

Producing Documentaries for Network Television

Richard Richter

The crowds still swarmed around the long walkway outside the theater. People shouted, whispered to one another, waved, and surged around us as we made our way to our limousine. A mammoth blond walked just ahead of us. The crowd seemed to think she was Dolly Parton. We obviously were somebody. Celebrities. Part of Hollywood's big night, the Academy Awards of 1980. Champagne in the limo on the way to the big hall. More crowds, discoing the night away, and finally the ever-so-chic late, late supper in our suite along with fellow ABC celebrants.

The scene was not what working for a network news documentary unit is supposed to be all about. But we gladly suffered through the pushing, the shoving, and the noise of it all. It was part of our job. Besides it was fun.

That we didn't win an Oscar wasn't difficult to take, because we had been surprised that our documentary had been nominated in the first place. *The Killing Ground* was the first network news documentary ever nominated for an Academy Award. It had made it to the big night because it had won major film festival awards at Monte Carlo and Mannheim (Germany). Domestically, it had won a handful of Emmys and a bunch of other prizes.

Oscar night was the most glittery occasion of 2½ years (from 1978 to mid-1980) of the ABC News *Closeup* documentary unit, but it was not the only high point. Nor did it mean that everything we did brought instant acclaim and recognition. There have been low points, too.

I came onto the documentary scene in the beginning of 1978 to work as senior producer under Pamela Hill, who had just been named executive producer in one of the series of moves Roone Arledge had made after taking over as head of ABC News. Together, Pam and I were to direct the *Closeup* unit. The idea was that my 20 years of hard news, daily deadline experiences on newspapers as well as television would supplement Pam's extraordinary filmmaking flair and talent for in-depth examination.

Our first effort was greeted with skyrockets of acclaim, followed by demands for an investigation by the Federal Communications Commission. The program was *Youth Terror: The View from behind the Gun*. Producer Helen Whitney put together an unrated hour about the causes of juvenile crime. No experts were interviewed on camera. The kids and their families did all the talking.

Richard Richter is Senior Producer of Documentaries at ABC News and has been in the news business for more than 25 years.

We knew it was good, but the reviews exceeded our dreams.

Tom Shales wrote in the *Washington Post*: "The precarious reputation of ABC News takes a great leap forward tonight . . . with an explosive, important and uncommonly immediate look at juvenile crime in the big city of the 70s."

And *Time* said: "*Youth Terror* may be the most disturbing and dramatic news program ever seen on American commercial television. It certainly is the most explicit."

Explicit it was. It was the first time that "mother fucker" was ever broadcast on a network program. Nineteen ABC stations refused to carry the broadcast because of the language—most of them in the southern Bible Belt but also in Philadelphia.

We didn't want to purposely alienate anyone with the use of the profanity. But we felt that to delete or bleep it would have been to castrate the young people who were passionately trying to make the nation understand them. There was nothing false about the black youth who said toward the end of the program: "This is a concentration camp. That's the way I feel. I give less than a fuck how any other people feel . . . that's the way I feel. This is a concentration camp, you dig? I been around here 21 years. This is hell. Believe me."

Arledge and his two top lieutenants, vice presidents David Burke and Richard Wald, approve all documentaries before broadcast, but for *Youth Terror* there was a special screening for the very highest network executives as well. They concurred that the language was essential.

In addition, it was agreed that no permission to bleep would be given to individual stations that wanted to run the program but objected to the language. There were dozens of phone calls before airing, and many more afterward, but the controversy was only beginning.

There were charges that certain scenes, involving a brief scuffle in a Brooklyn street, had been staged. The accusations were made by a disaffected part-time free-lancer who had been hired for the early portions of production and then was let go when he was no longer needed.

The story of the charges made page 1 of the *New York Daily News* as well as the news columns of other papers across the country. To clear the air, Arledge ordered an investigation by an independent law firm. The probe lasted several weeks, and the investigators were tough and thorough. Their verdict declared the charges untrue. Shortly thereafter the FCC, which had been asked to investigate, concluded that it did not feel a probe was warranted.

The controversy took up the better part of the summer of 1978, a summer that was, indeed, very long and hot. We knew the charges were false, but we also were aware that the innocent are not always found innocent. And once the smoke had cleared, *Youth Terror* went on to win six awards.

A series of successes since then has not meant quiet respectability. The odyssey of our latest battle began in the spring of 1979, after the nuclear reactor accident at Three Mile Island. The accident had signaled to Pam and me that we had to do something about nuclear energy. Steve Singer, coproducer of *The Killing Ground*, was dispatched to Three Mile Island to nose around. And soon he began an investigation which began to reveal sloppy standards and procedures in the construction of reactors. But other reporters started to break some of our stories, so even though we still had some exclusive material, we decided the edge would be gone by the time we got on the air, which was likely to be 4 months, and more likely, 6 plus. It takes that long to investigate, re-search, plan, shoot, and edit a 1-hour documentary.

Singer and his troops then decided to concentrate on one of the untold stories of the nuclear age, the inadequate regulation of the uranium mining industry. Regulation was so bad that radioactive dust had led to many cancer deaths among miners; and the casual disposal of radioactive waste had created serious environmental hazards.

Most uranium mining in the United States is in the West. We focused on New Mexico, where state and federal regulation was poor, where medical care for miners was dubious, and where the already "good" story was enhanced by the victimization of Indian miners, the desecration of Indian land, and the stark beauty of the arid Southwest.

The Uranium Factor was broadcast in June 1980. The program was neither pro- nor antinuke. But New Mexico pronuke groups attacked it, and industry spokesmen voiced displeasure. A local pressure group put together a rebuttal program that was broadcast by an Albuquerque station. The rebuttal complained that I had refused to provide answers to more than 20 questions, which actually amounted to a request for us to do most of their research. The rebuttal also neglected to point out that the "impartial" reporter, who narrated their interview, was actually an employee of Gulf Oil, the owner of substantial uranium interests in New Mexico. At one point, Mr. Gulf Narrator even interviewed a Gulf management spokesman, who, surprisingly, said everything was just dandy . . . well operated, controlled, and regulated.



Richard Richter visiting the Great Wall of China while negotiating details for a film.

Governor Bruce King, who was interviewed for *The Uranium Factor*, also publicly voiced his displeasure about the program: his administration did not look especially vigilant with its lax regulation of industry hazards.

The displeasure of the bluff and hearty rancher-turned-governor seriously affected another *Closeup* project which had just begun: an investigation of the explosive riot at the New Mexico State Penitentiary at Santa Fe, where 33 inmates were murdered by their fellow prisoners in the most savage prison riot in the history of our nation.

King had first promised producer Steve Fleischman full cooperation, including access to state officials and permission to interview inmates and film inside the prison. But after *The Uranium Factor* he barred us from talking to state officials and closed the prison to our cameras. Local reporters said he told them his reversal was directly connected to our uranium program.

By the time the doors were slammed shut, Fleischman, correspondent William Sherman (who had interviewed King in *The Uranium Factor*), and the rest of their staff had already gathered substantial evidence of incredible incompetence and inattention to the prison during the administrations of King and his two predecessors. But no filming had been done. Pam and I flew to Santa Fe, conferred with the staff for 2 days, and concluded that even without official cooperation there was enough material available to go ahead. Filming began almost immediately.

Our decision to proceed was big news in New Mexico newspapers and local radio and television newscasts. It would appear that the governor had thought we would not go ahead, and when we did, the sparring became even livelier.

When local television crews were finally allowed to film inside the prison after weeks and months of denial, we were not told of the press tour. All the ABC team, except production associate Lynn Geller, were filming in Albuquerque, 70 miles away. But when Lynn heard about the tour, she raced to the prison. The local press crews had just arrived and were making their way in, but when she identified herself she was told, "Sorry, no one from ABC gets in."

And with that, the battle moved into the courts. ABC News brought suit against the state, charging that we had been unlawfully singled out as the only news organization denied access to the prison. We went to court not expecting to win, because a United States Supreme Court decision had denied San Francisco radio station KQED access to a California prison on the grounds that the press had no more right to enter prisons than did the ordinary citizen. The New Mexico court ruled in favor of the state, and we did not appeal in light of the Supreme Court precedent. Still, we felt that our initial action was essential to signify that

we would not be dissuaded from taking every possible route to obtain the truth about the prison. It is interesting to note, incidentally, that it was not easy to obtain local counsel to represent ABC against the state. New Mexico is so sparsely populated that virtually every first-rate attorney does some business with the state. In fact, the first lawyer we approached turned out to be the husband of Governor King's press secretary, who uses her maiden name.

Strange things began to happen after the court ruling. We were allowed limited access to film in the prison. And during the Democratic nominating convention in New York, we got word from the governor, who was a delegate, that he would consent to an interview. Either he decided on his own that he would look worse if we stated on the air that he had refused to talk to us, or someone else, perhaps even a member of the Carter administration, leaned on Governor King, causing him to change his mind. In addition, the ban against interviewing state officials was lifted, and we were allowed another filming session inside the prison. This time we were able to talk briefly to prisoners, not exactly with the state's blessing, but mostly because of Sherman's quickness in beginning and ending interviews before the authorities could tell what was going on. We were, however, still foiled in our attempt to interview Felix Rodriguez and Robert Montoya, the two prison officials who had had most responsibility for operating the prison in the years before our investigation occurred. They just wouldn't talk.

Not all our documentaries have been enveloped in so much drama. However, if you deal with difficult subjects, the road to production does figure to be bumpy. And if not bumpy, certainly not easy.

Then, too, our road has sometimes been difficult because we have chosen to be progressive in form and approach; not all our documentaries are in the well-made play, traditional style, where an Ibsen drama might be equated to a *CBS Report* or *NBC White Paper*. Our feeling: the form should be tailored to the subject or to the talents of the producer/director. If Helen Whitney is superbly suited to the nonnarrative genre, why force her into another form? Her project after *Youth Terror* was *Homosexuals*, which stirred giant waves because we dared to deal with the subject and to do away with glib experts, letting the people tell their own stories.

Closeup has also been the focus of enormous attention because we are the only commercial network that will use the work of independent producers. The reluctance is due in part to the fact that in-house staffs have to be paid anyway, but also because of

the need to maintain editorial and production control over the documentary. Fair enough, but we have found it possible to adhere to strict standards of factual and production integrity through careful selection of the independent producer and tight monitoring of the project while it is in progress.

We have presented four documentaries by independents. The first, *Police Tapes*, had already been shown on a portion of the PBS network. We bought the program from producers Alan and Susan Raymond and cut it from 90 minutes to 1 hour. The resulting presentation attracted a relatively large audience, despite its having been seen before in several markets.

Subsequently, we asked the Raymonds to go to Northern Ireland to film *To Die for Ireland*, a look at Ulster 10 years after the British army had been called in to settle the civil war between Catholics and Protestants. This time the Raymonds worked according to the same production procedures as staff producers, first submitting ideas, then an outline and a detailed treatment of how they conceived their film. They were also able to draw upon additional staff and resources they would not have been able to afford as independents.

The other two independent productions were totally different. The first was *The Shooting of Big Man*. It came to us as 100 hours of unedited videotape from Eric Saltzman of the Harvard Law School's Evidence Film Project. We edited the tape to 2 hours, and the program preempted the Friday Night Movie. This documentary was the first time all phases of a criminal case had been recorded, from shortly after the arrest of the accused to the jury's final verdict. Its value was not so much the dramatic unfolding of a trial as an extraordinary inside view of the criminal justice system.

Saltzman had obtained access to all aspects of the case except the jury deliberation. Viewers were able to see the defense attorneys conferring with the accused in jail, lawyers talking to the victim in the hospital, police and the prosecutor preparing their case, attorneys and the judge conferring in his chambers, witnesses giving pretrial statements, and then the actual trial itself. They saw the relief, joy, and chagrin at the "not guilty" verdict. And were left to wonder if justice had been done when told in an epilogue that the victim had died shortly after the trial and the defendant spoke boozily without remorse about the shooting.

The Shooting of Big Man was a highly successful production because the interesting raw material was skillfully shaped by our own producer Tom Bywaters and a marvelous tape editor, Ken Gutstein.

That project and *Police Tapes* are the only tape productions we have done. We are not yet set up with our own sophisticated tape-editing facility, and we feel film is still more flexible and artistically suitable for what we are attempting.

The fourth independent work resulted from our admiration of *Who Are the DeBolts?*, a documentary that won an Academy Award in 1979. Its producer, John Korty, had been director of *The Autobiography of Miss Jane Pitman*, one of the finest dramas ever seen on television. Pam simply called Korty and asked him if he had any interest in doing something for us. He said he had a couple of ideas, and we liked one of them. Shooting started before the final contract was signed. The result was a lovely celebration of the strength of the human spirit, *Can't It Be Anyone Else?* This was the story of three children battling leukemia: Jimmy, 10, telling his schoolmates he had to have a bone marrow transplant because it was his last chance; Dnart, 12, hoping that he could get a hamburger in heaven because existence wasn't anything without one; and Diana, 12, saying defiantly, "I'm going to live. I'm not going to die." Jimmy died less than a month after the broadcast. Dnart and Diana are still doing well. I had never met Jimmy, but it was like losing someone who was close. I felt the same way about the death of Sarah Lytle, the young defense attorney who was the "star" of *The Shooting of Big Man* (she died of a liver disorder some weeks after the program aired).

It is commonly assumed that sponsors wield a heavy hand on all television programs. Not so. We never know who our sponsors will be until shortly before air time. Then it is important for us to know so that the program will not contain a tasteless juxtaposition of editorial matter and sales pitch. We were especially careful with *Can't It Be Anyone Else?*, screening all the commercials in advance and getting the sales department to rearrange the placement of two 30-second spots and to substitute a new product for one pain-killer message. No dramatic confrontation was necessary: a reasonable request, a prompt professional response.

Occasionally, *Closeups* have carried advisories at the head of the program, warning, for instance, about rough language or, as in *Homosexuals*, about explicit discussion of unconventional sexual behavior. In these instances, the sales department informs the sponsors so they may withdraw their spots if they wish. Sometimes they have. If no new sponsor will step in, a public service promo is substituted. But never is the body of the documentary affected.

Homosexuals ran without sponsors, as did *Terror in the Promised Land*, an examination of Palestinian terrorists which was objected to before broadcast by American Jewish organizations. Not only was the Palestinian program not tampered with, but it went on to

win the Overseas Press Club's Edward R. Murrow Award as the year's best documentary. And Michael Arlen, in *The New Yorker*, wrote: "I thought the ABC documentary showed us more about the Palestinians in fifty-seven minutes than most news organizations, large or small, have printed or televised in the past dozen years—and showed it with an uncommon mixture of judgment and perspective." That's the kind of review producers dream about.

We've received a gratifying number of exceptional notices that make the long hours and intense pursuit of the inside story well worthwhile. My personal favorite was a piece about *The Killing Ground* on the Op-Ed page of the *Washington Post* by its ombudsman, Charles Seib.

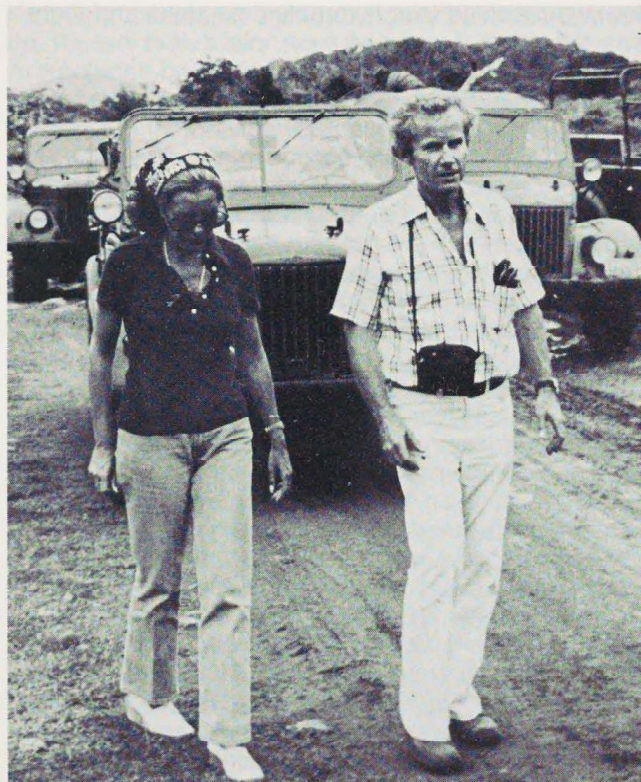
He wrote: "Occasionally, things happen that make me particularly proud to be involved—even peripherally—in the news business. I am not talking about massive coverage of major events, like Jonestown or the Three Mile Island crisis. I am talking, rather, about journalistic enterprise that goes beyond what's happening and demonstrates the positive role the free press plays in our society."

He went on to cite three examples, one of them *The Killing Ground*, writing in part: "A more chilling illustration of man's destruction of his environment—and possibly himself—would be hard to imagine. . . . No solutions were offered. But millions of Americans are now more aware of this terrible abuse than they were before this program was broadcast."

That, after all, is what the news business is supposed to be all about. And documentaries are indeed, first and foremost, news programs, whatever the artistic refinements employed.

The worst review was by a Chicago critic who wrote that no one in America should watch *Homosexuals*. His thesis was that it glorified homosexuality. I suspect his extreme admonition helped boost the ratings, which were an incredibly high (for documentaries) 35 percent share of the viewing audience.

I am frequently asked what kind of pressure we are under to achieve high ratings. The answer is: Some pressure, but not much. It is assumed by the network that documentaries will not rate as high as entertainment programming. On the other hand, no one wants to broadcast a program that is virtually unwatched. For us that means that we choose subjects that are important and interesting. Never something that is simply flashy but unimportant. Once the choice is made, we insist that the highest level of journalistic and artistic effort be put into the production. Critical reaction to *Closeup* would seem to indicate that we have succeeded reasonably well. Our ratings have also been respectable. For the first year they were the highest ever achieved by a documentary series. But then, as the ratings race among the networks intensi-



Richard Richter and Barbara Walters on location for *Fidel Castro Speaks*.

fied, we received less favorable time slots, and there was a decline. If we have a complaint, it is that we lack a regular prime-time slot. That would enable us to build an audience which could anticipate and plan for each of twelve *Closeups* a year.

Occasionally, we are questioned about how severely we are affected by network censors, referred to in the trade as the department of program standards and practices. We are not required to show every documentary to these people before broadcast. Theoretically, anyone in the network can see each documentary 5 days before broadcast when it is fed on a closed circuit to ABC stations throughout the country. The purpose of that feed is to enable stations to preview programs since, legally, they are responsible for what is broadcast on their channels. Sometimes stations decide against carrying the program for reasons of "taste," as when 19 affiliates decided against *Youth Terror*. But that doesn't happen often. Once, a local NBC station picked up a *Closeup* when it was rejected by the ABC affiliate. The city was Dallas, and the program was *The Shooting of Big Man*. Obviously, that is something we don't want to encourage.

For a time our station in Atlanta, WXIA, was playing around with *Closeups*, either not running them or delaying their broadcast. I visited the general manager, and after a long talk he said his consciousness had been raised. The practice became less regular.

If there is the possibility of massive reaction to a portion of a show for "taste" reasons, we make sure that program practices views the program well in advance of broadcast. So far, their response has been that any deletion would compromise the documentary's integrity so it should remain intact.

It should be emphasized that since we don't want to offend large sections of the viewing audience, we are not likely to repeatedly present material that individual stations will black out. We want our documentaries to be seen. We also recognize that one's personal convictions and standards of taste, morality, or propriety cannot be forced on a national viewing audience. Actually, the problem is relatively easy to deal with because all of us have been in the business long enough to know full well what is okay and what isn't.

We've also been around long enough to know the value of the right kind of publicity. For each *Closeup* a special plan of action is devised with ABC News publicists. Trade and professional journals are targeted, and so are newspapers, magazines, and television and radio stations that would be especially interested. In connection with *The Killing Ground*, for instance, we were surprised to learn how many waste-disposal publications there are.

Congressional committees are contacted if we deal with a problem that might be the subject of congressional action. A special Capitol Hill showing of *The Killing Ground* was arranged for congressional committee staff personnel. For the subsequent update of that program, one of those staff members arranged to have praise of the program and a call for action read into the *Congressional Record* by Senator Daniel Patrick Moynihan.

Youth Terror was also shown on Capitol Hill to a panel of senators and representatives. Their reactions were taped for inclusion in a special late-night discussion that aired the day of the broadcast. During the screening, Representative Shirley Chisholm briefly broke down. She had recognized one of the young people as a constituent from her Brooklyn district.

We don't feel we have to bring people to tears, but, above all else, we do want reaction. We want people to care and to think. Whether it be about street crime, chemical waste, uranium, terrorism, a prison, or the courage of a child facing death.

We want to be forced to think and care, too. ABC would like us to hit a home run every time we go to bat. That's as it should be. Sometimes that kind of pressure can be wearying. But I would like to think it also forces us into new forms of expression, into new areas for exploration and examination. It is my hope that there is no finite limit to what can be done.