Jim Bouton Response to
PublicAffairs, General Electric, and MediaNews Group

After reviewing the letters posted on the NOW website under the heading: Response to Jim Bouton Interview, I would like to respond to the letter writers. It's interesting that in some cases the letters themselves reveal information which further supports the views expressed by me and Mr. Moyers on the Now with Bill Moyers program.

Re: PublicAffairs response to the Interview – 12/01/03
(Letter from Peter Osnos to Bill Moyers)

Mr. Osnos says that Foul Ball contains a number of assertions about the "motivation and actions of others." In fact my book describes mostly actions, not motivations. The problem Mr. Osnos has is that his actions, to which there were witnesses, don't lead to positive inferences about his motivations.

For example, what conclusion should one draw from this sequence of events:

1. Mr. Osnos tells me I will need to get "balancing comments" from General Electric.

2. In the next breath he tells me that "the top lawyer from GE," who is "a very good friend," will be investing in Public Affairs.

3. A few days later, the editor with whom I'd been working sends me an email saying that "the subplot about pollution has to be cut, completely," and references to GE must be "limited to background only."

Note: The reason I refused to get balancing comments from GE wasn't because I had no obligation to the truth, as Mr. Osnos alleges, but because I had no obligation to give GE a voice in my book.

Mr. Osnos writes that we "eventually signed a cancellation agreement." What he doesn't say is that for three months he refused to sign such an agreement and that I finally had to hire a lawyer to get it. Why did it take three months? As I wrote in Foul Ball, "I don't know, but it turned out to be just long enough to make it impossible for another publisher to get the book out by the summer of 2003," as originally planned.
This is why I had to publish the book myself, and not, as Mr. Osnos would have you believe, because it was “unpublishable.” In fact, Foul Ball was reviewed and approved - with minor changes - by Frankfurt, Garbus, Kurnit, Klein, and Selz, one of the leading First Amendment law firms in the country. I have cartons of dated, contemporaneous notes to support everything I’ve said in my book, which I stand behind one hundred percent.

I do attribute motive to Osnos in one instance. When his lawyer told my agent that I could keep half my advance if I promised not to talk or write about why I was leaving Public Affairs, I believe it was an attempt to buy my silence and I said so in Foul Ball. Given what had transpired, this was not an unwarranted assumption. Mr. Osnos’s characterization of that exchange as a “reasonable settlement,” which I had never heard before now, does not change my mind.

As for Mr. Osnos’s lawsuit against me to recover a $50,000 advance, I’ll respond to that in the proper forum.

Re: General Electric’s response to the Interview – 12/1/03 & 12/4/03 (Letters from Gary Sheffer to Bill Moyers)

Mr. Sheffer says I made a false charge that GE was responsible for derailing my book deal with Public Affairs. But I don’t say who is responsible, I just describe what happened and let the reader draw his own conclusions. I’m pretty sure that “the top lawyer for GE” did not tell his friend Mr. Osnos to kill the book. When a potential investor is also a personal friend, I imagine that nothing needs to be said.

On whether or not GE had contaminated the land earmarked for a new stadium, the jury is still out. Mr. Sheffer says he understands that the land was tested for PCBs and that the reports indicated “non-detect” for PCBs. The truth is, however, that even under Section 21E of the Massachusetts General Law - which is far less rigorous than when the EPA tests for PCBs - “small amounts of PCBs” have been found. With testing still going on. And this is on land that represents only about 35% of the stadium footprint.

As for including GE in the “Gang of Four” who control life in Pittsfield, that comes from the people most likely to know - the citizens of Pittsfield. It was city councilman Dan Bianchi who said Pittsfield “is still a GE town.” It was the environmentalist Tim Gray who said “GE has been skilled at involving themselves in the community so they can keep control.” There are the folks who stopped me on the street to tell me a story about their experience with GE followed by the plea, “But don’t use my name.”

Mr. Sheffer says that GE had no position on the proposed stadium in
Pittsfield. If that was so, they should not have allowed Jay Pomeroy, Global Communications Manager for GE Plastics (that’s what it said on the business cards he handed out) to play such a key role for Berkshire Sports & Events, the group behind the new stadium. And maybe GE should not have allowed BS&E to make Power Point presentations at the GE plant.

Re: Letters from Williams & Connolly to Bill Moyers
12/05/03 & 12/08/03

These letters, the first of which traces the history of the Berkshire Eagle’s involvement in the stadium issue, and the second which lists charges against me and Bill Moyers by Kevin Baine, are most interesting for the new information they provide.

That information helps to better understand the “false charge” that I said a new stadium would “cost the taxpayers $18.5 million.” First of all the financing has always been sketchy - portrayed as some combination of state money, bonds, and private donations. The only confirmed amounts, however, were $6 million in state tourism dollars (accepting Mr. Baine’s figure) and $3 million in private pledges - $2 million from the Berkshire Eagle and $1 million from Berkshire Bank.

But now we learn for the first time, from Mr. Baine, that the Eagle’s $2 million was not a “donation” as it was always presented, but rather a grab for an asset worth far in excess of $2 million - stadium naming rights. To give you some idea of the market value, Street & Smith Sports Business Journal has a section which specifically covers naming rights deals. And for the ten affiliated single A teams listed, the average revenue was $3.2 million for an average term of 13.6 years.

This means that Dean Singleton, owner of MediaNews Group, could have recouped his $2 million, and then some, the day after the stadium was built. I recently asked a baseball executive friend what lifetime naming rights might be worth. Assuming I was somehow involved with a stadium project, he said, “Don’t give lifetime rights! They’re worth a fortune.”

Some donation. More like a rip-off. And once again, the Eagle never told its readers that naming rights were part of the deal. It turns out Bill Moyers was right when he spoke about the Eagle’s “profit making scheme.”

So now we’re down to $1 million in confirmed private money plus $6 million of tourism dollars. Where would the rest of the $18.5 million have come from? Former Pittsfield mayor Ed Reilly may have provided a clue when he said - and I’ll quote from my book - “Somebody from the state told me that the city was lying about not having to put up some of the money.”
I'll accept blame for mischaracterizing the $18.5 million as "taxpayer dollars" if the Eagle accepts blame for mischaracterizing its naming rights deal as a "donation."

Sincerely,
Jim Bouton