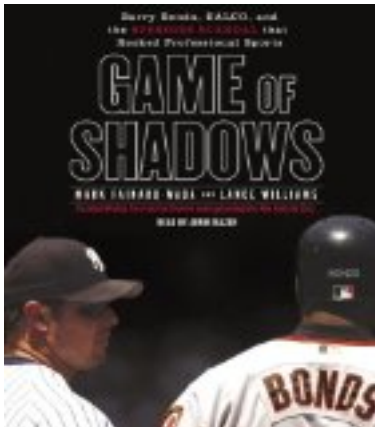


Lance Williams Interview with Charley Steiner

Written by The Staff

Friday, 22 September 2006 09:28



San Francisco Chronicle writer and *Game of Shadows* author Lance Williams joined *Baseball Beat* with Charley Steiner today. Lance and Mark Fainaru-Wada were ordered jailed on Thursday for a maximum of 18 months, pending an appeal, for refusing to testify about who leaked them secret grand jury testimony from Barry Bonds and other elite athletes.

Williams and Mark Fainaru-Wada wrote a series of articles and a book based partly on the leaked transcripts of the testimony of Bonds, Jason Giambi and others before a grand jury investigating the Bay Area Laboratory Co-Operative, a Burlingame-based nutritional supplement company exposed as a steroid ring two years ago. Federal prosecutors asked U.S. District Judge Jeffrey White to send the reporters to prison for the full term of the grand jury investigating the leak, or until they agree to testify. Williams and Fainaru-Wada have said repeatedly they would go to jail rather than comply with the grand jury's subpoena and reveal their source or sources and they have visited *Baseball Beat* with Charley Steiner throughout this year to discuss their case.

During Lance Williams appearance, he discussed his thoughts prior to and during yesterday's court proceedings. He also spoke about the encouragement he felt from a group of writers from around the country organized by Chicago Sun-Times columnist Rick Telander, who appeared outside the court. Lance discussed his feelings about the next step in the judicial process at the appellate level as well as the importance of this case to our First Amendment rights. Mark Fainaru-Wada was unavailable today.

(Select Read More for the interview, courtesy of MLB XM 175 and Baseball Beat with Charley Steiner)

Charley Steiner: And, we welcome you back to the Beat here on XM 175. I'm Charley

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Steiner in Los Angeles . That's John Mayall and the Blues Breakers. From a thousand years ago and the song is The Laws Must Change. I couldn't think of a more fitting tune to bring in our next guest Lance Williams, who of course with Mark Fainaru-Wada, wrote Game of Shadows. Everybody knows where Mark and Lance were yesterday. Good morning, Lance. How are you doing?

Lance Williams: I'm doing good. We could also listen to Legal Eyes by Bob Marley.

Charley Steiner: Lawyers, Guns, and Money.

Lance Williams: [Laughs] Anyway, we're doing okay. It wasn't a perfectly up beat session in front of the judge, but I'm afraid I wasn't expecting any relief at this particular stage given the way he had ruled against us. So, now were going to try to appeal a prospective prison term for contempt and hope someone sorts out the Balco case and the equities here.

Charley Steiner: Alright, let's go back to yesterday and then we'll look ahead toward tomorrow.

Lance Williams: Uh-huh.

Charley Steiner: So, yesterday morning you're putting on the shirt and tie and you're looking yourself in the mirror and you are thinking what?

Lance Williams: I thought to myself, and I told my wife and kids, that if the judge were going to help us, we weren't going to hear that today. I felt that because of the whole process is to coercion that he was going to threaten us with prison and that's what he did. So, I was expecting to hear that. I've never heard that, of course, aimed at myself. And, I didn't know how I would react, but I was just looking for the, you know. Just want to have the strength to listen to it and act like a man and I was just thinking about those sorts of issues. Really. It worked out okay.

Charley Steiner: So, you walk into the courthouse and suddenly you... I shouldn't say

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suddenly, you have been the eye of the storm and the story for quite some time. To some degree there was, not the climax, but one step from being there. As you walked in, and you hear the echo of the big court room and all of that. Then what are you thinking?

Lance Williams: Well, you know. Actually, the experience went like this. We got over to the courthouse and there were dozens of sportswriters from all around the country brought out there by Rick Telander. The Sun-Times columnist who had organized these guys and they were wearing t-shirts that said "Journalists for the First Amendment", I think with flags on them. I knew a few of them, but some I had never met before. They were friends of mine from newspapers and so forth. There was just a big bunch of people there. It was so encouraging to see them.

Charley Steiner: Were you surprised?

Lance Williams: I heard Rick was doing this. I had no idea how many...you know, these guys had to pay their way out here and so forth. T.J. Quinn from the Daily News. It was great. And, uh...

Charley Steiner: So, you...

Lance Williams: So, they were all out in front of the court house and we got to say "Hi" to them. And, then we did go inside. And, we did just have that place packed with people from the Chronicle and sportswriters from around the country and so forth. And, it was... It did make it feel. I just felt right at home.

Charley Steiner: Nobody in our business wants to be in the middle of the news. Our job is to cover it. How did it feel being on the inside looking out?

Lance Williams: You know, I've covered courts for many years, but I've never been on that side of the railing, if I can put it that way. It's a different perspective for sure. Certainly, when you're covering it, you can sometimes lose your focus a little bit and stop taking notes, but I was really locked in the whole hearing. I'm afraid most of it was pretty procedural as they fussed

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over the language over the latest subpoena and the terms of the stay of our judgment. I was really locked in. And, we did then get a chance to talk to the judge or speak for ourselves. That was intense and interesting, Charley. Tough audience, I must say.

Charley Steiner: [Laughing] I think so. What was the point that you and Mark wanted to make to the judge and to what degree if any was he receptive?

Lance Williams: Well, I wanted to tell him. Tried to tell him. First, that I meant no disrespect to him or the criminal justice system by not complying with the prosecutor's demands. I told him I didn't want him to think I was choosing to defy the government. I told him that the choice in the matter with all the prosecutors, that for me to comply, to have to give up my career and my livelihood, because you can't do this kind of work if you betray your sources. And, I told him you know I had ethical and moral issues about going back on my word with people who helped me. And, I am concerned about the First Amendment and the effect of criminalizing news reporting or making news reporters turn over their notebooks to the government whenever they want. And, uh, finally, I asked him to consider the good that people had seen coming out of the stories. You know, I... The prosecutors in this case said our stories were worthless and just titillation. But, you know, so many people have said otherwise that I just have to disagree with the prosecutors. I think we really did, as President Bush said; we really did a service with this stuff. And, uh, I asked him to consider all of that. I think about 30 seconds later we were told we're going to prison. So, if he considered it it was relatively quickly.

Charley Steiner: I remember when Dale Bumpers had that impassioned defense of Bill Clinton during the impeachment hearings. And, he used the word that has stayed with me ever sense, proportionality.

Lance Williams: Uh-huh.

Charley Steiner: And, that was. That was the word that kept popping into my head yesterday as I was hearing about what was going on inside the court room and then reading about it later.

Lance Williams: Well, we have. We have every hope that we will get an Appellate Court you wants to think about the equities and the proportionality issues among others. I mean, uh. I understand that the government takes very seriously its secrecy interest in the grand jury

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proceedings, but you know we are in a case where two of the dope dealers didn't even go to jail. And, the lead dope dealer what he'd do? Four months? So, I'm hoping that we can balance it out or find someone who wants to balance it out later. There talking about 18 months for us. That seems like a long time to me.

Charley Steiner: Seems like a long time for a lot of folks.

Lance Williams: Uh-huh.

Charley Steiner: So, what is the time table now? Where do we go from here?

Lance Williams: Well, Ninth Circuit Court of Appeals will be asked to intervene. It starts with a three judge panel. I don't think that they will take it up before the first of the year, so I'll... I'm just trying to. You know, trying to compartmentalize this and get back to doing stories. And, uh. And, uh. Hope for the best that the appeals court level. The other thing going on, you know, Congress is considering a shield law. There were hearings in the Senate just the other day that would under some circumstances let reporters protect their confidential sources. I mean the situation we're in now. The government is said that the state of the law is that they can make a reporter into a witness whenever they want and their going to exercise that right. So, we do have a rash of subpoenas around the country to lots of reports. You know for us to have an independent press, we got to sort this out. Perhaps Congress will intervene and help other reporters in the future. I don't know if it would help us or not. We are so eager for this to occur just because... Shucks, this is costing First Corporation a fortune and you just can't go through this every time you do a story that the U.S. Attorneys Office decide is interesting. You know, what I mean?

Charley Steiner: Some of the most important stories of our time are as the result of leaks. Whether it's the Pentagon Papers. Whether it was Watergate. You name it. This is the price of doing business it seems to me of living in what we are told is a democracy.

Lance Williams: First Amendment gives you the right to have your opinion about the government, but I was always taught and also that it gave the people a right of inquiry to find out what their government, which after all they created, was doing. And, a lot of that inquiry is delegated to the press and the media. But, it is a people's right. I was always told anyway. If

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we can't protect sources, we can't meet those whistleblowers and we can't expose those injustices and we can't just get some of the ordinary information that we like to have about what the government's doing. It will just intimidate people into not talking to reporters and that's just not good for anybody. That's the argument anyway.

Charley Steiner: Are you... How are you emotionally? That is to suggest are you now more resolved? Are you more angry? Are you more frustrated? Can you tie that into a few thoughts?

Lance Williams: Sure. Well, I'm not angry. I try not to, not to go there, because anger won't help me. I'm you know looking for the strength to do my duty here. I think I'm a strong enough person to do it and that's what I'm working on. Other than that, what I'd like to do it give it back to the lawyers for a several months and get back and do some stories and just you know, work on it when the lawyers need my input. But, uh, I do hope so much that something good comes out of this for reporters at the Federal level. Cause, I. I do focus on that. And, that's what I'm pitching every time I get a chance. Write your Congressman. Cause they. Their close to getting' a law passed and if they did it it would just sort this out for all of the reporters who want to do public service journalism.

Charley Steiner: Yeah, but the political climate these days, especially as we close toward an election, I just wonder where that might go in the short-term.

Lance Williams: Well, you know, some of the sponsors of the proposed shield law are conservative law makers. You know, they like to have independent oversight of the government themselves and they like to be able to have contact with whistleblowers and so forth for their own purposes politically. And, uh, so its not. It really isn't a partisan issue. Its not the, you know, the left wing versus the right wing. Whoever is in office? Whoever is running the government, they need independent scrutiny. That just the way the system works and way the game is played. And, we're trying to preserve that.

Charley Steiner: Well, you know, Rick Telander is an old dear friend of ours and a frequent guest on this program, too. And, we're all behind you man. You have an open mike whenever you want one.

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Lance Williams: Thanks so much, Charley. You know, Telander is a great guy. A fascinating guy. I didn't know he was a defensive back on that Northwestern team.

Charley Steiner: Yeah, he was a pretty good player in his day.

Lance Williams: That's really cool. Yeah, I grew up in Ohio and I remember that team. He was explaining to me why they went onto lose the Rose Bowl. He said their passing offense was the most primitive thing you'd ever seen.

Charley Steiner: [Laughing]

Lance Williams: [Laughing] That was old Woody.

Charley Steiner: [Laughing] Yes. Lance, good luck. Thank you. We'll be in touch real soon. We're with you, pal.

Lance Williams: Thanks, Charley. Thanks so much.