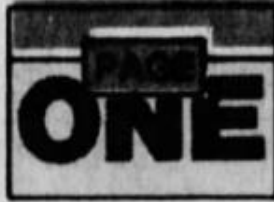


# *Big story began like a crank call*

By BILLY BOWLES  
and WILLIAM J. MITCHELL  
Free Press Staff Writers



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story as it did assumed greater significance Thursday amid reports that Hart would pull out of the campaign today.

Serious questions have been raised about the Herald's methods and whether it is appropriate to probe a candidate's private life.

The Herald's critics ask whether newspapers should place subjects under surveillance and point out that the surveillance the Herald conducted failed to support its claim that Hart had "spent Friday night and part of Saturday" with a Miami woman later identified as Donna Rice, 29.

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*The full story:*

*(Detroit Free Press, page one, May 8, 1987)*

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The Herald's critics ask whether newspapers should place subjects under surveillance and point out that the surveillance the Herald conducted failed to support its claim that Hart had "spent Friday night and part of Saturday" with a Miami woman later identified as Donna Rice, 29.

Tom Fiedler, 41, the Herald's chief political writer, said the newspaper did not approach the story intent on placing Hart under surveillance, but found itself doing just that after a reporter arrived at Hart's town house and moments later spotted the former senator leaving with Rice.

Hart denies that he spent the night with the woman, insisting she left through a back door not observed by the reporters. Hart says the Herald refused to interview Rice and other friends who spent time with him over the weekend, a contention the Herald says is not true.

Fiedler said, "I feel very good about what we did." But he said he regrets the phrase "spent Friday night," which gives an impression that goes beyond what the reporters documented.

While political reporters have not traditionally distinguished themselves by their clean living, Fiedler, 41, has been known as something of a Boy Scout among his colleagues as a result of his healthy diet, his rigorous running routine and his almost gee-whiz earnestness.

As vulnerable as Fiedler and the Herald are for asserting more than they knew, their investigation grew from Fiedler's concern that he and other reporters were being unfair to Hart. The tipster told Fiedler that she was calling after reading his front-page story that morning. In that article, Fiedler explored the ethical issues raised by reporters' pursuit of the "womanizing" rumors plaguing Hart's campaign, writing that "the scrutiny seems less intended to test a candidate's intelligence quotient than to expose his or her private life."

Fiedler also got a call from Hart's deputy press secretary complimenting him on the story, but the anonymous caller complained that he was wrong to characterize the stories about Hart as "just rumors." "She told me that one of her friends was having an ongoing affair with Mr. Hart," he said. "I thought, 'Oh, right.' I had gotten a crank call earlier in the day. ... Then she (the anonymous woman) asked me how much we pay for pictures. I told her, 'Walt a minute, this is the Miami Herald you're talking to. Not the National Enquirer.' "

Fiedler says he "got a little angry" and told the woman: "As far as I know you're either out to smear Gary Hart or you work for George Bush or some other candidate and you're trying to set me up or set up my newspaper. I have no reason to trust you. You could ruin this man's candidacy and his marriage. You're talking about serious stuff."

Fiedler says he told the woman, who refused to identify herself, to think about what she was doing and to call him in the morning if she was serious about providing the Herald with information about Hart. THE CALL came at 10:30 a.m. the next day. "She said she wanted to talk." Fiedler said, "and this time she was dead serious. She talked for an hour and a half."

She said her friend met with Hart on a yacht, and she provided Fiedler with dates of telephone calls Hart had allegedly made to the woman. Fiedler said she also told him that Hart had invited the friend to spend the weekend at his town house on Capitol Hill. "If you fly up there with her," Fiedler quoted the source as telling him, "she'll tell you everything."

The tipster promised to call back with the number of the flight Rice intended to take. "But she never called back," he said. "By Thursday I was getting frantic." He also was suspicious of two key pieces of her story. He thought Hart lived in Bethesda, Md., not Capitol Hill, and he thought Hart was scheduled to be in Louisville that weekend for the Kentucky Derby.

A call to the Hart campaign showed the tipster to be right on both counts: the Harts had sold their home in Bethesda and bought a town house on Capitol Hill, and the candidate had shifted his schedule from Kentucky to Washington. Said Fiedler: "All the cherries were beginning to line up on the machine."

He said he then met with Jim McGee, 34, a Herald Investigative reporter for seven years; investigations editor Jim Savage, 47, who has worked there since 1967, and Executive Editor Heath Meriwether, 43, who joined the paper in 1970. "The people working on this weren't greenhorns," said Fiedler. "We all felt in our gut that this needed to be followed up."

Not knowing which flight Rice might be on, Herald editors told McGee to take one of the two remaining direct flights that day to Washington. "He ran out of the paper with no bag or anything, just the clothes on his back and his American Express card," said Fiedler. "He

caught the flight and sure enough there was this stunning woman who fit the description to a T."

BACK IN Miami, Fiedler was talking on the telephone to an aide to Florida Sen. Bob Graham about another story. During the conversation, he asked the aide if he knew where Hart's town house was located. Fiedler got lucky again: Graham's chief of staff was renting the apartment in the basement of Hart's town house. Said Fiedler: "Things were falling together so well that only divine intervention could explain it."

McGee watched Rice meet another woman at Washington's National Airport, then took a taxi to the address Fiedler had gotten. At Knight-Ridder's Washington bureau, meanwhile, news editor Doug Clifton was alerted that McGee was in town and he decided to take the subway to Capitol Hill to see him.

Clifton had been recently transferred to Washington after 17 years at the Herald, and his family had not arrived. "I said, almost for a lark, I'll go out and sit with McGee and listen to some gossip," he said. "I had no intention of spending my weekend looking at a door."

ABOUT 9:15 P.M., he found McGee outside Hart's town house on Sixth Street. "He gave me the lay of the land, said there was a front door and a back door," Clifton said. He said they then split up the stakeout, McGee taking the front and Clifton taking the back. He wasn't in back long, Clifton said, before McGee came running around from the front just after 9:30 p.m.

Said Clifton: "Along comes McGee, all excited, and said, 'Gee, I saw him. He got in a car with Colorado plates. It's the same girl I saw on the plane.' He said, 'This is the real McCoy, for Christ's sake.' " McGee then went to a pay phone to call Miami. There were no more flights to Washington that night, so Fiedler, Savage and photographer Brian Smith made plans to take a 6 a.m. flight Saturday. '

Outside Hart's town house, Clifton and McGee were getting worried. "I was trying to figure out how not to get pinched," Clifton said. "The police substation is right there. . . . It's a crime watch neighborhood. Hard by is a low-income neighborhood and we were guys lurking around looking at doorways."

They decided they needed a car for cover. About 10:45 p.m., Clifton walked to Pennsylvania Avenue and hailed a taxi for National Airport, where he rented a car. "McGee was in an alcove," said Clifton. "He was looking at the front door, he was agitated because he had seen them again."

THE VERSIONS of events provided by the Herald and by Hart and his associates now begin to diverge. William Broadhurst, a Washington attorney and friend of Hart who says he arranged the weekend's activities, says he was going in the back door of the town house with a woman named Lynn Armandt at the time Hart and Rice were entering the front. According to Broadhurst, he and the two women left by the back door undetected by the Herald about 15 minutes later.

Broadhurst could not be reached for comment and a Hart spokesman did not return a Free Press call. But the Herald reporters concede that Broadhurst's explanation could be true. Clifton said the group continued to watch the house until 3 a.m., but did not maintain a constant surveillance of both doors because they spent part of the time circling the block in their car. "We drove around the block, past the front, past the back," said Clifton. "We continued to do that throughout the night. We watched the lights go out. We did this 'til 3 a.m. and said, 'Let's take a little break.' "

Clifton said he and McGee went to the Knight-Ridder office and returned to Sixth Street at 5 a.m. Fiedler, Savage and Smith, meanwhile, didn't get to Sixth Street until about 11:30 a.m.

CLIFTON SAID Broadhurst told the Herald that Rice spent the night at his home and that he saw her "ironing around 8 a.m." Clifton quoted Broadhurst as saying she walked over to Hart's home that morning, but Clifton said: "She would have had to pass right by me, and I didn't see any gorgeous blond pass by me."

Broadhurst also said he, Hart, and the two women spent much of Saturday driving around Virginia, and that he double-parked his car in front of Hart's town house at midday and left the motor running as he went up to the front door. Clifton said: "I am willing to swear I saw nothing at the time he was supposed to have double parked." As the reporters watched the house Saturday afternoon and evening, they discussed what they had. "We were wrestling with the question of how long we would let it run before knocking on the door," Fiedler said.

At 8:40 p.m., Hart resolved their dilemma by walking out of the rear of the town house with Rice. According to the Herald, Rice "clung to his arm as they walked toward (his) car." Fiedler said it was at this point that Hart apparently decided that somebody was watching him. Hart and Rice soon went back in the front door. Hart exited a half hour later and, according to Fiedler, began driving around the neighborhood.

The Herald staffers tried to follow him in separate cars, but lost him. Clifton said he eventually found Hart walking near his house. While the Herald described Hart's walk as "aimless," Hart has said he was looking for the reporters.

FIEDLER SAID McGee and Savage approached Hart after he walked by their car. Hart has said that he, not the reporters, initiated the contact. Fiedler joined the Interview. "His voice was quivering," said Fiedler. "He didn't know answers to basic questions. He said he had no idea what the girl did for a living. He didn't want to admit that the girl was inside. He confirmed the telephone calls, but when we asked him what they were about he said, 'Nothing.'

"I said, 'Senator, come on, what were they about?' He said. 'They were casual political stuff.' I was almost imploring. I told him, 'If you can this by just explaining this odd set of circumstances ... you know what this means to your candidacy ... if we can clear all this up by talking to the girl, we should do so.' "

According to Fiedler, Hart said: "I have no right to invade a private person's privacy and subject them to media scrutiny." As the Herald photographer approached the group, Hart said, "That's enough" and walked back into the house, Fiedler said.

It was now about 10 p.m. Saturday and, Fiedler said, the group huddled to decide what to do. "We felt we had confirmed all the sightings (of Hart and Rice), we had confirmed a relationship. ... At no point did he say there were other people in the house. He never raised that as a possibility.

"We decided to do the story," and, leaving Smith at the house, they headed to Fiedler's room at the nearby Quality Inn to write it. McGee telephoned Executive Editor Meriwether at his home. He headed for the office. While the decision to run the story was ultimately Meriwether's, Fiedler said he pushed to go with it immediately rather than wait. "If we waited 24 hours, Sen. Hart would have had time to call a press conference, to issue conflicting scenarios, to make alibis and to try to derail and muffle the true import of what we found. I felt confident about what we had."

Asked if he were also concerned that the Herald might be beaten on its exclusive story, Fiedler said, "That was part of it. Once we got it, and I felt we got it fairly ... he (Hart) could have done all kinds of things in the next 24 hours. I knew the explosive nature of this. I had written a story that dealt with all that the week before."

Although the Herald makes its stories available to other Knight-Ridder newspapers, including the Free Press, they finished work on this one too late for the Free Press to include it in its Sunday editions. The Free Press ran the story in some Monday editions. While the newspapers are owned by the same company, news decisions are made independently.

HART HAS NOT said exactly what he did after the Herald reporters left his neighborhood, but Broadhurst was trying to track them down. Smith, the photographer, told them where

they were. The Herald and Hart camps disagree about what Broadhurst said when he telephoned Fiedler's room.

The newspaper included a quote from the lawyer describing the weekend's events as "innocent," but Fiedler denies Hart's claim that Broadhurst offered to let them interview Rice and Armandt. Fiedler and Broadhurst agreed to meet after the story was on the press. Some time after 1 a.m., Broadhurst, Fiedler, McGee and Savage went to a Chinese restaurant, where they ate and talked until 5 a.m.

Fiedler said he and the other Herald staffers went through a detailed description of what they had done, and said Broadhurst did not suggest that anyone had gone in or out the rear door until after the Herald staffers acknowledged that they did not have all doors under constant surveillance. Fiedler said Broadhurst agreed they would talk more later in the morning, but said there was no answer when he called Broadhurst's home and they found no one home there or at Hart's.

IN RETROSPECT, Fiedler says this: "It was certainly unorthodox, but we knew of no better way to deal with the situation."

Asked if the Herald didn't overstate what it knew by writing that Hart and the woman had "spent Friday night and much of Saturday" together, Fiedler said:

"In hindsight, I wished we used different semantics. Not because I don't believe what we said was true but because it's subject to attack. Our thinking in using the phrase 'spent Friday night and much of Saturday' was that Friday night ends at midnight and Saturday begins at midnight. . . . But frankly I feel uncomfortable defending that very strenuously. In truth, what we wrote in the cold light of print gives the impression that spending Friday night means until sometime in the dawn of Saturday. I wish we were more artful in our phraseology."

Fiedler indicated that in the future he would use the same methods only under similar unusual circumstances. He said surveillance of a candidate's private life should be a rare exception. "Everyone has a right to a private life as long as it doesn't interfere with their public performance, which is a really murky question when dealing with the presidency," he said. "Reporters should not go and without cause start probing into the corners of a man or woman's life that they would otherwise consider out of bounds."

## Candidate, newspaper disagree

### *Major differences*

## *In accounts listed*

MIAMI -- These are the major points of disagreement between former U.S. Sen. Gary Hart and the Miami Herald concerning the newspaper's account of its surveillance of his Washington, D.C.. town house:

Hart told a meeting of newspaper editors In New York that Herald reporters "refused to interview the very people who could have given them the facts." The Herald reporters said they asked to interview the young woman, later Identified as part-time actress Donna Rice, and that Hart refused to permit it or to identify her.

Hart and William Broadhurst, a lawyer friend, said they entered and left Hart's town house with Rice and another woman, double-parking in front of the residence, during the time the Herald reported no one was seen to enter or leave.

Hart and Broadhurst said they returned about five hours later, entering by the front door. The Herald said that during that entire period a minimum of three, and sometimes five, people watched both the front and rear entrances of the town house from cars "with unobstructed vantage points."

Hart said he confronted the Herald reporters on the street and demanded to know what they were doing. The reporters said they approached Hart after realizing he had spotted them. They said they asked to Interview Hart and that he agreed. Hart told the editors In New York that the Herald reporters, "by their own admission, undertook a spotty surveillance, reached inaccurate conclusions based on incomplete facts . . . (and) after publishing a false story, now concede they may have gotten it wrong."

The Herald said it never claimed there was full surveillance and that It stands by the story, making no such concession of error.

--*Billy Bowles*