Inside Oversight:
Levin Center at Wayne Law Tutorials

SERIES 2
WRITING UP INVESTIGATIVE RESULTS

Tutorial: Foolproof Fact-Checking

In this video, Levin Center experts offer tips and advice on how to fact-check a large report summarizing a Congressional investigation.

Instructors

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Transcript

Elise: Hi. I'm Elise Bean, and this is Zack Schram, and we're here to share with you some tips we've learned over the years on how to fact-check a large report summarizing a Congressional investigation. Both of us conducted oversight investigations for Senator Carl Levin on the Permanent Subcommittee on Investigations in the U.S. Senate.

Zack: In today's world, factual disputes can fuel political fights and impede policy reforms. To avoid disputes over the facts recited in a report, Congressional staffers need to reach as much consensus as possible on what happened, describe the facts accurately, and establish the basis for their factual statements, usually by providing footnotes with supportive evidence.

Elise: Before releasing the report, Congressional staff also need to perform a final fact-check to ensure it can withstand scrutiny by critics, the media, and the public. In this segment, we'd like to offer you some tips on how to perform an effective fact-check of an investigative report.

Establish a fact-checking team with assignments and deadlines.
Zack: Tip Number One: Set up a fact-checking team and assign each team member a specific section of the report to review and a deadline to complete the work. If possible, team members should be familiar with the report and the investigation, but should not fact-check any sections they wrote. Team members may include professional staff, detailees, law clerks, or even college interns, including staff from the boss' personal office. For best results, the team should include staff from both sides of the aisle, since people with different perspectives often catch different problems. Each staff member should be given a one-pager outlining their fact-checking responsibilities.

Set up a process to correct the report's master copy.
Elise: Tip Number Two: Set up a process for correcting the report's master copy. The first step is to designate one document to serve as the master copy. The next is to establish how changes are made to the master. One approach is for all team members to submit changes to the report's editor-in-chief who then corrects the master. That way, the editor sees all of the proposed changes, decides which ones should be made, and ensures the corrections get done. An alternative approach is for the editor to approve each team member's changes, and then for the team members to give their changes to the committee clerk who edits the master. Under both approaches, the key is to ensure that all approved changes are made to the same document which then becomes the final version of the report.

Identify key facts and check them separately.
Zack: Tip Number Three: Identify a small set of key facts in the report and require the editor-in-chief to fact-check them separately. Because they are the report's most important facts, the editor should take on the responsibility of ensuring they are worded accurately and are fully supported by the evidence. To avoid problems down the road, the editor should ask a senior staffer on the other side of the aisle to engage in the same exercise.

Check every sentence and footnote in the report.
Elise: Tip Number Four is to instruct team members to check every sentence and every footnote in their assigned sections of the report. Yes, that's every sentence and footnote. For each, the fact checker must ensure that the factual statements are

worded accurately, the materials cited in a footnote actually support the text, and every footnote citation is correct. One way to proceed is for team members to print off hard copies of their report sections and place a checkmark by every part of a sentence or footnote that is reviewed.

Double-check obvious facts.
Zack: Tip Number Five is to instruct team members to pay particular attention to obvious facts that are easy to double-check and, if found to be incorrect, might cast doubt on the quality of the report as a whole. Examples are names, dates, numbers, job titles, locations, and quotations. Again, checkmarks can be used to show exactly what items have been reviewed.

Ensure cited materials actually support the text.
Elise: Tip Number Six is to instruct team members to be especially careful to ensure that materials cited in a footnote actually support the facts in the text. This review is the most difficult aspect of fact-checking and requires the most attention and effort. Too often the materials in a footnote – documents, cases, transcripts, or data – do not actually support the point being made in the text. If a team member is uncertain whether the materials provide the needed support, the team member should ask the editor-in-chief for a determination. If the materials don’t do the job, changes to the materials or the text must be made.

Ensure consistency.
Zack: Tip Number Seven is to ensure consistency across the report. When changes are made in one place, team members and the editor-in-chief must consider whether the same changes need to be made in other parts of the report. When a round of fact-checking is over, the editor, a designee, or both should read through the entire report one more time just make sure to catch any remaining inconsistencies.

Take the Time.
Elise: Our final tip is to take the time to get it right. An effective fact-checking process can’t be rushed. If a report is particularly important or complex, or multiple errors are uncovered, the fact-checking team may have to do more than one round of review. To ensure fresh eyes, the team members may want to switch the sections they review during the second round. The goal is to get to a place where the team feels that third parties – critics, targets, the media, or others – are unlikely to find factual errors in the report.

Zack: The type of foolproof fact-checking recommended here can save your boss a lot of heartburn. In one Levin-led investigation, a target of the inquiry hired multiple attorneys to go over our report word-by-word to spot errors. But no meaningful errors were identified. Our fact-checking process had protected the report from attacks on its credibility.

Elise: Fact-checking is time-consuming, boring, and stressful, but it is also critical to ensuring your report can stand up to attack. We hope these tips will help you establish an effective fact-checking process.

Foolproof Fact-Checking

1. **Establish a fact-checking team with assignments and deadlines.**
2. **Set up a process to correct the report's master copy.**
3. **Identify key facts and check them separately.**
4. **Check every sentence and footnote in the report.**
5. **Double-check obvious facts.**
6. **Ensure cited materials actually support the text.**
7. **Ensure consistency.**
8. **Take the time.**

Zack: Thanks for watching.

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