

## ANZSOG Case Program

### Finally listening? New York Public Radio's #MeToo moment (A)

2018-205.1

5 December 2017: Laura Walker took her seat in Brian Lehrer's studio while outside the glass-panelled walls gathered a live audience – several dozen staffers from US public radio station WNYC (*Exhibit A*). This was the first interview their CEO and President had agreed to since former 'Takeaway' host John Hockenberry had been publicly accused of serial sexual harassment and bullying four days ago. Although she had issued a media statement and memo (*Exhibit B*) staff wanted to hear Walker finally address exactly what she knew and when about a man whose mistreatment of colleagues was seemingly station lore.

It was the season for disturbing revelations, not just at WNYC, but throughout the media and entertainment industries. In October 2017, the *New York Times* exposed Hollywood producer Harvey Weinstein's multi-decade sideline in workplace abuse and assault. This prompted a flurry of similar disclosures from women around the world, most notably on social media under the hashtag #MeToo. Autumn's ill wind soon became winter's gale, even sweeping up the outwardly genteel, egalitarian world of public broadcasting and several major names with it.

'Many people have questions,' Lehrer said in introducing Walker. But would she have good enough answers?

#### The NYPR empire

WNYC is New York Public Radio's flagship station, describing itself as a 'home for independent journalism and courageous conversation'.<sup>1</sup> It seeks to inform, entertain and reflect the communities it serves, and espouses the values of equality, creativity and diversity; the station declares, for example, that: 'We believe that diversity is essential to honest, authentic, accurate storytelling and reportage;

This case was written by Marinella Padula for Associate Professor Michael Di Francesco, Australia and New Zealand School of Government. It has been prepared from published materials for educational purposes. Cases are a narrative account of events and do not constitute an evaluation of a situation. Views expressed by individuals or organisations are included to highlight issues and are not necessarily those of the author or ANZSOG. While care has been taken to ensure accuracy at the time of publication, subsequent developments may mean that certain details have since changed.

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<sup>1</sup> <https://www.wnyc.org/about/>

creating an inclusive workplace in which all voices are encouraged and heard is a core part of our values as an organization'.<sup>2</sup>

WNYC is part of the NYPR network which comprises eight radio stations, as well as digital outlets and a performance space in Manhattan. In 2017, NYPR had a total revenue of nearly \$93 million (up ~\$10 from 2016) and just over \$97 million in assets.<sup>3</sup> The bulk of that revenue (approx. \$69 million) came from its sponsors (advertisers), members and major donors (*Exhibit C*). Advertising revenue reached \$30.7 million in 2017 – an increase of 82% since 2015.<sup>4</sup> Meanwhile, the station had 200,000+ members, 46% of whom were monthly subscribers.<sup>5</sup> NYPR programming, of which WNYC is a major part, attracts more than 20 million listeners per month and is syndicated nationally and internationally across some 500 public radio stations.<sup>6</sup> According to network research, its listeners are more educated, affluent and culturally active than the market average.<sup>7</sup> Although the public radio audience is aging and predominantly white, podcasts are attracting a younger and more diverse demographic; in 2017, 55% of WNYC's podcast audience were under 35 and 36% were non-white.<sup>8</sup>

Laura Walker (60) was the inaugural CEO of NYPR and chartered its growth from two city-owned AM and FM stations (WNYC) into an independent non-profit radio network. Starting out in 1998 with 84 people, over the next two decades NYPR would grow into an organisation of more than 370, not counting casual and volunteer staff.<sup>9</sup> Her Deputy and Chief Content Officer, Dean Cappello had been a key figure in that expansion and an early champion of innovations such as podcasting. According to staff, all programming decisions went through him – he had also been the executive producer of several shows including 'The Takeaway'. Walker and Cappello had a close working relationship going back to the early days of NYPR. Too close, according to some observers: 'The two of them are like Siamese twins – they have been doing this, united, for a long time,' said former WNYC reporter Bob Hennelly, 'if you got Laura alone, she'd say, what does Dean think? And if you got Dean alone, he'd say, what did Laura say?'.<sup>10</sup>

## People in glass offices

Almost four months earlier, John Hockenberry presented his last episode of 'The Takeaway' after close to a decade as host. Launched in 2008 with federal funding from the Corporation for Public Broadcasting, its mission was to feature diverse voices and perspectives on current affairs. The nationally syndicated program was one of WNYC's most popular, claiming some 2.7 million listeners per week.<sup>11</sup> Sixty-one-year-old Hockenberry was also amongst the station's highest paid talent; in 2016 his salary exceeded \$400,000.<sup>12</sup> The presenter's terrarium-like office doubled as a trophy cabinet for some of his many awards – achievements all the more impressive given that he had been a paraplegic since his late teens. Dean Cappello wrote of Hockenberry's departure: 'His love of radio is second to none, and his drive and personality helped bring the show to the point where it is today. His relentless pursuit of the truth is something we will carry forward'.<sup>13</sup> After the finale, staff congregated at the WNYC cafeteria for a farewell reception. But as the toasts and tributes flowed, more than a couple of colleagues were privately relieved. Hockenberry had been under scrutiny for

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<sup>2</sup> [http://www.nypublicradio.org/media/resources/2017/Dec/06/NYPR\\_DEI\\_Statement\\_Final.pdf](http://www.nypublicradio.org/media/resources/2017/Dec/06/NYPR_DEI_Statement_Final.pdf). All quotations appearing in this case retain original United States (US) spelling.

<sup>3</sup> [https://media.wnyc.org/media/resources/2017/Oct/12/FY17\\_NYPR\\_Issued\\_Financials.pdf](https://media.wnyc.org/media/resources/2017/Oct/12/FY17_NYPR_Issued_Financials.pdf). All dollar amounts are USD.

<sup>4</sup> <https://www.wnyc.org/outreach/cab/minutes/nov2017/>

<sup>5</sup> <https://fy16annualreport.nypublicradio.org/facts-figures>

<sup>6</sup> *Ibid.*

<sup>7</sup> <https://static1.squarespace.com/static/53ff2c53e4b0e1f6ca3c017d/t/5a340369e4966b79a0770f2c/1513358196242/Media+Kit+Q3+2017.pdf>

<sup>8</sup> <https://www.wnyc.org/press/wnyc-studios-national-podcast-audience-report/90717/>

<sup>9</sup> [http://www.nypublicradio.org/media/resources/2017/Dec/06/NYPR\\_DEI\\_Statement\\_Final.pdf](http://www.nypublicradio.org/media/resources/2017/Dec/06/NYPR_DEI_Statement_Final.pdf)

<sup>10</sup> <https://www.nytimes.com/2017/12/22/nyregion/wnyc-chief-laura-walker-firing-hosts-misconduct.html>

<sup>11</sup> <https://www.wnyc.org/story/harassment-and-bullying-allegations-rock-wnyc-after-departure-celebrated-host/>

<sup>12</sup> *Ibid.*

<sup>13</sup> <https://current.org/2017/07/takeaway-host-hockenberry-to-step-down-in-august/>

declining on-air performance in the months before his contract expired in July 2017. But it was it was his behind-the-scenes conduct that had staff counting down the days to his departure.

Watching with interest from a distance was author and journalist Suki Kim. Hockenberry had been making unwanted overtures towards her for more than a year; instinct told Kim she might not be alone. Compounding her suspicions was that no reason was offered for his leaving, nor future plans discussed. 'Takeaway' would however continue with a yet-to-be-announced host. Kim first met Hockenberry when he interviewed her in late 2014 about a book she had written. He then instigated a further two encounters on a vaguely professional pretext. After that, the married father of five kept emailing the much younger Kim suggesting outings, as well as dangling the prospect of future radio appearances. When his requests and tone became uncomfortably personal and needy, Kim ceased replying. Undeterred, Hockenberry persisted. As a result, she turned down further invitations from his producers to return to the show and eventually reported his behaviour to WNYC in February 2017; Kim was unaware what, if any, action was taken. She knew her experiences were minor compared to many others' being shared in the wake of the Weinstein scandal. Yet Kim also knew Hockenberry was surrounded by young, female producers, assistants and interns. What, she wondered, did they have to endure at close quarters every day?

Former 'Takeaway' producer Kristen Meinzer had some idea. She told Kim about various transgressions, including the time in 2014 when Hockenberry forcibly kissed her to 'celebrate' booking a celebrity guest. Another producer recounted a similar encounter while working late offsite: 'It was winter of 2010, or perhaps January of 2011,' she told Kim, 'The overnight crew went out for drinks and dinner, and on the way back, John said, "Can we talk about something on the show?" So, I went to his room, which might seem stupid now but didn't seem crazy then. We worked around the clock.' Once she sat down: 'He came up and put his arms on mine and kissed me. Then he said, "I love you. We've always had this special thing." I pushed him away and said: "This cannot happen." I ran out of the room'.<sup>14</sup> Another colleague described a man who had 'trouble with boundaries' – physical and social; 'he totally touched my ass,' she said.<sup>15</sup> There were also the lewd or suggestive comments and inquiries Hockenberry delivered to numerous subordinates at all hours, usually via social media. For example, in 2013 he proposed getting a hotel room with one staffer during a conversation about another co-worker's wedding.

As Kim finished her article on Hockenberry for *New York Magazine*, another investigation by WNYC reporter Ilya Marritz was underway. He uncovered a similar history of sexual misconduct. Like Kim, he also heard about Hockenberry's habit of bullying (mostly female) employees. Though he was capable of being congenial and supportive, 'Takeaway' staffers noted that the broadcaster could quickly pivot to being provocative, intrusive and demeaning. 'I felt it was a hostile work environment,' said one former manager who had seen multiple women reduced to tears. Hockenberry used team meetings to berate staff for supposed underperformance. On one occasion, a producer believed Hockenberry had called him a 'transsexual'. The producer, a gay man, objected to the attempted slur; the host denied he was the intended target. Hockenberry added, 'I am obviously sensitive to the ugly dreadful morale around our show. If you think I'm worthy of an HR complaint, please make one. You would hardly be the first'.<sup>16</sup> He later apologised, as he had for some of his other actions, though his overall conduct continued.

Of the dozens of current and former staffers Kim and Marritz interviewed, few had reported Hockenberry despite most having corroborating evidence. Those he sexually harassed were often so mortified, they didn't tell their workmates, let alone management. Those he bullied typically didn't report for fear of retaliation or burning bridges in a small industry.

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<sup>14</sup> <https://www.thecut.com/2017/12/public-radio-icon-john-hockenberry-accused-of-harassment.html>

<sup>15</sup> Ibid.

<sup>16</sup> <https://www.wnyc.org/story/harassment-and-bullying-allegations-rock-wnyc-after-departure-celebrated-host/>

## ‘If you speak up, you’ll disappear’

Producer Kristen Meinzer was one of the few accusers willing to be named publicly. She also informed WNYC about Hockenberry’s behaviour in 2010/11 but not until November 2017 – 18 months after she had left the station. Meinzer sent a letter to CEO Laura Walker detailing her experiences and their lingering impact. ‘I hate the psychological toll this has taken on me,’ she wrote. ‘I’d like to think I am the person who speaks up when I see something bad happening, but then I didn’t’.<sup>17</sup> Knowing that she might have prevented further abuse caused ongoing guilt. However, experience suggested that ‘If you speak up, you’ll disappear’.<sup>18</sup> She was referring to the fate of Hockenberry’s former co-hosts.

Adaora Udoji began as a ‘Takeaway’ presenter with Hockenberry but ‘within months of the show’s launch in April 2008, my co-host John Hockenberry was yelling and screaming at me in the studio, at times when senior staff was [sic] present’, she recalled. ‘The abuse became normal. I was routinely cut off, ignored, and assigned what I considered offensive race stories. I brought this to the attention of Walker and her senior team on countless occasions, in person and through email.’ Udoji continued: ‘I was also increasingly concerned about the power differential between Hockenberry and our staff, and between him and me’. Recruited from television as Hockenberry’s putative equal, the Nigerian-American presenter soon found out where she stood. After eight months, Udoji reached her limit and WNYC agreed to a payout packaged with a Non-Disclosure Agreement (NDA) – an agreement Udoji broke soon after Kim’s article was published.

Her temporary replacement Farai Chideya had been forewarned but accepted the job anyway. ‘Because of the limited number of options for people of colour in media, and women especially, sometimes your best choice is a hostile work environment’,<sup>19</sup> she explained. True to form, Hockenberry became increasingly antagonistic, once advising African-American Chideya against staying on as just a ‘diversity hire’ and told her to ‘go lose weight’.<sup>20</sup> (It wouldn’t be the only time Hockenberry would invoke race. Former producer Rebecca Carroll, herself a woman of colour, remembered him comparing the ‘Takeaway’ office to a ‘slave plantation’.<sup>21</sup>) ‘What really did put a dagger through my heart was when I went to Laura (Walker)’, Chideya said. ‘I went straight to the top. I said, “this is what happened” and she said it was “horrificing”, but with a certain ... theatrical finality that sort of implied that this is not to be discussed again’.<sup>22</sup> Chideya left after approximately four months.

A third co-host, African-American Celeste Headlee, hoped she could manage Hockenberry more effectively but he quickly relapsed into old patterns, ‘In some cases, he would jump in on the segments and sort of hijack the interview that I was in the middle of doing’,<sup>23</sup> Headlee recalled. While WNYC sent Headlee for professional coaching to better handle her co-host, Hockenberry continued undermining her. Frustrated, Headlee lodged a formal complaint with HR in April 2012. Within three months the show’s format was changed and Hockenberry appointed sole host. Headlee’s contract was not renewed. Years later, she and her predecessors still found the memories painful. They spoke of being left emotionally and financially depleted by their experiences, especially by being made to feel as though their performance was responsible for Hockenberry’s outbursts. None of them knew whether he’d faced any disciplinary measures.

In a statement regarding the allegations, Hockenberry said: ‘I’ve always had a reputation for being tough, and certainly I’ve been rude, aggressive, and impolite. Looking back, my behaviour was not always appropriate and I’m sorry. It horrifies me that I made the talented and driven people I worked with feel uncomfortable, and that the stress around putting together a great show was made worse by my behaviour. Having to deal with my own physical limitations has given me an understanding of

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<sup>17</sup> <https://www.thecut.com/2017/12/public-radio-icon-john-hockenberry-accused-of-harassment.html>

<sup>18</sup> Ibid.

<sup>19</sup> Interview WNYC

<sup>20</sup> <https://www.thecut.com/2017/12/public-radio-icon-john-hockenberry-accused-of-harassment.html>

<sup>21</sup> Ibid.

<sup>22</sup> <https://www.wnyc.org/story/farai-chideya-harassment-and-moving-forward/>

<sup>23</sup> <https://www.wnyc.org/story/harassment-and-bullying-allegations-rock-wnyc-after-departure-celebrated-host/>

powerlessness, and I should have been more aware of how the power I wielded over others, coupled with inappropriate comments and communications, could be construed. I have no excuses'.<sup>24</sup>

## Panic stations

Now, in December 2017, it was Walker's turn to feel uncomfortable in a studio. She was reluctant to discuss the specifics of Hockenberry's case on-air, citing WNYC's policy of keeping personnel issues private but noted that the station had let him go 'for a variety of reasons'. 'It's a tricky matter,' explained Walker, 'because you need to be able to protect the confidentiality [of the accuser] and the person that is being accused.' She did claim, however, that, 'every single complaint that we got, we did an investigation...and we took action. And not every action is apparent to the accuser or to the whole community at large'.<sup>25</sup>

Lehrer: Why was John allowed to leave with public praise and the impression that it was his decision?

Walker: [W]e decided not to renew his contract. We did not fire him for sexual misconduct. We gave him the option, as is often the case, to characterize this as his decision.

Lehrer: ... Despite what you knew about the Suki Kim claims and some of these other things from over the years that have now become public?

LW: I did not know a lot about a lot of those allegations [until] now.<sup>26</sup>

Walker described the recent reports about Hockenberry as 'disturbing' and stated, 'We need to do a lot better. I deeply regret that our culture and protocols did not work as they should. Such that the full extent of the allegations are just coming to light. This alleged behaviour happened on my watch and I take responsibility'.<sup>27</sup> Discussing Hockenberry's co-hosts, Walker said: 'Look, we are an organization that not only values diversity but has championed the importance of respecting people of colour at this difficult time in our country's history. So, these racial comments are especially painful to me. I regret that women, and especially women of colour, felt disrespected and I apologize to them. I too have been a victim of sexual harassment and I know how it feels ... I do not know what racial comments feel like as a white woman'.<sup>28</sup> While defending the station's record on diversity, Walker acknowledged that there was still much to do and pledged a sweeping revamp of HR policies, procedures, training and hiring. In the meantime, she was convening small-group meetings with employees throughout the station. After her interview the expectant studio audience watched Walker smile and wave them goodbye.<sup>29</sup>

Less than 24 hours later, NYPR announced that two more veteran broadcasters, Leonard Lopate (77) and Jonathan Schwartz (79), had been suspended, pending an investigation into allegations of 'inappropriate conduct'. Lopate described being 'shocked', 'baffled' and 'upset' when he was summoned to meet with Cappello just an hour before his show. He was little wiser afterwards, claiming that he was only told that there were 'many complaints' and there would be a 'quick investigation'.<sup>30</sup> 'I have never done anything inappropriate on any level,' Lopate told the *New York Times*, 'This may just be the current environment, but this is kind of overkill'.<sup>31</sup> Schwartz also claimed to have been blindsided by the station.

While senior management maintained radio silence, WNYC's Ilya Marritz reported on multiple incidents involving both hosts stretching back at least 12 years. Several complaints reportedly reached Walker and Cappello themselves. Regarding Lopate, some colleagues claimed they had never witnessed anything untoward, but others saw a very different man. Many of the allegations involved risqué humour and sexual remarks directed at junior female staffers, including one explaining the

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<sup>24</sup> <https://www.thecut.com/2017/12/public-radio-icon-john-hockenberry-accused-of-harassment.html>

<sup>25</sup> <https://www.wnyc.org/story/laura-walker-responds/>

<sup>26</sup> <https://www.wnyc.org/story/laura-walker-responds/>

<sup>27</sup> <https://www.wnyc.org/story/laura-walker-responds/>

<sup>28</sup> Ibid.

<sup>29</sup> <https://splinternews.com/how-new-york-public-radio-is-dodging-accountability-for-1821064677>

<sup>30</sup> <https://www.nytimes.com/2017/12/06/business/media/wnyc-leonard-lopate-jonathan-schwartz.html>

<sup>31</sup> <https://www.nytimes.com/2017/12/06/business/media/wnyc-leonard-lopate-jonathan-schwartz.html>

etymological link between ‘avocado’ and ‘testicle’.<sup>32</sup> Taken individually, they could seem relatively trivial but as one producer observed: ‘When it adds up, it’s just a lot to deal with, and it affected my job performance. It’s also hard as a young woman to go to work every day knowing that your job is to make someone who’s doing this to you look good’.<sup>33</sup> His bad jokes were matched by bad moods. ‘He made everyone cry at some point’, another staffer noted. Schwartz prompted similar complaints. Asked about his repeated comments on a female colleague’s appearance, Schwartz replied, ‘Can’t a man say, “You look good. Gee, you’re attractive?”’<sup>34</sup> Both presenters had been counselled about their behaviour in the past. In some instances, this resulted in improved conduct towards the complainants but didn’t prevent others being targeted.

Walker’s ‘listening tour’ of WNYC departments unearthed more troubling incidents across the station. Linked to many of these stories were serious grievances with Human Resources. Former HR head Cindy Prater (2005-2013) had a formidable reputation as a ‘protector’ of Laura Walker and Dean Cappello and someone more interested in policing staff hours than misconduct. The current incumbent Dana Teplitsky, who had recently introduced new anti-harassment training, didn’t inspire the same dread. Although visiting her paned-glass office, right near Cappello’s, was compared to sitting in the ‘principal’s office where everyone can see you’.<sup>35</sup> Compounding the problem was frequent turnover and understaffing in HR – an issue common to public broadcasters. At one meeting, staff expressed frustration about slow-moving investigations that left victims exposed (since they couldn’t report anonymously) yet simultaneously in the dark about results. One producer ‘raised her own past HR complaint against a fellow producer with a history of unwanted massages, clumsy passes, and sexist comments. He’d moved on to the *New York Times* with a clean record, while she was never informed of any action taken on her behalf and was forbidden to discuss his behaviour’.<sup>36</sup> Under the organisation’s HR rules, ‘resolved’ cases were essentially sealed shut.

Another case involved an employee viewing pornography and having phone sex in the office. Despite complaints over many months, his manager was reluctant to involve HR. His colleagues were similarly hesitant due to previous unsatisfactory experiences. Even so, managers are legally obliged to report an incident, with or without the complainant’s cooperation. After a disturbing escalation, the offender was finally reported in October 2017 and rapidly dismissed in November just before Kim’s article was published – albeit with the station’s well wishes. It was a stark but illustrative example of the widespread distrust at WNYC. ‘The only way that you can address this wrong is to sacrifice yourself through a process that doesn’t seem very thought-through, and doesn’t seem to be looking out for you’, one employee observed.<sup>37</sup> As current and former staff told journalists, it was preferable to seek work elsewhere and many did.

‘I’ve always thought of Laura Walker as well put-together emotionally’, said one meeting attendee, ‘But she just looked really distressed. I hate to say that made me feel good — like, she is actually taking a lot of this in’.<sup>38</sup> Others were more sceptical about her sincerity, describing Walker’s concern as ‘performed warmth’.<sup>39</sup> Approximately two weeks after they were suspended, Lopate and Schwartz were terminated. This followed an investigation by outside counsel who, according to a WNYC spokesperson, found both hosts ‘violated our standards for providing an inclusive, appropriate, and respectful work environment’.<sup>40</sup>

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<sup>32</sup> <https://www.wnyc.org/story/new-york-public-radio-fires-hosts-lopate-schwartz/>

<sup>33</sup> <https://www.wnyc.org/story/new-york-public-radio-fires-hosts-lopate-schwartz/>

<sup>34</sup> <https://www.wnyc.org/story/new-york-public-radio-fires-hosts-lopate-schwartz/>

<sup>35</sup> [https://media.wnyc.org/media/resources/2017/Dec/06/NYPR\\_DEI\\_Statement\\_Final\\_vCtcfQu.pdf](https://media.wnyc.org/media/resources/2017/Dec/06/NYPR_DEI_Statement_Final_vCtcfQu.pdf)

<sup>36</sup> <https://www.thecut.com/2018/02/at-wnyc-an-uncertain-path-out-of-scandal.html>

<sup>37</sup> <https://www.thecut.com/2018/02/at-wnyc-an-uncertain-path-out-of-scandal.html>

<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*

<sup>40</sup> <https://www.wnyc.org/story/new-york-public-radio-fires-hosts-lopate-schwartz/>

## Public radio's shadow workforce

Job security was a major reason staff were reluctant to report bullying and harassment. Former WNYC reporter Bob Hennelly believed it was for good reason. 'I spent close to ten years at WNYC and left in 2013', he wrote. 'As a AFTRA-SAG union member I watched as management staffed up their digital side, outside the union. They fuelled their rapid growth with a shadow workforce developed of interns, per diems and so called 1099 contract workers, who can only work 1,000 hours with one specific client before they are terminated'. These temporary and freelance staffers included many recent graduates, most hoping for one of the rare permanent positions before cycling out of the organisation. They worked long, frequently uncompensated, hours in an environment where they were often viewed as disposable. 'And, while WNYC was growing to the point that its total annual revenue was approaching \$70 million', Hennelly noted, 'it was doing so on the backs of this shadow workforce that had no health care and no union protection. Granted, this shadow workforce is rampant throughout the media industry and the broader economy. But public radio holds itself out as something nobler and it needs to lead by example'.<sup>41</sup> As Hennelly observed:

It is widely understood that sexual harassment in the workplace is about men disrespecting women but what is not fully appreciated or acknowledged is the connection between that dynamic and the long standing economic exploitation of women. While we abolished slavery, the historic and persistent under payment, and even non-payment for female labour endures to this day. This is a massive hidden subsidy that helps fund the over-compensation at the top for so many corporate executives and the profits for most companies.<sup>42</sup>

Life wasn't a lot easier for salaried employees who still felt expendable and obligated to put in unpaid overtime at unsociable hours. Love of the job and (most) of their colleagues kept them going until conditions became intolerable. The station was one of the few outlets producing in-depth, narrative-based journalism – at least until recently. WNYC staffers were increasingly finding new, happier homes at digital media companies. Moving up the payroll was also difficult. Despite a majority female (53%) workforce, featuring significant ethnic diversity (28%) and millennials (28%), WNYC's senior ranks (including the Board of Trustees) skewed towards older and/or white men.<sup>43</sup> As Kristen Meinzer noted: men got the broadcasts, while women got the podcasts – a format typically aimed at more niche audiences (though increasingly important to advertisers and younger listeners). 'If you want to be on air, you're a white man', she said.<sup>44</sup> Her thoughts were echoed by former employee Siddhartha Mitter:

The issues at WNYC are reflective of a larger cultural problem that exists across public radio. Despite the spirits of social consciousness and diversity baked into the missions of stations like WNYC around the country, most of the on-air stars that dominate the industry are male, typically white, and have been entrenched for decades. The women and people of colour who do work in the business — and there are many — are often relegated to rank-and-file positions and still remain conspicuously marginalized. This has led to an unhealthy power dynamic that is pervasive throughout public radio — as well as programming that often fails to capture the vitality and complexity of the communities the stations aim to serve.<sup>45</sup>

## Facing the music

WNYC's troubles weren't exactly news to the world of public radio. Independent producer and lecturer Ann Heppermann, who had previously worked at WNYC, said: 'You knew which shows not to work for, and I knew where not to send interns because I wanted them to succeed'.<sup>46</sup> Yet December's revelations apparently surprised some of WNYC's male talent who expressed shock and disgust at their former colleagues' conduct. Iconic host Brian Lehrer explained that he had little contact with

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<sup>41</sup> <https://www.insidernj.com/handling-sexual-harassment-bullying-claims-casts-shadow-wnyc/>

<sup>42</sup> Ibid.

<sup>43</sup> [https://media.wnyc.org/media/resources/2017/Dec/06/NYPR\\_DEI\\_Statement\\_Final\\_vCtcfQu.pdf](https://media.wnyc.org/media/resources/2017/Dec/06/NYPR_DEI_Statement_Final_vCtcfQu.pdf)

<sup>44</sup> <https://www.nytimes.com/2017/12/22/nyregion/wnyc-chief-laura-walker-firing-hosts-misconduct.html>

<sup>45</sup> <https://www.villagevoice.com/2018/02/05/public-radios-public-reckoning/>

<sup>46</sup> <https://www.nytimes.com/2017/12/22/nyregion/wnyc-chief-laura-walker-firing-hosts-misconduct.html>

'Takeaway' staff who might have confided in him. 'Takeaway' correspondent Todd Zwillich noted that he wasn't around the office day-to-day but conceded that female colleagues had discussed Hockenberry's excesses over drinks. He admitted regretfully he never questioned why he was spared the host's ire, nor thought to confront Hockenberry about the stories. Suki Kim, who was interviewed by both men, expressed her incredulity. How, she wondered, could a presenter churn through three accomplished female co-hosts, on a show committed to diversity, without raising some alarm?

'I don't know why nobody acted on John's behaviour,' reflected Meinzer who asserted that management was far more aware of Hockenberry's actions than they were prepared to admit, 'I've thought about this before. Was it because John, plus his boss, plus his boss' boss had a history of dating and/or marrying younger female colleagues? Was it because they wanted to maintain the status quo at WNYC which was almost entirely white male hosts? Was it because it was they were of a different generation and they just saw that kind of behaviour as "friendly flirting" in the office and saw that as part of a newsroom culture?'<sup>47</sup> For his former co-hosts, the answer was embedded in the structure of the station and society. 'How did John keep his job for so long? Men like John are protected for decades', said Celeste Headlee.<sup>48</sup>

WNYC's listeners and subscribers also had questions and opinions for the station, many sharing their thoughts via call-in segments or in online forums. Most were horrified that the station had evidently protected abusers at the expense of women and people of colour, using supporter contributions to do so. There was also a very vocal group outraged that Lopate and Schwartz had been dismissed, in their view, without due process as a kneejerk response to #MeToo. Walker's remuneration (she earned close to \$1 million in 2016)<sup>49</sup> was also a source of anger. At the December 2017 open board meeting, in the midst of the crisis, the public got a chance to express their disapproval in person. But first, they would hear what Laura Walker proposed to do. 'I want to say how profoundly pained and sorry I am,' she said, adding, 'For the last several years, I think we've prioritized growth, and content and programming, over investment in some of the processes and people'.<sup>50</sup> She then discussed the next steps for WNYC:

- Hiring law firm Proskauer Rose, to re-evaluate human resources policies and procedures
- Exploring the hiring of an ombudsman at the station
- Hiring a consultant to examine the representation of women and people of colour in decision-making roles
- Creating an employee steering group to examine the organization's culture
- Reviewing the policies regarding temporary and daily workers.<sup>51</sup>

Walker wasn't winning the crowd over. 'As she outlined her plan', wrote Meg Dalton in the *Columbia Journalism Review*, 'some hissed and muttered under their breath. Others rolled their eyes and shot knowing glances to their neighbours. There was a soft chorus of sighs strewn throughout her report'.<sup>52</sup> After about 30 minutes, she and the Board of Trustees moved into a private conference while the audience waited for their chance to speak.<sup>53</sup> Some 90 minutes later, less than half the board returned, minus the CEO who was meeting with staff. Around thirty public attendees remained, lining up at the microphone to speak.

An enthusiastic 30-something listener with a scruffy beard begged the board to 'be bold' as they addressed their failures: 'You should be setting the standard, not following the standard'. An older man, Charlie, who described himself as a decades-long supporter, choked up as he expressed outrage over the use of [Non-Disclosure Agreements] and begged the board to 'go after the bastards' who do these things. And Julia Furlan, a former WNYC employee and one of the younger faces in the crowd,

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<sup>47</sup> <https://www.wnyc.org/story/one-womans-account-assault-and-harassment-john-hockenberry/>

<sup>48</sup> <https://www.thecut.com/2017/12/public-radio-icon-john-hockenberry-accused-of-harassment.html>

<sup>49</sup> <https://www.wnyc.org/story/new-york-public-radio-fires-hosts-lopate-schwartz/>

<sup>50</sup> <https://www.nytimes.com/2017/12/22/nyregion/wnyc-chief-laura-walker-firing-hosts-misconduct.html>

<sup>51</sup> <https://www.wnyc.org/story/new-york-public-radio-board-meets-amid-harassment-crisis/>

<sup>52</sup> [https://www.cjr.org/the\\_feature/wnyc-supporters-waver-amid-harassment-crisis.php](https://www.cjr.org/the_feature/wnyc-supporters-waver-amid-harassment-crisis.php)

<sup>53</sup> Laura Walker was also a board member as well as President and CEO.

criticized the board's attitudes toward modern workplace norms: 'I'd really like if you didn't act like young people have these outsize expectations when all we want is to not get harassed and to get paid fairly'.<sup>54</sup>

'I've been donating for years and years', said long-time listener Naomi Tarantal, 'I expect better than this'. She also wasn't impressed by Walker's plan to 'evolve our culture': 'When I hear jargon like that, I know that something is wrong.' She urged board members to ignore 'all of the jargon and all of the B.S.' and 'clean house'.<sup>55</sup> Board members listened and took notes but declined to answer audience questions. Observed Dalton, 'This reckoning isn't unique to public radio. But the fallout from that reckoning is; listeners feel more personally connected to their stations, and so the recent disclosures hit much closer to home. They expect more from the leadership behind their go-to source of news'.<sup>56</sup> For many WNYC listeners and employees, this meant nothing less than a complete clear out at the top. Said Kristen Meinzer: 'they all need to be held accountable. I want those people in senior management who are still in the building to step down or to be fired. They should not be here anymore'.<sup>57</sup> Boris Kachka spoke to Laura Walker for *New York Magazine* and saw someone resolved to persevere through the crisis and optimistic about the prospect of change. He felt that WNYC staff would grant her a window of goodwill to make substantive reforms but foresaw many challenges:

While we learned this fall that toxic workplaces aren't exactly a rarity in corporate America, at WNYC the gap between the public mission and the private culture seemed particularly vast...Now that disconnect has become an institutional crisis, and Walker has an abundance of plans to address it. The question is whether she will be able to fundamentally change a place she essentially created without overreacting, overextending, or losing focus on that paramount public mission. Nor can she afford to lose the patience of her listeners, her restive staff, or a non-profit board with the power to remove her at any time.<sup>58</sup>

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<sup>54</sup> Ibid.

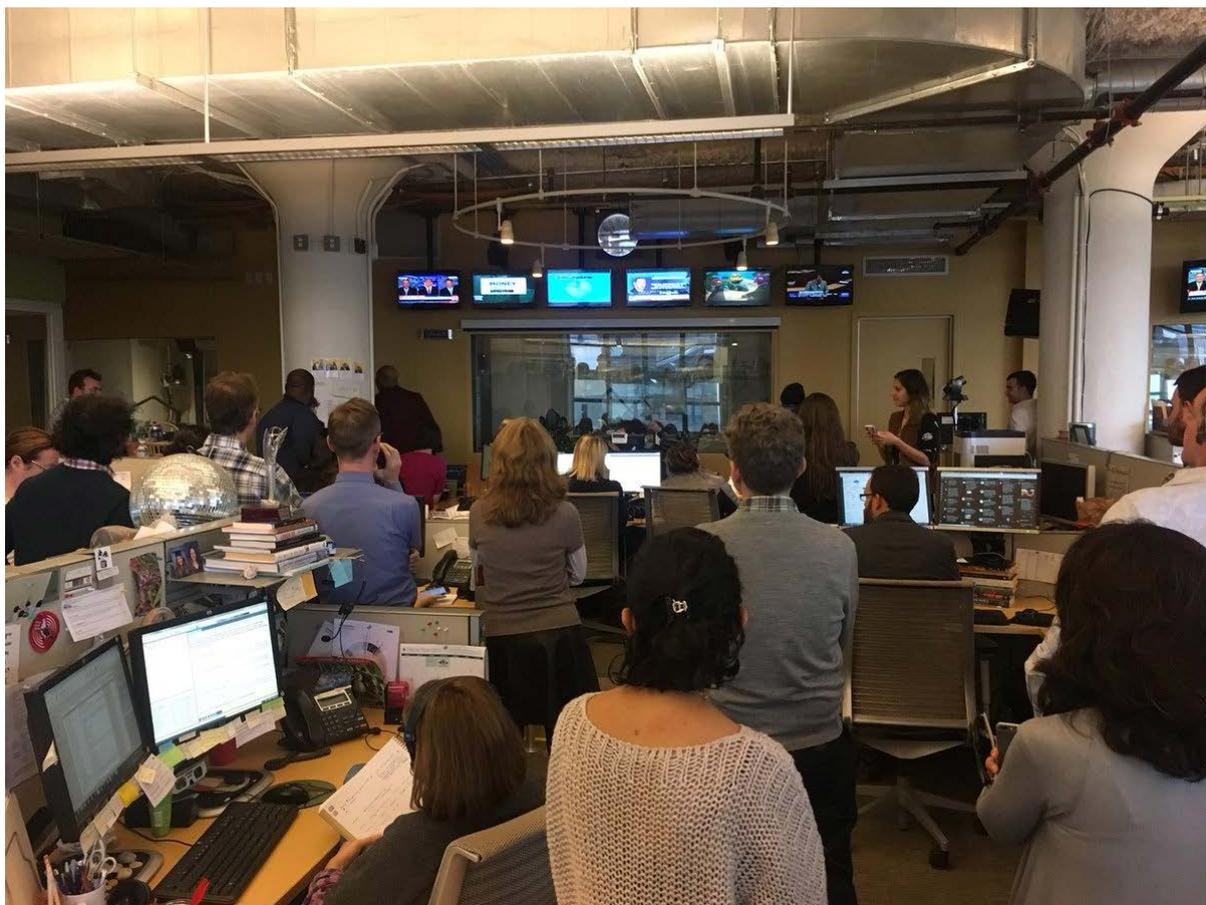
<sup>55</sup> <https://www.nytimes.com/2017/12/22/nyregion/wync-chief-laura-walker-firing-hosts-misconduct.html>

<sup>56</sup> [https://www.cjr.org/the\\_feature/wync-supporters-waver-amid-harassment-crisis.php](https://www.cjr.org/the_feature/wync-supporters-waver-amid-harassment-crisis.php)

<sup>57</sup> <https://www.wnyc.org/story/one-womans-account-assault-and-harassment-john-hockenberry/>

<sup>58</sup> <https://www.thecut.com/2018/02/at-wnyc-an-uncertain-path-out-of-scandal.html>

## Exhibit A: WNYC staff and CEO Laura Walker



WNYC newsroom where staff watch Walker interview, Source: Sugarpond, @sugarpond twitter.com Published: 5/12/2017



Laura Walker, Source: WNYC, <https://www.wnyc.org/story/laura-walker-responds/> Published: 5/12/2017

## Exhibit B: Laura Walker email to staff 2/12/2017

<p><b>From:</b> Laura Walker &gt;  <b>To:</b> *NYPR Employee &gt; <a href="#">Hide</a></p>	
<p><b>John Hockenberry</b> Today at 2:44 PM</p> <p>Dear Staff,</p> <p>As I'm sure most of you have seen by now, a story reporting on John Hockenberry's treatment of women, in particular women of color, when he was the host of The Takeaway, was posted on The Cut (New York Magazine) and was reported by WNYC this morning.</p> <p>It's a difficult and disconcerting read. It describes behavior that is absolutely unacceptable and goes against every value we stand for. As the passionate community of journalists and mission-driven professionals that you are, I can understand that some of you are deeply saddened, righteously angry, and full of questions.</p> <p>I want to tell you what I can.</p>	<p>I detailed some of the steps we are taking in my November 21st letter (attached here), and I will be meeting with many of you in the coming weeks to hear your thoughts and concerns.</p> <p>We are an organization committed to honest conversation, and you are the most critical part of that dialogue. I hope you'll talk with me—and with your peers, supervisors, staff, and your colleagues in HR--about how we can forge a better tomorrow, ensure that we're adhering to our values in how we treat each other, and are working together to maintain a culture where people feel comfortable and heard.</p> <p>Thank you for all you do every day.</p> <p>Sincerely, Laura</p> <p><small>Tracie Hunte @TracieHunte · 2 Dec 2017 Here's WNYC CEO Laura Walker's email to staff.</small></p>
<p>New York Public Radio and Public Radio International did not renew John Hockenberry's contract on June 30, 2017.</p> <p>He is no longer employed by New York Public Radio.</p> <p>Some of the behaviors described in The Cut, including the author's own complaint, were known to NYPR, and we investigated and took action at the time. We learned about other allegations after John left the company. And some, we learned about for the first time from the article.</p> <p>We take every allegation seriously. And like you, we are deeply concerned.</p> <p>Providing you a workplace in which everyone feels comfortable, respected and free from harassment is a core part of our values and culture. That is why we promptly investigate every complaint we receive and take any and all remedial actions warranted. These actions include: mandatory training, referral to counseling, disciplinary action up to and including suspension, termination of employment, and/or other measures.</p>	
<p>The fact that NYPR does not disclose confidential employment actions often leads people who've complained to HR to conclude—in good faith, yet erroneously—that no action was taken against a wrongdoer. Except for outright termination, which is self-evident, the imposition of these sanctions is not disclosed to—or observable by—employees. Even the employee who made the complaint.</p> <p>And this is the conundrum we face—how to reassure our employees that complaints are taken seriously while at the same time protecting confidentiality for all parties involved. It's a paradox we are attempting to address as we work to make it less daunting -- for those who've experienced inappropriate behavior as well as those who witness it -- to come forward. Because if no complaint is made, there is no investigation.</p> <p>I've told you what I can about John Hockenberry. I also want to tell you this: your dedication and the excellent work you do every day is awe-inspiring. I want to do more to ensure that each of you can thrive and excel in an inclusive and diverse environment in which <i>everyone</i> is treated with respect.</p>	

Source: Tracie Hunte, @traciehunte, twitter.com Published: 2/12/2017

## Exhibit C: NYPR Contributions 2017 versus 2016

	<u>2017</u>	<u>2016</u>
Membership	\$ 26,586,670	23,722,487
Sponsorship	30,620,221	21,512,811
Sponsorship trade	477,556	443,778
Major donors	7,453,432	6,802,631
Bequests and planned giving	991,775	1,284,554
Foundations and not-for-profit organizations	3,052,359	3,141,408
	<u>\$ 69,182,013</u>	<u>56,907,669</u>

Source: [https://media.wnyc.org/media/resources/2017/Oct/12/FY17\\_NYPR\\_Issued\\_Financials.pdf](https://media.wnyc.org/media/resources/2017/Oct/12/FY17_NYPR_Issued_Financials.pdf)