

*Joel F. Brenner, National Counterintelligence Executive in the Office of the Director of National Intelligence, wrote The New York Times' public editor recently to protest the newspaper's naming of a former CIA anti-terrorism interrogator. Brenner, former Inspector General of the National Security Agency, argued that the public editor's defense of the story used specious reasoning to create a false equivalence between the "public's right to know" and the interrogator's right to perform his mission with limited risk to his safety.*

*This letter was noted in the Public Editor's Journal on July 24, 2008:*

<http://publiceditor.blogs.nytimes.com/2008/07/24/intelligence-official-takes-exception/>

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## **Outing the CIA Interrogator: Scrambled Logic at The Times**

By Joel Brenner

In late June, The Times ran a story about a former Central Intelligence Agency interrogator who, in the words of its public editor, “used shrewd psychology, not rough stuff, to get Khalid Shaikh Mohammed, the mastermind of the 9/11 attacks, to talk” (“Weighing the Risk,” Clark Hoyt, July 6, 2008). The Times published the interrogator’s name over the objections of his lawyers and the CIA, who fear for his safety.

In supporting this decision, The Times’ public editor invoked “the public’s right to know.” But this was a conclusion, not a premise. Unfortunately neither The Times nor its public editor has examined this asserted public interest with the same appetite they displayed for examining and discounting the interrogator’s interest in his own safety. So let’s correct the balance.

The public editor cited two reasons to publish the name. First, the reporter said that “using the name was necessary for credibility.” Really? Great stories are often told using pseudonyms, and The Times frequently withholds attributions from its stories. It generally does so for good reasons that its readers understand.

What The Times may have meant is that by using the man’s real name, the story would be a better read. I doubt it. But if so, The Times was weighing the man’s safety against a literary interest, not the public interest.

The second asserted reason for publishing the man’s real name, tossed off in the last sentence of the public editor’s four-column piece, was to avoid hobbling news organizations “when trying to tell the public about some of the government’s most important and controversial actions.” This is nonsense. The Times was going to tell the public about these interrogations whether the interrogator’s name was used or not.

On the other side of the balance, the public editor cited the case of another interrogator who, when his name was made public, suffered more than a dozen death threats, had his house put under police guard, and was told to take his family out of the country till the affair blew over.

In the public editor's own words, he also "lost his job with a major accounting firm because executives expressed fear that Al Qaeda could attack its offices to get him ..."

These are substantial prices to pay for outing an identity. By publishing this interrogator's real name, The Times put him at risk for similar treatment – and worse.

Journalists face difficult decisions every day about the prudence of publishing private information. But in this case the decision to out the individual had nothing to do with the media's responsibility to inform the public about important government policies or actions. The Times also trivialized the risk to the man by putting him to the impossible burden of showing with near certainty that he would be harmed. This was morally confused. This man and many others like him undertake difficult, dangerous, and lawful missions on behalf of their country, and they deserve better from The Times.