular newscasts. Which in Milwaukee included the discussion program *A POW's Story* on Sinclair Broadcasting's WVTV. This program examined the controversy over the documentary *Stolen Honor* and its place in the campaign. Such public affairs programming is discussed in a later section of this report.

Figure 2
Election News as a Percentage of all News



As can be seen in Figure 2, election news was a small component of Milwaukee news casts. Overall, five percent of the Milwaukee stations' air time (5.2%) focused on the election.

Table 10, shows the distribution of election coverage at the monitored stations. There was considerable variation among the Milwaukee commercial stations.

Table 10				
Campaign Air Time in Milwaukee Market				
<i>Station</i>	<i>Election Air Time</i>	<i>Actual Taped Air Time</i>	<i>Percentage of air time devoted to the election</i>	<i>Number of Stories</i>
WISN	4 hrs 19 min.	103 hours	4.2%	349
WDJT	4 hrs 27 min.	49.42 hours	9.0%	348
WITI	5 hrs. 44 min.	164.9 hours	3.5%	371
WTMJ	6 hrs. 30 min.	144.7 hours	4.5%	459
WVTV	4 hrs. 37 min.	28 hours	16.5%	247
TOTAL	25 hrs. 37 min.	490 hours	5.2%	1774

Among the major network affiliates, WDJT led the pack with nine percent of air time devoted to the election. WTMJ (4.5%) and WISN (4.2%) were next followed by WITI at 3.5% of air time.

WVTV, which devoted fully one-sixth (16.5%) of its air time to election news, is a special case and not entirely comparable to the other four stations. Its news programming consisted solely of a one hour evening newscast. This program began with a mixture of local Wisconsin stories, followed by a lengthy “News Central” segment which covered national news and appeared to be nationally produced by Sinclair Broadcasting. This segment was heavily focused on the campaign and boosted the proportion of election news.

As a result, while WVTV had the heaviest proportional election coverage, the station offered by far the fewest election stories (247). WTMJ led in absolute terms (459 stories or 6 hours 30 minutes), followed by WITI (371 stories or 5 hours 44 minutes). After that there was a sharp drop off in air time at the remaining stations. WVTV placed third with 4 hours 37 minutes, followed by WISN (349 stories or 4 hours 19 minutes) and WDJT (348 stories or 4 hours 27 minutes).

Focus of Coverage

Having addressed how much coverage the Milwaukee stations offered, we turn our attention to what they covered. As can be seen in Table 11, the Presidential race dominated coverage in Milwaukee, accounting for nearly three quarters (74%) of all election stories. WITI gave the race for the White House the greatest proportional coverage with 87% of election stories. WVTV followed with 75% of election news, then WTMJ with 72% of coverage, WISN with 68% and WDJT with 66%.

Table 11**Primary Focus of Election Stories in Milwaukee**

<i>Contest</i>	<i>WISN</i>		<i>WDJT</i>		<i>WITI</i>		<i>WTMJ</i>		<i>WVTV</i>		<i>Total</i>	
	<i>Number of Stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>
President	237	68%	228	66%	323	87%	332	72%	184	75%	1304	74%
Senate	13	4%	13	4%	4	1%	13	3%	2	1%	45	3%
House	2	1%	2	1%	0	—	2	<1%	8	3%	14	1%
WI State House	0	—	0	—	3	1%	1	<1%	0	—	4	<1%
Ballot Initiatives	6	2%	6	2%	1	<1%	11	2%	4	2%	28	2%
Other WI State races	2	1%	3	1%	0	—	3	1%	0	—	8	1%
Other states	0		0		1	<1%	0		2	1%	3	2%
Electoral Process	89	26%	96	28%	39	11%	97	21%	47	19%	368	21%
TOTAL*	349	101%	348	101%	371	101%	459	100%	247	101%	1774	101%

* Percentages may not add to 100% due to rounding error.

The second most common focus after the presidential campaign was the electoral process itself.

These stories addressed no specific race, but focused on issues of how and where to vote, problems in balloting, the absentee ballot process and other aspects of voting. Overall the process accounted for 20% of election stories in Milwaukee.

In Wisconsin, the ability to easily vote via absentee ballot led to many stories providing details on the process. Additionally, a dispute between the city of Milwaukee and the surrounding county over the number of ballots that were to be supplied to the city helped push electoral process reporting higher. WDJT offered the greatest proportion of coverage (28%), followed by WISN (26%), WTMJ (21%) and WVTV (19%). Only ten percent of stories at WITI dealt with electoral process issues.

The race for the U.S. Senate between incumbent Democrat Russell Feingold and Republican challenger Tim Michels drew three percent of all campaign stories. The Wisconsin Senate race was not close, and the coverage was weighted toward a visit by former President George H.W. Bush late in the campaign and the decision of the Republican National Committee to withdraw a million dollars in ad spending from the Michels race and redistribute it to more competitive states. WISN and WDJT each dedicated four percent of their coverage to the Senate race, and WTMJ gave the Senate race three percent. At the other end of the spectrum, this race accounted for only one percent of election news at both WITI and WVTM.

Another three percent of stories focused on a combination of local House races and other Wisconsin state and local offices. As can be seen in Table 11, the majority of this coverage actually focused on ballot initiatives, predominantly a non-binding referendum in Kenosha on building a new casino. Among the House races, the race for the 4th Congressional district between Democrat Gwendolyne Moore and Republican Gerald Boyle was most prominent.

Framing Election News

The dominant frame in Milwaukee coverage was the strategic element of candidate and campaign activities, as can be seen in Table 12. Some of the strategic discussions stemmed from a flurry of brief stories reporting on the various Wisconsin visits of the presidential candidates, their running mates, spouses and families.

Table 12

Primary Frame of Election Stories in Milwaukee

<i>Contest</i>	<i>WISN</i>		<i>WDJT</i>		<i>WITI</i>		<i>WTMJ</i>		<i>WVTV</i>		<i>Total</i>	
	<i>Number of Stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>
Strategy	147	42%	142	41%	137	37%	156	34%	61	25%	643	36%
Issues	66	19%	60	17%	79	21%	115	25%	65	26%	385	22%
Horse Race	27	8%	27	8%	50	14%	44	10%	24	10%	172	10%
Voter Info	24	7%	28	8%	1	<1%	37	8%	19	8%	109	6%
Personal character	2	1%	2	1%	9	2%	3	1%	7	3%	23	1%
Ad watch	0		0		5	1%	0		1	<1%	6	<1%
Other	83	24%	89	26%	90	24%	104	23%	70	28%	436	25%
TOTAL*	349	100%	348	100%	371	101%	459	100%	247	101%	1774	100%

* Percentages may not add to 100% due to rounding error.

Over one third (36%) of all Milwaukee area elections stories approached campaign news from the vantage point of its strategic implications. Strategy accounted for 42% of coverage on WISN and 41% on WDJT, followed by 37% at WDJT and 34% at WTMJ. The least strategy-oriented coverage (25%) appeared on WVTV.

The second most common frame in Milwaukee reporting was that of public policy. Once again the frequent visits by candidates and their families may have helped to boost issue discussions, as excerpts from their speeches made news. WVTV offered the greatest proportion of issue-focused coverage (26%). Since WVTV is a Sinclair Broadcasting station, it reported more heavily on the issues raised by the possible airing of the *Stolen Honor* documentary, and this helped boost the overall issue focus. But nearly as many stories (25%) focused on issues at WTMJ, while the absolute number was much higher – 115 compared to 65 on WVTV – because of the heavier

overall election coverage at WTMJ. Issue coverage accounted for 21% of coverage at WITI, 19% on WISN and 17% at WDJT.

Issue frames were followed by horse race frames, which accounted for one in ten election stories (10%). WITI was the most likely to use a horse race frame (14%), followed by WVTV and WTMJ, where horse race frames accounted for 10% apiece. Horse race frames accounted for eight percent of coverage at both WDJT and WISN

Information on how and where to register to vote or how to vote accounted for six percent of all campaign coverage. Eight percent of stories at WTMJ, WDJT and WVTV dealt with voter information, as did seven percent of stories at WISN. By contrast, less than one percent of WITI's coverage – a single story – dealt with this topic. The coverage of alleged voting improprieties or potential problems, as well as scandals involving campaigns or candidates, was classified under “other” in our analysis.

Candidate Soundbites

The final element of our analysis identified all instances in which a candidate spoke on camera. We timed each of these soundbites to determine how much air time the candidates were given during the newscasts. As can be seen in Table 13, candidate air time varied from a high of 63 minutes at WITI to a low of 29 minutes at WVTV. Overall, candidates accounted for 13% of the campaign air time on Milwaukee stations, with three hours 26 minutes combined speaking time.

Table 13**Candidate Air Time in Milwaukee Market**

<i>Station</i>	<i>Election Air Time</i>	<i>Actual Taped Air Time</i>	<i>Percentage of air time devoted to candidates</i>	<i>Number of Stories</i>
WISN	4 hrs 19 min.	40 min.	15%	260
WDJT	4 hrs 27 min.	38 min.	14%	270
WITI	5 hrs. 44 min.	63 min	18%	268
WTMJ	6 hrs. 30 min.	37 min.	10%	198
WVTV	4 hrs. 37 min.	29 min.	10%	165
TOTAL	25 hrs. 37 min.	3 hours 26 min	13%	1161

WITI led in both absolute and proportional terms (63 minutes and 18% respectively). WISN offered 40 minutes of candidate air time or 15% of its campaign air time. WDJT presented 38 minutes of candidate soundbites or 14 percent of the air time on the campaign. At both WTMJ and WVTV candidate soundbites made up only 10 percent of election air time. Because of the difference in overall election news at the two stations, however, these percentages produced 37 minutes of soundbites at WTMJ compared to 29 minutes on WVTV. The average soundbite across the Milwaukee market was 10.7 seconds long. WITI had by far the longest average soundbites at 14.2 seconds, followed by WTMJ (11.1 seconds) and WVTV (10.4 seconds). The average soundbite dropped to 9.2 seconds at WISN and 8.6 seconds at WDJT.

Milwaukee Public Affairs Programming

In the Milwaukee market only two stations offered public affairs programming dealing with one or more campaigns in the area. WVTM offered a documentary/discussion program, *A POW's Story*, that discussed John Kerry's service in Vietnam and the controversy over the documentary *Stolen Honor*. The latter program was missing from the tapes supplied to CMPA.

WTMJ offered two regularly scheduled public affairs programs, *Sunday Night with Mike Gousha* and *Sunday Insight*. Examination of the tapes showed that only one of the *Sunday Night* programs was relevant to the election. The *Sunday Insight* program consists of a host and a panel of journalists and pundits discussing aspects of the campaign and other political events. Only two of the *Insight* programs were successfully taped for analysis. In addition to these regularly scheduled public affairs programs, WTMJ also aired a debate between incumbent Russ Feingold and his challenger Tim Michels for the U.S. Senate seat. Table 14 provides a list of the programs included in the analysis.

Election Public Affairs Programming in Milwaukee			
<i>Station</i>	<i>Date</i>	<i>Program</i>	<i>Length</i>
WTMJ	10/24/04	<i>Sunday Insight</i>	30 min.
	10/24/04	Senate candidate debate	1 hour
	10/31/04	<i>Sunday Insight</i>	30 min
	10/31/04	<i>Sunday Night with Mike Gousha</i>	30 min.

Given the nature of these programs, the focus of coverage was mixed, as can be seen in Table 15. The single issue-oriented piece was the Senate candidate debate. The *Sunday Insight* programs ranged from the candidates’ strategies and their personal characteristics to the horse race and beyond, even including an ad watch segment. The large number of pieces classified as “other” reflects discussions of possible election fraud and actions being taken to prevent fraud. These had particular resonance in Milwaukee after Republican party officials claimed that as many as thousands of new registrations might be fraudulent. There was also some discussion of the controversy surrounding Sinclair Broadcasting’s initial decision to air the *Stolen Honor* documentary.

Table 15		
Story or Program focus in Milwaukee Election Related Public Affairs Programming		
	<i>WTMJ</i>	
Strategy	2	18%
Issues	1	9%
Personal Characteristics	1	9%
Horse race	1	9%
Ad watch	1	9%
Other	5	9%

Public affairs programming in Milwaukee covered a wide variety of races, as can be seen Table 16. The presidential race showed up in two pieces, and an equal number of segments did not specify a race, but rather dealt with the election process. The race for the U.S. Senate seat from

Wisconsin was the focus of the candidate debate. Discussion of the Wisconsin State Senate was found in a segment from the *Sunday Insight* program. The group of segments dealing with multiple races is a function of the pundit panel on *Sunday Insight*, which frequently discussed multiple races in each segment.

Table 16		
Campaigns Discussed in Milwaukee Public Affairs Programming		
	<i>WTMJ</i>	
President	2	18%
Electoral process	2	18%
U.S. Senate	1	9%
Wisconsin State Senate	1	9%
Mixed/several races	5	46%

Not surprisingly, these programs offered relatively little additional candidate air time. Only the senate candidate debate offered candidate air time, for a total of 40 minutes and 11 seconds.

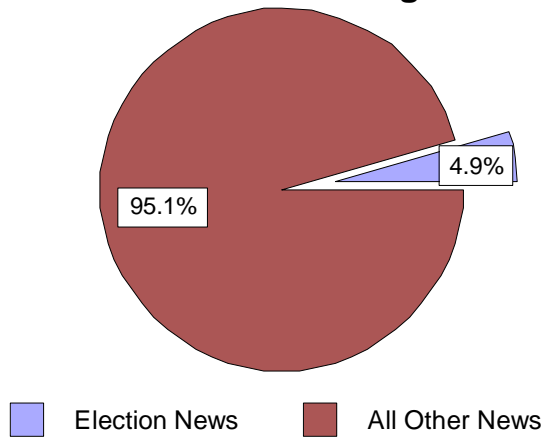
Portland Market Results

In the Portland, Oregon market we examined regularly scheduled newscasts on KATU (ABC), KOIN (CBS), KPTV (Fox) and KGW (NBC). This represents all of the commercial stations that offer regularly scheduled newscasts. KPXG, a PAX network affiliate, rebroadcast newscasts from KGW, but did not originate its own newscasts. Volunteer tapers were successful in recovering a very high percentage of targeted newscasts as indicated in Table 17.

Table 17			
News Taping Rate for Portland Stations			
	Total Possible Air time	Actual Taped Air time	Recovery Rate
KATU	149.9 hours	149.9 hours	100%
KOIN	110.4 hours	110.4 hours	100%
KPTV	120 hours	119.75 hours	99%
KGW	141.3 hours	140.8 hours	99%

The recovery rate in the Portland market ranged from 99% at KGW and KPTV to 100% at KATU and KOIN. Given this high rate of recovery we can be confident that this sample reflects the news offerings in Portland. These totals do not include public affairs programming outside the regularly scheduled newscasts, which included a town hall meeting that aired in place of one newscast on KATU and a one hour special on KGW in which each of the federal candidates in Oregon could speak for 4 minutes. These additional public affairs programs are discussed in a later section.

Figure 3
Election News as a Percentage of All News



As shown in Figure 3, campaign news made up a small percentage of news in Portland. Overall, there were a total of 25 hours and 29 minutes of campaign news or 4.9% of all recorded air time. Once again we see that the prominent placement of election stories early

in the newscast, does not equate to a large amount of air time.

Table 18 provides a more detailed breakdown of election coverage across the stations in the Portland market.

Table 18				
Campaign Air Time in Portland Market				
<i>Station</i>	<i>Election Air Time</i>	<i>Actual Taped Air Time</i>	<i>Percentage of air time devoted to the election</i>	<i>Number of Stories</i>
KATU	6 hrs 56 min.	149.9 hours	4.6%	380
KOIN	5 hrs 24 min.	110.4 hours	4.9%	323
KPTV	7hrs. 10 min.	119.75 hours	5.9%	400
KGW	5 hrs. 59 min.	140.8 hours	4.2%	347
TOTAL	25 hrs. 29 min.	520.85 hours	4.9%	1450

There was little variation among stations. KPTV led the way with 5.9% of air time devoted to the election. At KOIN, campaign news accounted for 4.9% of air time while on KATU it was 4.6%. On KGW election news comprised 4.2% of station air time.

There were 1,450 election related stories on the four Portland TV stations combined. KPTV aired both the most stories (400) and the greatest amount of air time (7 hours 10 minutes). KATU followed close behind with 380 stories (6 hours 56 minutes). There were 347 campaign stories on KGW for a total air time of 5 hours 59 minutes. Finally, KOIN aired 323 stories for a total time of 5 hours 24 minutes.

Focus of Coverage

As can be seen in Table 19, the Presidential race dominated election coverage. Oregon was initially considered a battleground state but by the closing weeks of the campaign, polls showed Kerry with a solid lead. Nonetheless, the presidential race accounted for 78% of all election stories. KPTV offered the heaviest proportion with 82% of campaign stories focused on the race for the White House. KGW placed second with 79% of stories focusing on the presidential contest. Three quarters of KATU (75%) and KOIN (74%) stories addressed the presidential race.

Since Senator Wyden was expected to be re-elected easily, there was only light coverage of the U.S. Senate race in Oregon. Overall two percent of stories covered the Senate race. At KOIN five percent of stories covered the race, while at KGW it was three percent. On KATU and KPTV, one percent of stories focused on the Senate race.

Table 19**Primary Focus of Election Stories in Portland**

<i>Contest</i>	<i>KATU</i>		<i>KOIN</i>		<i>KGW</i>		<i>KPTV</i>		<i>Total</i>		
	<i>Number of Stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>Air Time</i>	<i>% of stories</i>
President	286	75%	240	74%	275	79%	327	82%	1128	19h 57m	77.7%
Senate	4	1%	15	5%	10	3%	4	1%	33	34m 30s	2.3%
House	3	1%	4	1%	3	1%	2	1%	12	12m 0s	0.8%
OR State legislature	3	1%	1	<1%	3	1%	1	<1%	8	7m 43s	0.6%
OR local races	3	1%	0	—	3	1%	0	—	6	8m 38s	0.4%
Ballot Measures	48	13%	28	9%	24	7%	30	8%	130	2h 39m	8.9%
Electoral Process	29	8%	30	9%	25	7%	32	8%	116	1h 34m	8%
Other states	4	1%	5	2%	5	1%	4	1%	18	13m 39s	1.2%
TOTAL*	380	101%	323	101%	347	101%	400	100%	1450	25h 29m	100%

* Percentages may not add to 100% due to rounding error.

Ballot measures accounted for 130 stories or nine percent of all campaign stories. The most prominent was measure 36 which dealt with the nationally controversial topic of gay marriage.

Other measures on the November ballot included measure 33 which dealt with legalizing marijuana for medical purposes, and measure 34 which would have set aside forest land from logging to preserve habitat. There was also measure 35 that would have capped medical malpractice awards. Ballot measure 37 affected Oregon's land use laws to require compensation when certain land use restrictions reduce property values. Measure 38 called for revamping Oregon's workers compensation system. Ballot measures attracted the most attention on KATU, where they accounted for 13% of election stories, more than one in every eight. Measures were covered in nine percent of KOIN's stories, eight percent of campaign stories at KPTV and seven percent at KGW.

Overall eight percent of election stories in Portland did not deal with any specific race, but rather focused on the electoral process. As in the other markets we studied, some of these stories dealt with problems in other states, but much of the coverage addressed voting in Oregon, including last minute get out the vote efforts by all parties in the final days of the campaign . The four stations devoted almost identical proportions of their coverage to these topics. At KOIN nine percent of stories dealt with the electoral process not connected to a specific race. Those issues accounted for eight percent of stories at KPTV and KATU. At KGW the electoral process accounted for seven percent of all stories.

Local Portland races were lightly covered on TV. The retirement of the incumbent mayor left the mayoral race wide open. In November it was a contest between former police chief Tom Potter and City Council member Jim Francesconi. Mr. Francesconi raised a record \$1 million while Mr. Potter campaigned under a set of self imposed contribution limits. Despite being outspent, polls consistently showed Mr. Potter with a lead. The other significant local race was a battle between Sam Adams and Nick Fish for an empty City Council seat.

Coverage of races in other states was light accounting for one percent of stories overall. The most commonly covered out of state contest was the race for the Washington Senate seat between incumbent Patty Murray and Republican challenger George Nethercutt. Coverage of these out of state races accounted for two percent of stories at KOIN and one percent at the other three stations.

Framing Election News

As can be seen in Table 20, the dominant frame in Portland coverage was the strategic element of the campaign narrative. Many of these strategic discussions arose from reports on where the candidates were campaigning and how they were angling for undecided or swing voters.

Table 20										
Primary Frame of Election Stories in Portland										
<i>Contest</i>	<i>KATU</i>		<i>KOIN</i>		<i>KGW</i>		<i>KPTV</i>		<i>Total</i>	
	<i>Number of Stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>	<i>Number of stories</i>	<i>% of stories</i>
Strategy	114	30%	147	46%	131	38%	147	37%	539	37%
Issues	113	30%	79	25%	87	25%	69	17%	348	24%
Horse Race	104	27%	60	19%	85	25%	96	24%	345	24%
Voter Info	6	2%	10	3%	11	3%	16	4%	43	3%
Personal character	0		0		5	1%	13	3%	18	1%
Ad watch	0		0		1	<1%	0		1	<1%
Other	43	11%	27	8%	27	8%	59	15%	156	11%
TOTAL*	380	100%	323	100%	347	101%	400	100%	1450	100%

* Percentages may not add to 100% due to rounding error.

Overall, 37% of campaign stories focused on the strategic implications of the events or actions reported. KOIN offered the greatest proportion of strategic stories (46%). KGW followed with 38% of election stories focused on strategies, while 37% of stories at KPTV took a strategic angle. At KATU strategy stories accounted for 30% of the coverage.

Issue frames and horse race frames each accounted for 24% of campaign coverage in Portland. Coverage of ballot measures often used an issue frame and this helped bolster issue discussions. In the final week of the campaign, however, even ballot measures came to be discussed under a horse race frame, as new polls were released showing which measures were likely to pass. KATU offered the greatest levels of issue discussions and horse race frames. At KATU 30% of stories used an issue frame while 27% used a horse race frame. At KGW issue frames and horse race frames each accounted for 25% of campaign stories. Meanwhile at KOIN, 25% of stories utilized an issue frame and 19% relied on a horse race frame. At KPTV the proportions were reversed, with 24% of campaign stories covering the horse race while 17% focused on issues.

Reflecting the fact that Oregon has had a vote by mail system in place for several elections and there have been few problems with the system, stories on how and where to vote accounted for just three percent of campaign coverage. Voter information accounted for four percent of stories at KPTV, three percent at KGW and KOIN, and two percent of stories at KATU. The coverage of alleged voting improprieties or potential problems, as well as scandals involving campaigns or candidates, was classified under “Other” in our analysis.

Candidate Soundbites

Finally, we identified all instances in which a candidate spoke on camera. We then timed each of these sound bites to determine how much air time the candidates were given during the newscasts. As can be seen in Table 21, candidate air time varied from a high of 41 minutes at KPTV to a low of 27 minutes at KOIN. At KPTV the 41 minutes of candidate speaking time amounted to 11% of campaign air time. KGW placed second by devoting 8.6% of election air time to candidates (37 minutes). KOIN placed third in the percentage of air time devoted to the

Table 21				
Candidate Air Time in Portland Market				
<i>Station</i>	<i>Election Air Time</i>	<i>Candidate Air Time</i>	<i>Percentage of air time devoted to candidates</i>	<i>Number of soundbites</i>
KATU	6 hrs 56 min.	33 min.	7.9%	238
KOIN	5 hrs 24 min.	27 min.	8.3%	198
KGW	7hrs. 10 min.	37 min	8.6%	243
KPTV	5 hrs. 59 min.	41 min.	11%	275
TOTAL	25 hrs. 29 min.	2 hours 18 min	9.0%	954

candidates (8.3%) but its 27 minutes of candidate sound bites was less than the 33 minutes found at KATU. At KATU 7.9% of air time (33 minutes) was devoted to candidate soundbites. The average sound bite across the Portland market was 8.7 seconds long, with little variation among the four stations. KGW had the longest average sound bite at 9.1 seconds. Soundbites at KPTV averaged 8.9 seconds. At KATU the average soundbite length was 8.3 seconds and at KOIN it was 8.2 seconds.

Portland Public Affairs Programming

Three of the four stations in the Portland market offered public affairs programming outside their regularly scheduled newscasts. KATU, KOIN and KGW aired a combined total of 5.5 hours of public affairs programming beyond their coverage of the three Presidential debates and one vice presidential debate. These programs were selected after a thorough search of program schedules for the market and represent all relevant public affairs programming. (This analysis did not examine the three presidential debates or the vice-presidential debates, because these were national programs outside the control of local stations.)

As can be seen in Table 22, KGW aired by far the most public affairs programming -- four hours, followed by KOIN with one hour and KATU with 45 minutes. Public affairs programming ranged from KGW's regularly scheduled *Viewpoint* program to special Town Hall programs on KOIN and KATU and a candidate debate on KGW. *Viewpoint* is a regularly scheduled 30 minute public affairs program that airs early on Sunday morning on KGW. The program included extended interviews with candidates or ballot initiative activists and a final pre-election panel discussion of a range of races with political journalists and academics. KGW also hosted a debate between the Portland mayoral candidates.

KGW's *It's Your Time* was an unusual program that offered candidates for federal office in the area four minutes to discuss why people should vote for them. For its part KOIN aired an hour long Town Hall program featuring activists and citizens of both sides of Measure 36. KATU aired a thirty minute Town Hall session with supporters of both Mr. Bush and Mr. Kerry arguing the merits of their candidate for the White House. KATU also offered one special edition

newscast after the Presidential debate. This newscast was like any other, and only stories relevant to the election were analyzed. It is included in this discussion since it fell outside the regularly scheduled newscasts.

Table 22			
Election Public Affairs Programming in Portland			
<i>Station</i>	<i>Date</i>	<i>Program</i>	<i>Length</i>
KGW	10/9/04	<i>Viewpoint</i> regularly scheduled public affairs program	30 min
	10/16/04	<i>Viewpoint</i> regularly scheduled public affairs program	30 min
	10/23/04	<i>Viewpoint</i> regularly scheduled public affairs program	30 min
	10/25/04	<i>It's Your Time</i> special candidate air time program	1 hour
	10/26/04	Mayoral debate	1 hour
	10/30/04	<i>Viewpoint</i> regularly scheduled public affairs program	30 min
KOIN	10/24/04	Town Hall session on Initiative 36	1 hour
KATU	10/8/04	Special edition newscast following Presidential debate	15 min *
	10/24/04	Town Hall session on the presidential election	30 min

* Total air time of election stories in the special edition newscast

With the exception of KGW's *It's Your Time*, all programs were taped in their entirety. In the case of *It's Your Time*, technical problems in taping resulted in missing 30 minutes of the program. We chose not to extrapolate the missing air time to avoid introducing error into the calculation. As a result the air time for some candidates is missing.

Table 23 shows the focus of these public affairs programs and stories. The dominant focus was issue discussions, which accounted for 63% of all pieces.

Table 23								
Story or Program focus in Portland Election Related Public Affairs Programming								
	<i>KATU</i>		<i>KOIN</i>		<i>KGW</i>		<i>Total</i>	
Issues	3	38%	1	100%	6	86%	10	63%
Strategy	3	38%	0	—	1	14%	4	25%
Horse Race	1	13%	0	—	0	—	1	6%
Other	1	13%	0	—	0	—	1	6%
Total	8	102%	1	100%	7	100%	16	100%

The diversity of foci at KATU was due to the special edition newscast that covered a typical day of election stories, including pieces on candidate strategies and the horse race. Given the candidate or initiative focus of these public affairs programs, the preponderance of issue discussions is hardly surprising.

As can be seen in Table 24, the Presidential campaign accounted for less than half (44%) of the programming. All of these discussions were on KATU and a result of the Town Hall session as well as news stories in the special edition newscast. KGW addressed the greatest variety of races. The two pieces on the House of Representatives races represent two *Viewpoint* programs. One featured interviews with 1st district incumbent David Wu and his challenger Goli Ameri. The second followed the same format with 5th district incumbent Darlene Hooley and her challenger Jim Zupancic.

Coverage of the Portland mayoral race featured an hour long debate between candidates Tom Potter and Jim Francesconi. Finally, the mixed contest pieces stemmed from *Viewpoint* discussions of several races in Oregon and a few in Washington. Ballot Measure 36 was the subject of both a KGW *Viewpoint* program and a Town Hall program on KOIN.

Table 24								
Campaigns Discussed in Portland Public Affairs Programming								
	KATU		KOIN		KGW		Total	
Presidency	7	88%	0	—	0	—	7	44%
House of Representatives	0	—	0	—	2	29%	2	13%
Mix of several contests	0	—	0	—	3	43%	3	19%
Ballot Initiatives	0	—	1	100%	1	14%	2	13%
Portland Mayor	0	—	0	—	1	14%	1	6%
Electoral process	1	13%	0	—	0	—	1	6%

Overall, the 5.5 hours of public affairs programming yielded 2 hours, 14 minutes and 53 seconds of candidate air time. That does not include the candidate air time offered in the missing portion of the *It's Your Time* show. KGW offered the most candidate air time with 1 hour 51 minutes and 48 seconds. (That does not include the missing portion of *It's your Time*). KOIN aired 20 minutes and 30 seconds of candidate soundbites while KATU aired two minutes and nine seconds.

Attachment C:
Affidavit of Meredith McGhehee

**AFFIDAVIT OF MEREDITH MCGEHEE IN SUPPORT OF
PETITION TO DENY LICENSE RENEWAL APPLICATIONS**

Meredith McGehee, being first duly sworn, states as follow:

1.

My name is Meredith McGehee. I am filing this Affidavit on behalf of the Media Policy Program of the Campaign Legal Center (“CLC”), a nonprofit, nonpartisan public interest group. This Affidavit is being submitted in support of the Petition to Deny the license renewal of the following commercial stations: WTMJ-TV, WITI, WISN-TV, WVTU, WCGV-TV, WVCY-TV, WMLW-CA, WJJA, WWRS-TV, WPXE, WDJT-TV, and WYTU-TV.

I am the Director of CLC’s Media Policy Program. CLC’s Media Policy Program seeks to revitalize our democracy by helping shape political broadcasting policy by promoting awareness and enforcement of political broadcasting laws through Federal Communication Commission rulemaking proceedings, congressional action and public education, and by improving elections by promoting campaigns in which the most useful information reaches the greatest number of citizens in the most engaging ways. Prior to joining the Campaign Legal Center, I served as head of the Alliance for Better Campaigns, an organization advocating for reforms that reduce the cost and increase the flow of political communication on the nation’s publicly owned airwaves. (The Alliance for Better Campaigns merged with the Campaign Legal Center in February 2005.) Prior to joining the Alliance, I had been Senior Vice President of Common Cause where I worked for fifteen years. I graduated from Pomona College *cum laude* with a Bachelor of Arts degree in Government.

The information and other data cited in this affidavit was originally commissioned by the Alliance, who worked with the Wisconsin Democracy Campaign (“WDC”). The data analysis was conducted independently by the Center for Media and Public Affairs (“CMPA”), a nonpartisan research and educational organization which was founded in 1985 and conducts scientific studies of the news and the entertainment media.

2.

For the study which accompanies this affidavit, the Wisconsin Democracy Campaign, using trained volunteers, taped all locally produced news and public affairs programming that aired on top commercial English-language stations in the Milwaukee media market during the four weeks prior to Election Day – October 4th through November 1st, 2004. This time period was selected because it corresponds to the period of greatest voter interest and most intense campaign activities. As CMPA noted, even the undecided and uninvolved voters pay the most attention to the campaign in these final days. The scope of the monitoring project was determined by the Alliance for Better Campaigns in consultation with the Media Access Project and CMPA. The coding methodology was designed by CMPA which employs numerous statistical and other controls to assure the completeness and accuracy of its analysis (see www.cmpa.com/ourMethodology/index.htm).

The sample consists of the five highest-rated stations in the Milwaukee media market: WISN-TV (ABC affiliate), WDJT-TV (CBS affiliate), WITI (Fox affiliate), WTMJ-TV (NBC affiliate), and WVTM (WB affiliate). The study includes 103 hours of actual taped locally produced news on WISN, 49.42 hours on WDJT, 164.9 hours on WITI, 144.7 hours on WTMJ,

and 28 hours on WVTV. CMPA also examined public affairs programming found outside of regularly scheduled newscasts.

WDC taped an extremely high percentage of targeted newscasts, ranging between 96 to 98 percent recovery rate. The losses were generally due to taping errors or scheduling changes. According to CMPA, these high rates of recovery indicate that the sample reflects accurately the news offerings available to Milwaukee viewers. Analysts at CMPA coded each news story that mentioned a candidate, a ballot initiative, or the election in general. The following variables were coded for each story: story length, the contest that was being discussed, candidate soundbites and the primary frame used to address the campaign (*e.g.* horse race, issue discussion, strategy, etc.). Stories were also separated by the race level (*e.g.*, U.S. House, U.S. Senate, State Legislature and Mixed or Other).

3.

The data show clearly an overall lack of news coverage of the 2004 local elections by the five highest-rated Milwaukee stations and illustrate further that there was a market-wide failure to provide voters in the Milwaukee viewing area with the information they needed about local races to be the informed voters essential to a healthy, working democracy.

Of the 490 hours of total hours of news programming for the market, CMPA found that only 5.2 percent of Milwaukee station's airtime – about 25.5 hours – was focused on the imminent 2004 elections. Among the major network affiliates, WDJT had the highest percentage (nine percent) of airtime focused on the elections with 4 hours and 27 minutes. The station with the highest number of news air time, WITI, devoted only 3.5 percent of that news to

election stories. The station that had the largest proportional election coverage (WVTV at 16.5 percent) offered by far the fewest elections stories (247).

The presidential race strongly dominated coverage in Milwaukee, accounting for 74 percent (1304) of all election stories (1774). According to the CMPA analysis, WITI gave the race for the White House the greatest proportional coverage with 87 percent of election stories; WDJT devoted the least, with 66 percent of election stories focused on the presidential race. The race for Senate constituted three percent (45 stories); House races one percent (14 stories), the Wisconsin State House less than one percent (4 stories); ballot initiatives two percent (28 stories); other Wisconsin state races one percent (8 stories); and electoral process 21 percent (368 stories).

The race for U.S. Senate between Democrat incumbent Russell Feingold and Republican challenger Tim Michels accounted for three percent of all campaign stories, according to CMPA. Most of that coverage was weighted toward a visit by former President George H.W. Bush late in the campaign and the decision of the Republican National Committee to withdraw ad spending on behalf of Michels. On WITI and WVTV, the Feingold-Michels race accounted for only one percent of election news, according to CMPA.

CMPA found that another three (3) percent of stories focused on a combination of local House races and other Wisconsin state and local offices. The majority of this coverage focused on ballot initiatives, predominantly a non-binding referendum in Kenosha on building a new casino. Among the House races, the race for the 4th congressional district between Democrat Gwen Moore and Republican Gerald Boyle was most prominent, CMPA found.

CMPA reports that the dominant frame in Milwaukee coverage was the strategic element of candidate and campaign activities, with many of these being a flurry of brief stories reporting

on various Wisconsin visits of the presidential candidates, their running mates, spouses and families. Thirty-six (36) percent of all Milwaukee area elections stories approached campaign news from the vantage point of its strategic implications.

Only 22 percent of election stories in Milwaukee were issue-focused coverage, CMPA found. One in ten election stories focused on horse race frames. WITI was the most likely to use a horse race frame (14 percent). Information on how and where to register to vote or how to vote accounted for a mere six (6) percent of all campaign coverage. Only one story focused on this frame on WITI. Coverage of alleged voting improprieties or potential problems, as well as scandals involving campaigns or candidates, was classified under “other” in the CMPA analysis.

The CMPA study also analyzed all instances in which a candidate spoke on camera during news broadcasts and timed these soundbites. Candidate air time varied from a high of 63 minutes at WITI to a low of 29 minutes of WVTV. Overall, candidate soundbites accounted for only 13 percent of news stories on campaigns on Milwaukee stations (three hours and 26 minutes total). The average soundbite across the Milwaukee market was 10.7 seconds long. Thus, of the 5.2 percent of the news air time that was spent on election news, only 13 percent of that 5.2 percent allowed voters to hear directly from candidates.

4.

In the Milwaukee market, only two stations offered public affairs programming dealing with one or more campaigns in the area. WVTV, the Sinclair affiliate, offered a discussion program, *A POW's Story*, that discussed John Kerry's service in Vietnam and the controversy over the program *Stolen Honor*. WTMJ offered two regularly scheduled public affairs programs,

Sunday Night with Mike Gousha and *Sunday Insight*. According to CMPA, only one of the *Sunday Night* programs was relevant to the elections with a panel of pundits discussing aspects of the campaign and other political events. CMPA also reported that the public affairs programming offered in Milwaukee during this time period offered relatively little additional candidate air time. The single issue-oriented piece was WTMJ's airing of the debate between incumbent U.S. Senator Russ Feingold and his challenger Tim Michels which provided 40 minutes and 11 seconds of candidate air time.

5.

To examine whether information about local races (*i.e.*, races below the presidential level) were made available on the national news programming, the Media Policy Program (then the Alliance) examined the national news programming aired during the two weeks leading up to Election Day. That analysis of 132 hours of national news and public affairs programming that aired on ABC, CBS, NBC and Fox networks found that 92 percent of the election coverage aired on national networks was devoted to the presidential contest, with 81.6 percent of the candidate soundbites coming from the presidential candidates. Candidate soundbites for U.S. Senate candidates constituted 0.4 percent, for U.S. House 1.2 percent and for other candidates 0.3 percent. Two percent of stories examined ballot initiatives and referenda, and slightly less than two (2) percent were devoted to U.S. Senate or House races. The remaining stories were devoted to voting issues not specific to any particular race (like absentee ballots or voting machines).

All told, the national networks devoted about 30 hours to local elections news – approximately one-fifth of their news hole. However, the majority of coverage focused on the horse race of the candidates' campaign strategies rather than on issues.

A study conducted by the Lear Center, a collaboration between the University of Southern California's Annenberg School for Communication and the Department of Political Science's NewsLab at the University of Wisconsin-Madison, had similar findings. The Lear Center examined all evening news coverage that aired in 11 markets by ABC, CBS, NBC and Fox affiliates from October 4 through 10. Only three (3) percent of stories focused on U.S. House races, and just two percent were devoted to ballot initiatives or bond referenda. Also, the Lear Center Local News Archive found that nearly eight out of ten election stories focused on the presidential or vice presidential candidates. In sharp contrast, only five (5) percent of all stories were about local elections.

Thus, these data clearly indicate that the nationally produced news programs were no substitute for information about local races, including Wisconsin.

6.

The picture painted by this collection of data is remarkably clear: the five most-watched stations in the Milwaukee media market failed to adequately cover the 2004 campaign so that citizens in its viewing area could be informed, engaged voters in local elections.

Both case law and current policies make clear that the renewal of these licenses should only be granted if the licensees fulfill the obligations they agreed to in obtaining the broadcast license. Since the early days of radio, the publicly owned airwaves have been managed and operated on the "public trustee" model, described by the Federal Radio Commission in this manner: "[Despite the fact that] the conscience and judgment of a station's management are necessarily personal...the station itself must be operated as if owned by the public....It is as if the people of a community should own a station and turn it over to the best man in sight with this

injunction: ‘Manage this station in our interest.’ The standing of every station is determined by that conception.” As the Supreme Court has noted in *Red Lion Broadcasting Co. v. FCC*, 395 U.S. 367, 389 (1969), “A license permits broadcasting, but the licensee has no constitutional right to be one who holds the license or to monopolize a radio frequency to the exclusion of his fellow citizens,” and also must conduct himself as a proxy or fiduciary with obligations to present those views and voices which are representative of his community. The Court also noted that the public has the right to receive suitable access to political ideas and experiences. *Id.* at 390.

Moreover, localism has also been a central feature of the current broadcast licensee model. In the 1990s, Congress declared: “A primary objective and benefit of our Nation’s system of regulation of television broadcasting is the local origination of programming. There is a substantial governmental interest in ensuring its continuation.” (Cable Television Consumer Protection and Competition Act of 1992, Pub. L. 102-385, 106 Stat. 1460, 1461 (1992).) Congress, through the policies it has adopted, has made clear that it views broadcast television primarily as a local service. As the Advisory Committee on Public Interest Obligations of Digital Television Broadcasters noted, community programming and service are public interest responsibilities that distinguish broadcasting from most other electronic media.

7.

The data collected in the Milwaukee market in the period right before the 2004 elections indicate that the Milwaukee broadcast license holders did a wholly inadequate job of providing information about local campaigns and elections. By failing to air both a sufficient amount of

appropriate information about the local candidates and elections in 2004, the licensees have failed to meet core statutory obligations of their licensee agreement and do not merit renewal.

The licensees' petitions for renewal of their licenses, therefore, should be denied.

The foregoing statements are true and correct to be the best of my knowledge, information and belief.

Executed on this ____ day of October, 2005

Meredith McGehee
Campaign Legal Center

Subscribed and sworn to
Before me on this ____ day of October 2005:

Notary Public

My commission expires:

**Attachment D:
Declaration of Jennifer Morales**

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re:)
)
)
Petition to Deny Renewal)
Applications for Licenses of Stations)
WTSN12-TV, Milwaukee WI)
Licensee ABC Broadcasting Inc.)
WDJT58-TV, Milwaukee WI)
Licensee CBS Broadcasting Inc.)
WTTI-FOX 6, Milwaukee WI)
Licensee Fox Television Stations Inc.)
WTMJ4-TV, Milwaukee WI)
Licensee NBC Universal)
WVTV-WB18, Milwaukee WI)
Licensee Sinclair Broadcast Group, Inc.)

**DECLARATION OF JENNIFER MORALES IN SUPPORT OF PETITION TO
DENY RENEWAL APPLICATIONS**

1.

My name is Jennifer Morales. I am over eighteen years old, and I was a candidate for Wisconsin State Senate in the 2004 election cycle. State Senate District 8 in which I campaigned encompasses municipalities in the Milwaukee media market. I have read the report, "2004 Campaign News Study in Chicago, Milwaukee and Portland Markets," and agree with its findings.

2.

My campaign experience, as both a candidate and a voter, has shown me that broadcast television should be an effective and efficient means for providing potential voters with pertinent election information because the public generally relies on

broadcast television for local news and information. All of the potential voters in my district cannot personally attend all campaign-related events or debates. As such, my campaign expected that broadcast television would help to inform potential voters about the 8th District State Senate race, as well as other national, state, and local races.

3.

The geographic areas in which I campaigned are serviced by the following Milwaukee area television stations: WISN (ABC), WDJT (CBS), WITI (FOX), WTMJ (NBC), and WVTM (WB). Thus, I relied on these television stations for the dissemination of campaign information during my 2004 campaign.

4.

The above stations provided little, if any, coverage of the 2004 campaign issues and candidates. Newscasts of these stations did not generally report candidate-centered stories, carry candidate interviews, or broadcast important announcements of campaign activities and events. Consequently, I was unable to rely on the local stations to efficiently educate potential voters as to my positions on important issues and inform them of opportunities to attend campaign-related events.

5.

Given the failure of the broadcast stations to cover my State Senate race, or the positions or activities of my opponent, I was compelled to purchase advertising time on the area's cable channels and on local radio. My campaign could not afford the cost of purchasing advertising time on the broadcast stations, which was quite prohibitive, and there was considerable competition from other campaigns for good time slots on these major stations. Furthermore, the advertisements I did run on targeted local cable and

radio necessarily were brief, which meant that it was impossible to provide an adequate amount of information to voters about the complex issues in this race. I spent \$9,912 on cable advertisements, and \$8,067 on radio advertisements. In addition, I spent \$1,442 on local newspaper advertisements.

6.

I knocked on thousands of voters' doors in the months preceding the November 2004 election. Meeting these voters face-to-face was a critical but time-consuming way of communicating about my campaign. Nearly 98,000 people turned out to vote in the 8th State Senate district, a district that extends into four counties. The number of voters I had to reach, and the geographic area I had to cover, meant that it would have been impossible for me to reach every voter at his or her door. I was struck by the number of voters who, when I came to their doors, were totally unaware that the 8th State Senate seat was even going to be on the ballot in November, let alone that the incumbent was in a contested race. Broadcast television news coverage would have made a significant improvement in these voters' understanding of the issues and candidates in this race. The failure to cover this race, and other electoral campaigns, is a failure to meet an essential obligation of the media companies that use the public's airwaves.

7.

I believe that there is a market-wide failure in the Milwaukee media market to provide the public with the information necessary for the functioning of a healthy democracy. In order to ensure that I may fully and fairly exercise my right to communicate with the public in any future elections in which I may participate, broadcast stations must provide more coverage of campaign and election issues and candidates.

Jennifer Morales, being duly sworn according to law, swears and affirms that she is
Declarant in the action and that the facts set forth in the foregoing matter are true and
correct to the best of her knowledge, information, and belief.

Executed on October 4, 2005.


Jennifer Morales
(signature of Declarant)

**Attachment E:
Declaration of Donald Richards**

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re:)
)
)
Petition to Deny Renewal)
Applications for Licenses of Stations)
WISN12-TV, Milwaukee WI)
Licensee ABC Broadcasting Inc.)
WDJT58-TV, Milwaukee WI)
Licensee CBS Broadcasting Inc.)
WITI-FOX 6, Milwaukee WI)
Licensee Fox Television Stations Inc.)
WTMJ4-TV, Milwaukee WI)
Licensee NBC Universal)
WVTV-WB18, Milwaukee WI)
Licensee Sinclair Broadcast Group, Inc.)

**DECLARATION OF DONALD RICHARDS IN SUPPORT OF
PETITION TO DENY RENEWAL APPLICATIONS**

I.

My name is Donald Richards. I am over eighteen years old, and I am a resident of Milwaukee and a former Milwaukee City Council member. I have resided in the Milwaukee area for twenty (20) years. During that time, I have been a viewer of the following Milwaukee area television stations: WISN (ABC), WDJT (CBS), WITI (FOX), WTMJ (NBC), and WVTV (WB-Sinclair). Throughout my residency in and service to Milwaukee, I have and continue to obtain most of my local news and information from these stations on a regular basis. I have read the report, "2004 Campaign News Study in Chicago, Milwaukee and Portland Markets," and agree with its findings.

2.

I am a registered voter and have voted in past elections, including the November 2, 2004 election. I do subscribe to cable but do not recall any local political forums. I rely on the television networks in my area to broadcast debates, news stories, and interviews with candidates for local office in order to make informed decisions about elections and campaign issues.

3.

For period of four weeks prior to November 2, 2004, I relied on the aforementioned television stations in the Milwaukee area to provide broadcasts of candidate debates, interviews with candidates, and news reports on the respective races for that year's local, state, and national elections. During that period, I could not attend the campaign events for all of the candidates for office and I could not attend candidate debates related to the various elections.

4.

For the period of four weeks prior to November 2, 2004, the major Milwaukee-area television stations mentioned in paragraph one failed to adequately interview the candidates for office during their nightly news programs, broadcast candidate debates before 11 PM, and conduct substantive reporting on candidates. These stations, however, ran political advertisements during commercial breaks. The candidate advertising dominated the newscasts, questions were not answered, and the repetition was repelling.

5.

The lack of election-oriented programming in the weeks preceding the November 2, 2004 election by Milwaukee area broadcasters contributed to a deficiency in candidate and issue exposure. I believe that there is a market-wide failure in the Milwaukee media market to provide the public with the information necessary for the functioning of a healthy democracy. This deficiency in exposure denied me the opportunity to make a well-informed evaluation of candidates. Moreover, political advertisements are devoid of in-depth candidate explanations or positions, which are essential to my making an informed voting decision.

6.

Increased coverage of political candidate activities and events would have significantly enhanced my ability to fully and fairly evaluate candidates and, consequently, make a more well-informed decision in that year's elections. Further, it would have enabled the broadcasters to justify their use of our airwaves.

7.

Because publicly elected officials can implement policy decisions potentially adverse to my economic and liberty interests, I must learn as much about candidates for public office as possible before voting. As do most of my fellow citizens, I primarily rely on broadcast television for this information.

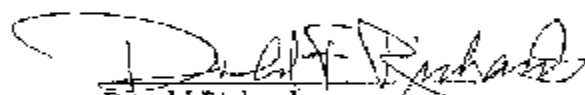
8.

If the Milwaukee area television licensees fail to provide programming in coming state and local elections by neglecting to conduct candidate interviews, delaying debate coverage until late at night, and excluding elections related stories from newscasts, I will be unable to receive the necessary issue and candidate information for me to cast an

educated vote. In order to be adequately informed, I need television stations to broadcast candidate debates at reasonable times; report on developments in geographically relevant races; and announce opportunities to attend candidate events. I cannot rely on commercials as the sole source of election information.

Donald Richards, being duly sworn according to law, swears and affirms that he is Declarant in the action and that the facts set forth in the foregoing matter are true and correct to the best of his knowledge, information, and belief.

Executed on October 18, 2005.

A handwritten signature in cursive script, appearing to read "Donald Richards".

Donald Richards
(signature of Declarant)

**Attachment F:
Declaration of Jerry Fredrickson**

2.

I am a registered voter and have voted in past elections, including the November 2, 2004 election. I subscribe to cable, however I do not recall any local political forums. I rely on the television networks in my area to broadcast debates, news stories, and interviews with candidates for office in order to make informed decisions about elections and campaign issues.

3.

For a period of four weeks prior to November 2, 2004, I relied on the aforementioned television stations in the Milwaukee area to provide broadcasts of candidate debates, interviews with candidates, and news reports on the respective races for that year's local, state, and national elections. During that period, I could not attend the campaign events for all of the candidates for office and I could not attend candidate debates related to the various elections.

4.

For the period of four weeks prior to November 2, 2004, the major Milwaukee-area television stations mentioned in paragraph one failed to adequately interview the candidates for office during their nightly news programs, broadcast candidate debates before 11 PM, and, conduct substantive reporting on candidates. These stations, however, ran political advertisements during commercial breaks.

5.

The lack of local and state election-oriented programming in the weeks preceding the November 2, 2004 election by Milwaukee area broadcasters contributed to a deficiency in candidate and issue exposure. I believe that there is a market-wide failure in the Milwaukee media market to provide the public with the information necessary for the functioning of a healthy democracy. This deficiency in exposure denied me the opportunity to make a well-informed evaluation of candidates. Moreover, political advertisements are devoid of in-depth candidate explanations on positions, which are essential to my making an informed voting decision.

6.

Increased coverage of local and state political candidate activities and events would have significantly enhanced my ability to fully and fairly evaluate candidates and, consequently, make a more well-informed decision in that year's elections.

7.

Because publicly elected officials can implement policy decisions potentially adverse to my economic and liberty interests, I must learn as much about candidates for public office as possible before voting. As do most of my fellow citizens, I primarily rely on broadcast television for this information.

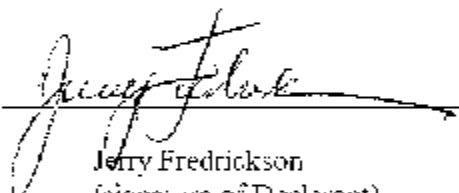
8.

If the Milwaukee area television licensees fail to provide programming in coming state and local elections by neglecting to conduct candidate interviews, delaying debate coverage until late at night, and excluding elections related stories from newscasts, I will

be unable to receive the necessary issue and candidate information for me to cast an educated vote. In order to be adequately informed, I need television stations to broadcast candidate debates at reasonable times; report on developments in geographically relevant races; and announce opportunities to attend candidate events. I cannot rely on commercials as the sole source of election information.

Jerry Fredrickson, being duly sworn according to law, swears and affirms that he is Declarant in the action and that the facts set forth in the foregoing matter are true and correct to the best of his knowledge, information, and belief.

Executed on October 19, 2005.


Jerry Fredrickson
(signature of Declarant)

Attachment G:
Declaration of Melanie Ramey

television stations on a regular basis: WISN (ABC), WDJT-TV (CBS), WITI (FOX), WTMJ (NBC), and WVTM (WB-Sinclair).

2.

I and other organizational leaders have read the report, "2004 Campaign News Study in Chicago, Milwaukee and Portland Markets," and I and other members of the League of Women Voters of Wisconsin are concerned about the findings.

3.

During the 2004 election cycle, the League of Women Voters engaged in an effort to educate the community in the Milwaukee area about several issues that were important to local races for State Senate, State Assembly, and Alderperson in the City of Milwaukee. We found that most citizens were completely unfamiliar with the issues we were discussing. The League of Women Voters of Milwaukee County also engaged in significant efforts to register new voters. In the process of attempting to register new voters, the Milwaukee County League discovered that the members of the public they talked with had little knowledge of the local races that were occurring at the same time as the Presidential election.

4.

For the period of four weeks prior to November 2, 2004, the major Milwaukee-area television stations mentioned in paragraph one failed to adequately interview the candidates for state and local office during their nightly news programs, broadcast candidate debates before 11 PM, and, conduct substantive reporting on candidates. These stations, however, ran political advertisements during commercial breaks. These paid ads were by their nature candidate-biased and did not address public policy issues. The

absence of an open discussion of public policy issues at all levels is the void that leaves the public oblivious to what is really going on and renders it unable to input and to act in its own interest.

5.

The League of Women Voters of Wisconsin believes that one of the causes of the failure of citizens to be informed is the lack of sufficient coverage of local politics and local public affairs by broadcast television stations. The study indicates that there is a market wide failure in the Milwaukee media market to provide the public with the information necessary for the functioning of a healthy democracy.

6.

Increased coverage of political candidate activities and events would have enhanced voters' ability to fully and fairly evaluate candidates and, consequently, make more well-informed decisions in that year's elections.

7.

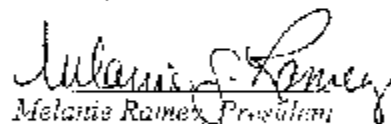
Because publicly elected officials can implement policy decisions potentially adverse to the economic and liberty interests of Milwaukee area communities, members of the community must learn as much about candidates for public office as possible before voting. As with most citizens, the citizens we serve heavily rely on broadcast television for this information.

8.

If the Milwaukee area television licensees fail to provide programming in coming state and local elections by neglecting to conduct candidate interviews, delaying debate coverage until late at night, and excluding elections related stories from newscasts, our

members and the communities they serve will be unable to receive the necessary issue and candidate information for them to cast an educated vote. In order to be adequately informed, citizens need television stations to broadcast candidate debates at reasonable times; report on developments in geographically relevant state and local races; and announce opportunities to attend candidate events. Citizens cannot rely on commercials as the sole source of election information.

Melanie Ramey, on the behalf of League of Women Voters of Wisconsin, being duly sworn according to law, swears and affirms that she is Declarant in the action and that the facts set forth in the foregoing matter are true and correct to the best of her knowledge, information, and belief. Executed on October 8 2005.


Melanie Ramey, President
(signature of Declarant)

**Attachment H:
Declaration of Peace Action Wisconsin**

local news and information from these local television stations on a regular basis: WISN (ABC), WDJT-TV (CBS), WIII (FOX), WTMJ (NBC), and WVTM (WB-Sinclair).

2.

I and other organizational directors have read the report, "2004 Campaign News Study in Chicago, Milwaukee and Portland Markets," and agree with its findings.

3.

During the 2004 election cycle, Peace Action Wisconsin engaged in an effort to educate the community in the Milwaukee area about several issues that were important to local races for State Senate, State Assembly, and Alderperson in the City of Milwaukee. We found that most citizens were completely unfamiliar with the issues we were discussing.

4.

Peace Action Wisconsin also engaged in an effort to register new voters. In the process of attempting to register new voters, we discovered that the members of the public we talked with had little knowledge of the local races that were occurring and was confused as to how and where to vote.

5.

For the period of four weeks prior to November 2, 2004, the major Milwaukee-area television stations mentioned in paragraph one failed to adequately interview the candidates for state and local office during their nightly news programs, broadcast candidate debates before 11 PM, and conduct substantive reporting on candidates. These stations, however, ran political advertisements during commercial breaks. There was no television news coverage of either the League of Women Voters or the 'Latin American Issues' 4th district congressional debates. The

5th district congressional race received insufficient coverage, particularly non-horse-race aspects of the campaigns.

6.

We discovered, for example, that there was a dearth of information regarding one of the most basic pieces of information: voting rights. As much fuss that has been made about the possibility of felons voting, the public – including felons and former felons themselves – is very confused about who can vote. We also encountered great confusion around the voting rights of other groups: non-English speaking citizens, the homeless, students, and absentee voters. This information is sorely needed in the Milwaukee area and no local news station did anything sufficient to address it. A post-election comprehensive review by the City of Milwaukee Election Task Force (official report 6/27/05) found that many of the problems the City's election system encountered were due to inadequate resources and staff and poll worker training – resulting in misinformation, confusion, and clerical errors – rather than grand conspiracies.

7.

Peace Action Wisconsin traces this lack of an informed public citizenry to the lack of sufficient coverage of local politics and local public affairs by broadcast television stations. We believe that there is a market-wide failure in the Milwaukee media market to provide the public with the information necessary for the functioning of a healthy democracy.

8.

Increased coverage of political candidate activities and events would have significantly improved voter turnout, as well as enhanced their ability to fully and fairly evaluate candidates and, consequently, make more well-informed decisions in that year's elections.

9.

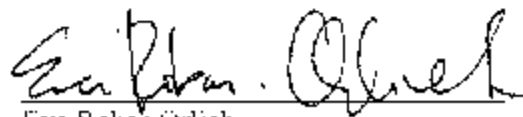
Because publicly elected officials can implement policy decisions potentially adverse to the economic and liberty interests of the community, they must learn as much about candidates for public office as possible before voting. As with most citizens, the citizens we serve primarily rely on broadcast television for this information.

10.

If the Milwaukee area television licensees fail to provide programming in connection with state and local elections by neglecting to conduct candidate interviews, delaying debate coverage until late at night, and excluding elections related stories from newscasts, our members will be unable to receive the necessary issue and candidate information for them to cast an educated vote. In order to be adequately informed, citizens need television stations to broadcast candidate debates at reasonable times; report on developments in geographically relevant state and local races; and announce opportunities to attend candidate events. Citizens cannot rely on commercials as the sole source of election information.

Eva Robar-Orlich for Peace Action Wisconsin, being duly sworn according to law, swears and affirms that she is Declarant in the action and that the facts set forth in the foregoing matter are true and correct to the best of her knowledge, information, and belief.

Executed on October 22, 2005.



Eva Robar-Orlich
(signature of Declarant.)

**Attachment I:
Declaration of Geoff Davidian**

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re:)
)
)
Petition to Deny Renewal)
Applications for Licenses of Stations)
WISN12-TV, Milwaukee WI)
Licensee ABC Broadcasting Inc.)
WDJT58-TV, Milwaukee WI)
Licensee CBS Broadcasting Inc.)
WITI-FOX 6, Milwaukee WI)
Licensee Fox Television Stations Inc.)
WISN12-TV, Milwaukee WI)
Licensee NBC Universal)
WVTV-WB18, Milwaukee WI)
Licensee Sinclair Broadcast Group, Inc.)

**DECLARATION OF GEOFF DAVIDIAN IN SUPPORT OF
PETITION TO DENY RENEWAL APPLICATIONS**

1

My name is Geoff Davidian. I am over eighteen years old, and I am a resident of Milwaukee, an editor of MilwaukeePress.com, and a former *Milwaukee Journal* reporter. I have resided in the Milwaukee area on and off for more than twenty (20) years. During that time, I have been a viewer of the following Milwaukee area television stations: WISN (ABC), WDJT (CBS), WITI (FOX), WISN (NBC), and WVTV (WB-Sinclair). Throughout my residency in and service to Milwaukee, I have and continue to obtain much of my local news and information from those stations on a regular basis. I have read the report, "2004 Campaign News Study in Chicago, Milwaukee and Portland Markets," and agree with its findings.

2.

I am a registered voter and have voted in past elections, including the November 2, 2004 election. I do subscribe to cable television but do not recall any broadcasts of local political forums. I rely on the television networks in my area to broadcast debates, news stories, and interviews with candidates for local office in order to make informed decisions about elections and campaign issues.

3.

For period of four weeks prior to November 2, 2004, I relied on the aforementioned television stations in the Milwaukee area to provide broadcasts of candidate debates, interviews with candidates, and news reports on the respective races for that year's local, state, and national elections. During that period, I could not attend the campaign events for all of the candidates for office and I could not attend candidate debates related to the various elections.

4.

For the period of four weeks prior to November 2, 2004, the major Milwaukee-area television stations mentioned in paragraph one failed to adequately interview the candidates for office during their nightly news programs, broadcast candidate debates before 11 PM, and conduct substantive reporting on candidates. These stations, however, ran political advertisements during commercial breaks.

5.

The lack of election-oriented programming in the weeks preceding the November 2, 2004 election by Milwaukee area broadcasters contributed to a deficiency in candidate and issue exposure. I believe that there is a market-wide failure in the Milwaukee media market to provide the public with the information necessary for the functioning of a healthy democracy. This deficiency in exposure denied me the opportunity to make a well-informed evaluation of candidates. Moreover, political advertisements are devoid of in-depth candidate explanations on positions, which are essential to my making an informed voting decision.

6.

When we go to war, kill thousands of people and destroy the environment in the name of democracy, I recognize my responsibility as a citizen to be as informed as possible about the issues from an objective, professional organization, not through advertisements paid for by the candidates or their surrogates. I cannot intelligently and fully meet my responsibility as a citizen in the greater Milwaukee area, free from commercial influence, unless information about the issues and candidates is provided through the airwaves and cable choices.

7.

Increased coverage of political candidate activities and events would have significantly enhanced my ability to fully and fairly evaluate candidates and, consequently, make a more well-informed decision in that year's elections. It is difficult to justify the use of the airwaves by broadcasters when I met with the management of the

dominant television station and, even after they promised to work to increase the political coverage before the 2004 election, there was no increase in election-related coverage.

8.

Because publicly elected officials can implement policy decisions potentially adverse to my economic and liberty interests, I must learn as much about candidates for public office as possible before voting. As do most of my fellow citizens, I primarily rely on broadcast television for this information.

9.

If the Milwaukee area television licensees fail to provide programming in coming state and local elections by neglecting to conduct candidate interviews, delaying debate coverage until late at night, and excluding elections related stories from newscasts, I will be unable to receive the necessary issue and candidate information for me to cast an educated vote. In order to be adequately informed, I need television stations to broadcast candidate debates at reasonable times; report on developments in geographically relevant races; and announce opportunities to attend candidate events. I cannot rely on commercials as the sole source of election information.

Geoff Davidson, being duly sworn according to law, swears and affirms that he is Declarant in the action and that the facts set forth in the foregoing matter are true and correct to the best of his knowledge, information, and belief.

Executed on October 6, 2005.


Geoff Davidson
(Signature of Declarant)

Attachment J:
Declaration of Robert Francis Miranda

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re:)
)
)
Petition to Deny Renewal)
Applications for Licenses of Stations)
WISN12-TV, Milwaukee WI)
Licensee ABC Broadcasting Inc.)
WDJT58-TV, Milwaukee WI)
Licensee CBS Broadcasting Inc.)
WITI-FOX 6, Milwaukee WI)
Licensee Fox Television Stations Inc.)
WIMJ4-TV, Milwaukee WI)
Licensee NBC Universal)
WVTV-WB 18, Milwaukee WI)
Licensee Sinclair Broadcast Group, Inc.)

**DECLARATION OF THE ROBERT FRANCIS MIRANDA FOR THE
COORDINATING COMMITTEE AGAINST HATE SPEECH IN SUPPORT OF
PETITION TO DENY RENEWAL APPLICATIONS**

I.

My name is Robert F. Miranda. I am filing this declaration on behalf of the Coordinating Committee Against Hate Speech (CCAHS). CCAHS serves the Latino community in the Milwaukee-area. We were founded in November 2004. We have as our mission the removal of radio talk-show host Mark Belling from WISN radio of Clear Channel Communications Inc. Our members and the populations we service are from all socio-economic backgrounds from the Latino community. Throughout our years of service to the Milwaukee area, our members and those we service have and continue to obtain most of their local news and information from these local television stations on a

regular basis: WISN (ABC), WDJT-TV (CBS), WITI (FOX), WTMJ (NBC), and WYTV (WB-Sinclair). WDJT-TV's (Channel 58) sister station is WYTL-TV (Channel 63), the local affiliate of the Telemundo Spanish-language network. This national network, however, provides no local or state news coverage unless the news item makes national news status.

2.

I and other organizational directors have read the report, "2004 Campaign News Study in Chicago, Milwaukee and Portland Markets," and agree with its findings.

3.

During the 2004 election cycle, CCAHS engaged in an effort to educate the Latino community in the Milwaukee area about several issues that were important to local races for State Senate, State Assembly, and Alderperson in the City of Milwaukee. We found that most citizens were completely unfamiliar with the issues we were discussing. Further, many of our constituents engaged in efforts to register new voters. In the process of attempting to register new voters, they discovered that the members of the public they talked with had little knowledge of the local races that were occurring.

4.

CCAHS' concern about local election broadcast news coverage is based on and supported by experiences they have confronted dealing with the lack of media accountability generally in the Milwaukee area. On October 27, 2004, Clear Channel radio talk show, Mark Belling made the following statement, "Watch the voter turnout on the near south side -- heavily Hispanic -- and compare it to the voter turnout in any other election and you're going to see every wetback and every other non-citizen out there

voting.” After using this insidious term to describe Milwaukee's Latino community, Belling mocked his use of the term giving numerous sarcastic apologies. He polled his listening audience on whether he should have used the word *wetback* or not. After 15 of 20 callers said he should not apologize, he made light of the situation by telling them that they were “all wet.” Clear Channel representatives suspended him but only after more than 80 leaders of the Latino community initiated a public decry of Belling and Clear Channel following the elections. However, the suspension was not the outcome leaders of the Latino community had demanded and resolved to pursue. On November 19, 2004, Milwaukee's Latino community issued a statement calling on Clear Channel to respect the work of the CCAHS. In negotiations with Clear Channel representatives, CCAHS leaders reiterated the community's demand that Clear Channel fire Belling in keeping with its “zero tolerance” practice it employed in other markets around the country.

5.

For the period of four weeks prior to November 2, 2004, the major Milwaukee-area television stations mentioned in paragraph one failed to adequately interview the candidates for state and local office during their nightly news programs, broadcast candidate debates before 11 PM, and, conduct substantive reporting on candidates. These stations, however, ran political advertisements during commercial breaks.

6.

CCAHS traces this lack of an informed public citizenry to the lack of sufficient coverage of local politics and local public affairs by broadcast television stations. We believe that there is a market-wide failure in the Milwaukee media market to provide the public with the information necessary for the functioning of a healthy democracy.

7.

Increased coverage of political candidate activities and events would have significantly improved voter turnout by the Latino community, as well as enhanced their ability to fully and fairly evaluate candidates and, consequently, make more well-informed decisions in that year's elections.

8.

Because publicly elected officials can implement policy decisions potentially adverse to the economic and liberty interests of the Latino community, they must learn as much about candidates for public office as possible before voting. As with most citizens, the citizens we serve primarily rely on broadcast television for this information.

9.

If the Milwaukee area television licensees fail to provide programming in coming state and local elections by neglecting to conduct candidate interviews, delaying debate coverage until late at night, and excluding elections related stories from newscasts, our members and the Latino communities they serve will be unable to receive the necessary issue and candidate information for them to cast an educated vote. In order to be adequately informed, citizens need television stations to broadcast candidate debates at reasonable times; report on developments in geographically relevant state and local races; and announce opportunities to attend candidate events. Citizens cannot rely on commercials as the sole source of election information.

Robert Miranda on behalf of the Coordinating Committee Against Hate Speech, being duly sworn according to law, swears and affirms that he is Declarant in the action and

that the facts set forth in the foregoing matter are true and correct to the best of his
knowledge, information, and belief. Executed on October 12, 2005.

A handwritten signature in black ink, appearing to read 'Robert Miranda', with a large, sweeping flourish extending to the right.

Robert Miranda
(signature of Declarant)