

Dear Mr. Engelberg,

The ProPublica website's Code of Ethics states:

*No story is fair if it omits facts of major importance or significance. Fairness includes completeness. No story is fair if it misleads or deceives the reader.*

The recent ProPublica articles on 911 Homicide Call Analysis, however, do exactly what the Code of Ethics prohibit. The articles wrongly report by omitting significant facts, misleading the readers, and deceiving with inaccurate information. The articles attempt to give the false impression that 911 call analysis caused the conviction of innocent persons. Over the past 19 years of studying over 2,500 equivocal death 911 calls, Deputy Chief Tracy Harpster and Dr. Susan Adams are not aware of any examples of this false allegation. 911 call analysis is an investigative tool to be used in conjunction with case evidence and it has also helped to identify innocent persons.

The ProPublica 911 Homicide Call Analysis articles omit significant information regarding the evidence presented in court in each of the homicide cases cited by the reporter. The omissions lead the reader to incorrectly believe that murder convictions were based solely on the 911 call analysis. ProPublica cited six case examples in an effort to discredit the use of 911 call analysis. One of these cases is on-going and under seal. In all remaining cases cited, investigators or prosecutors working the cases have refuted the ProPublica claims, stating that the reporter omitted critical case facts and misled the reader through false reporting. The following paragraphs provide examples of some of the omissions in the cases:

1. Illinois case: A 911 caller was convicted of killing her 2-year-old child, who died from asphyxia and compression to the face. ProPublica wrongly reported that the mother Google searched "How do you suffocate?" after the murder of the infant. Forensic evidence during the trial revealed that the search was done hours before the murder. ProPublica noted the 911 caller had purchased an insurance policy on her toddler and stated that the mother never cashed the policy. However, ProPublica omitted that the mother attempted to cash the large policy hours after her child died. She did not receive the settlement because the insurance company refused the claim.
2. Michigan case: A 911 caller was convicted of killing his brother. ProPublica noted that 911 call analysis was used in court and the murder conviction was reversed. What ProPublica failed to disclose was that the conviction was reversed due to a judicial error, not an investigative error. The charge was reduced to Manslaughter and the subject served out his prison time. In a further omission, ProPublica failed to include evidence that the 911 caller had previously threatened to kill his brother and pointed a gun at him.

3. Missouri case: A man called 911 to report the death of his wife. ProPublica falsely stated that the prosecutor in the case used the 911 call research to wrongfully convict the caller. In fact, the caller was convicted in a jury trial without the use of 911 call analysis. The investigators and prosecutor on this case were unaware of 911 call analysis at the time of this trial.

4. Washington case: A mother called 911 to report the death of her infant. ProPublica stated that 911 analysis was used in this case and the mother then accepted a plea deal resulting in a Manslaughter conviction. However, ProPublica omitted critical facts, including evidence that the baby was in the mother's bed at the time of death and that the mother had lied during police interviews. Additionally, ProPublica did not disclose that the mother had been specifically directed by social services not to sleep with her baby. The agency had given the mother a bassinet in which the infant was to sleep. After being confronted with the physical evidence, the mother confessed, pled guilty and received a minimal sentence.

5. California case: A woman called 911 to report that her boyfriend had been stabbed. The case went cold. Years later, 911 call analysis was one of the investigative tools used in the investigation. ProPublica wrongly reported that no murder weapon was found. To the contrary, no information has been released regarding the murder weapon or any other specific case details because the case is still pending.

In addition to the significant omissions in the above cases, the articles also attempted to disparage the 911 Homicide Call Analysis study by citing that "twenty researchers" have tested the model unsuccessfully. The concept of so many researchers sounds like an impressive statistic; however, the author did not disclose that this number represents only four full studies.

Further, the author did not fully inform the reader that major differences exist between the research cited by ProPublica and the Harpster and Adams research. Because the studies listed are not directly applicable, their use to refute the 911 call analysis research is misleading, as illustrated by the following examples:

1. In one study, untrained undergraduate students with an average age of 19 years judged 911 calls for course credit (Markey et al., 2022). The undergraduate students examined different variables than the Harpster and Adams model, which was created for use by experienced law enforcement professionals after receiving analysis training.

2. Another study focused solely on missing children cases (O'Donnell et al., 2022); the Harpster and Adams research studied equivocal deaths in cases with a victim at the scene. 911 calls without the presence of a victim are very different from those with a victim. Thus, the O'Donnell et al. research would not directly apply to the Harpster and Adams study.

3. One of the referenced studies examined suicides staged as homicides and actual suicides (Miller et al., 2020). This was not the focus of the Harpster and Adams research.

4. In another cited study (Markey et al., 2022), the audio recordings of 911 calls were examined without the corresponding transcripts. A separate study included some 911 call transcripts without audio recordings as well as some cases that were not adjudicated. The Harpster and

Adams study examined both the audio recordings and the transcripts of each call and only used cases that were fully adjudicated. Without examining both the audio recordings and the transcripts in adjudicated cases the analysis is incomplete.

Although the cited studies differed from the Harpster and Adams research, all studies supported the value of examining 911 calls as an investigative tool.

As a direct example of how the ProPublica 911 Homicide Call Analysis articles deceive readers by wrongly reporting, the articles state that Deputy Chief Harpster “tries to keep his methods secret.” In fact, Harpster and Adams published information on 911 Homicide Call Analysis in open-source articles and books in the years 2006, 2008, 2009, 2010, 2015, 2016, and 2019.

In summary, the ProPublica articles on 911 Homicide Call Analysis presented an inaccurate narrative. The ProPublica Code of Ethics addresses the issues of fairness and accuracy with the following pledge:

*When mistakes are made, they need to be corrected —fully, quickly and ungrudgingly.*

We respectfully request that ProPublica honor their pledge by informing the readers of the facts addressed in this letter.

Sincerely,

Deputy Chief Tracy Harpster (ret.)

Dr. Susan Adams (FBI ret.)

cc: Charles Ornstein, Managing Editor

George Papajohn, Midwest Editor