

# A life of irony

*As a journalist, Terry Mutchler committed an “unforgivable breach of ethics.”  
Now, she’s someone who journalists look to for help*

By Sam Janesch

For someone who spends her days pushing for transparent government, Terry Mutchler once held a deep political secret herself.

Right now, she is the executive director of the Pennsylvania Office of Open Records, the state agency that determines what kinds of public records that Pennsylvania citizens and news organizations are entitled to see.

Mutchler is a lawyer who says she lives and breathes open gov-

with Penny Severns, a popular state senator who had mentored Barack Obama in his first elected office.

In doing so, Mutchler committed what is among the greatest ethical sins a journalist can make.

“She was, after all, a source. I was, after all, a reporter,” writes Mutchler, now 49, in a new memoir titled “Under This Beautiful Dome.”

The affair lasted from 1993 until Severns’ death from breast cancer in February 1998.

ment and might have taken her out of Springfield.

But the factor that drove her to secrecy – even more than the journalism ethics violation – was the prospect of outing herself and her partner as lesbians.

That would have been “political suicide” for Severns and a struggle of sexuality and identity for Mutchler.

In “Under This Beautiful Dome,” she offers the reader a window into her soul as she struggled emotion-

“At the end of the day, I think courage is to do the right thing in real time,” she said in an interview. And she acknowledges that in her relationship with Severns, she didn’t do the right thing.

What Mutchler finds ironic, she said in an interview, is how she, as a reporter once threatened with six months in prison for refusing to reveal a source, could become a “poster child” for violating journalism ethics. And now, of course, Mutchler is the person from whom journalists throughout Pennsylvania seek help in making government transparent.

To Mutchler, her life shows the “complexity of human frailty.”

Nearly 17 years after Severns’ death, Mutchler finds her career at a crossroads once again. Her six-year term as leader of the open-records office expired eight months ago. While she continues to go to work every day, she has no idea if she will be reappointed.

## The open-records advocate

In late October, Mutchler sat for a reporter’s interview in her clean, spacious office in the Commonwealth Keystone Building, across from the Capitol in Harrisburg. She was wearing a gray suit, and her brown hair, turning gray, jux-

tailed with her green-and-red-polka-dot-rimmed glasses.

When Mutchler became the first executive director of the Office of Open records in 2008, all she had was a copy of the law and a cubicle to work in. She has since assembled a staff of 16.

She was appointed by then-Gov. Ed Rendell, a Democrat, to monitor the commonwealth’s new Right to Know Law, which was intended to give citizens unprecedented access to public records. It was the first time the law had been changed since the mid-1950s, and it was up to Mutchler and her staff to give guidance on everything, from emails to voicemails, that could constitute public records in the 21st century.

Mutchler works with a team of lawyers to determine whether to grant access to records that local governments and state government agencies might not want the public to see.

Her term officially expired in April, but Republican Gov. Tom Corbett, with whom she has had a publicly rocky relationship, has not reappointed her. Democrat Tom Wolf defeated Corbett on Nov. 4, and Mutchler is hoping the new governor will give her a second term.



Photo by Sam Janesch

*Terry Mutchler, executive director of the Pennsylvania Office of Open Records, works at her desk in Harrisburg. She was appointed by former Gov. Ed Rendell. Gov. Tom Corbett has left her career in limbo, and Gov.-elect Tom Wolf has yet to announce if she will be reappointed.*

Why Corbett did not reappoint Mutchler is subject to speculation. She has been openly critical of Corbett for remarks he made in opposition to same-sex marriage. Mutchler said she was also upset by previous comments the governor made in favor of legislation requiring women to get ultrasounds before being allowed to have abortions.

At a public event at the State Museum in Harrisburg in April, where she was addressing a group of archivists, Mutchler said Corbett should not ratchet up anger about those issues.

On same-sex marriage, she said: “I personally believe the governor needs to help us get through it, not add fuel to the fire.”

Mutchler said in an interview that in Corbett’s nearly four years in office, he has never met with her. She said she had met with his aides twice to discuss her future in the office.

This is in stark contrast to her relationship with Rendell, who Mutchler said has become a personal friend.

Rendell, who left office in January 2011, said Mutchler held his office to the same standard of openness that she applied to all agencies and to legislators. “She was a huge pain in the neck for us in the administration many times,” Rendell said. “But she did exactly what she should have done.”

Rendell said Mutchler had handled her job with fortitude and had proven herself to be truly independent. “If you have an open-records director who the governor likes and the legislature likes, you can bet your bottom dollar that she’s not doing her job,” he said.

Legislators on both sides of the aisle have been lobbying for her reappointment.

State Sen. Lloyd Smucker, a Republican from Lancaster, sent a letter to Corbett in May saying her

commitment to accountable government had earned her respect in Harrisburg. “She’s done an excellent job of developing the office in the first place,” he said, “and also in building it into one that is widely recognized as being one of the best across the country.” Smucker has visited the office and seen how Mutchler approaches the job.

Others who have sent letters to Corbett on Mutchler’s behalf include Sen. Dominic Pileggi, a Republican from suburban Philadelphia who is the author of the state’s Right to Know Law; Senate President Pro Tempore Joe Scarnati, a Jefferson County Republican; Sen. Matt Smith, a Democrat from suburban Pittsburgh; and Rep. Greg Vitali, a Democrat from suburban Philadelphia.

## The Poconos child

Before she became an outspoken symbol of governmental openness, Mutchler wasn’t so outspoken, ac-

ording to one of her sisters.

The youngest of seven children, she was born in 1965 in East Stroudsburg, Pennsylvania. In her memoir she describes the family’s household as paradoxically “tender and loving” and “violent and bloody.”

Donna Parker, who is nine years older, described her sister as a quiet child who enjoyed playing outside in the woods and was good at sports like field hockey. Living in the Pocono Mountains area with not many other families close to their home, the Mutchler children spent their days bike riding, playing outside and counting stars.

“Terry was the most beautiful child you’ve ever seen,” Parker said. “She was gorgeous.”

However, Parker also said there were both “wonderful” and “horrific” aspects of their childhood.

In the memoir, Mutchler details how financial problems, alcoholism and domestic violence were

the norm. Fear was ever-present, and secrecy was the style.

She recounts times when her parents, Donald and Star, would fight and she would run into the woods in the middle of the night, sometimes staying for hours and coming back to broken glass and overturned furniture. She recounts a time when she saw her mother stop her father from drunkenly committing suicide with a rifle from their closet. She recounts a time when, at age 8, she was sexually assaulted by a teenage neighbor, and no one pursued the case when the boy denied it. That was before she began to be abused on a regular basis by a family member, she writes.

“It took me a long time and a lot of therapy,” Mutchler said about getting through the traumas and regaining the “personal voice” she lost through her abuse.

Now nearing her 50th birthday, Mutchler recognizes how the life she once lived forced her to gain the courage she would need in her careers of reporting and lawyering.

## The journalist

“From the moment I stepped into the newsroom, it was like a drug,” Mutchler said, recalling working on The Daily Collegian, the Penn State University student newspaper.

A friend since their days at the Collegian, Jeanette Krebs described Mutchler as a tough, passionate reporter.

She tackled difficult stories during her professional reporting career that “some reporters wouldn’t have had the guts to do,” Krebs said.

After graduation, Mutchler took a job as a reporter at The Morning Call in Allentown, and later launched a successful career at the Associated Press, reporting in Harrisburg, New Jersey, Illinois and Alaska. Mutchler became known for an unrelenting and courageous approach to journalism.

In 1989, shortly after starting to work for the AP in Harrisburg, she covered the Camp Hill prison riots, in which more than 100 people were injured and 17 were held hostage during three days of mayhem.

In what she calls her “finer reporting,” Mutchler spoke to the guards and administrators, eventually revealing that broken lock con-



trol panels allowed the inmates to escape on the first day of the three-day riot.

"It actually set the tone at which the AP was going to use me in the future," Mutchler said.

One of those instances came when Gloria Estefan's tour bus collided with a truck in March 1990 near Allentown, sending the famous singer to the hospital with a fractured spine. Mutchler said she was called on to report the story and had been given permission "to do hard investigative reporting." So while others in the media were locked out of the hospital, she showed up with flowers and walked right in, as if she were a member of a hospital patient's family. She found a cleaning lady who got her an update about Estefan's condition.

Later, she became correspondent in Atlantic City, where she spent six months on an investigative piece on parents' abandoning their children in various areas of casinos while they gambled. After the story ran, she said, she was banned from all Trump casinos.

She arrived in Springfield in 1993 as the first woman to be the Illinois statehouse bureau chief.

#### The 'fearless' professional

Rich Kirkpatrick, statehouse bureau chief in Harrisburg from 1980 to 1996, said Mutchler's coverage of the prison riots was among the "finest pieces of work" she did for the AP. He said the wire service promoted her three times, in part because of her drive to do anything needed to get the story.

Kirkpatrick, currently the acting press secretary for the Pennsylvania Department of Transportation, said Mutchler was "one of the most outstanding reporters I ever worked with." He said, "She's just fearless. Fearless in speaking her mind. Fearless in her role as an advocate for open records.

Although Mutchler isn't shy about her unwavering dedication to her work, she said fearlessness doesn't enter all realms of her life.

"Professionally, I'm fearless. There's pretty much no doubt about that," Mutchler said matter-of-factly. "But personally, that's always been a tough road. And it's only been recently, in the last five years, that I've found that personal voice."

In her book, Mutchler opens up about how "fear and secrecy were her invisible siblings." She writes about how growing up in a strict fundamentalist household shaped her ability to keep secrets and spin the news in her adult life.

Mutchler said it's now a running joke among her siblings about the secrets they kept as kids. "We'll say, 'I'm going to the grocery store, but don't tell anyone,'" she said with a laugh.



Photo courtesy of Seal Press

Terry Mutchler, left, and Penny Severns posed for a photo during a vacation in Venezuela.

While the family's troubles were severe, it was her father's and mother's work ethic – her father a Korean War veteran and union man and her mother raising seven children – that gave her the drive and determination she would need in her career, she said.

But she said she is still uneasy at times. On a book tour, Mutchler appeared on MSNBC's "The Rachel Maddow Show" on Nov. 14. On the show, Maddow mentioned that she doesn't typically interview authors to promote books on her show, but that she made an exception for Mutchler because she wanted to highlight the "beautiful story" of Mutchler and Severns.

"I have to say I'm more nervous about that than anything I've done recently," Mutchler said before the taping. Even after hundreds of speeches, court appearances and interviews in her role as Pennsylvania's top open-records advocate, Mutchler said the idea of walking out onto a stage and speaking about her most personal moments had her "rattled."

Maddow pressed Mutchler about her breach in journalistic ethics in

carrying on the affair with a politician that she was covering.

"Completely unforgiveable," Mutchler said.

#### The secret love

The affair began on April 27, 1993 – the day she first laid eyes on Severns, the state senator 14 years her senior whom she was covering in Illinois. In the book, Mutchler details their courtship as they began going to dinner and getting drinks as reporter and source.

"Even before there was anything to hide, we were hiding," she writes.

Mutchler said her book is a love story but also a narrative about "the consequences of living a lie, no

matter what that lie is."

As part of the secrecy, Mutchler wasn't out as a lesbian to many of her friends. She did not out herself until the grief of Severns' death forced her to talk about it.

Mutchler's sister, Donna, said she knew she and Severns were close, but she didn't know they were partners until years after Severns died. "I started cluing in because the depths of Terry's anguish were very frightening to me,"

she said. "I thought we would lose her."

Krebs, who had been friends with Mutchler since their time at Penn State, said that when Mutchler finally came out to her college friends, also after Severns' death, they were already aware of her sexual orientation on some level. It made reading her new book all the more difficult, knowing what she had gone through and feeling as if she couldn't share it with her close friends, Krebs said.

"I think part of it was because of her lifestyle – feeling like she had to keep things inside and kind of dealing with them on her own," she said. "The sad thing is none of

us would have cared if she told us she was gay, but at the time she just felt for a number of reasons she couldn't talk about it. I believe that that experience, losing Penny, made Terry realize she didn't want to live this secret life anymore."

John Baer, a Philadelphia Daily News columnist who worked in the Capitol newsroom in Harrisburg while Mutchler worked there for the AP, said Mutchler didn't tell him about her relationship until about 2008, when she came back to Pennsylvania. "She acknowledged the journalistic faux pas just talking about it," Baer said.

Mutchler's book tour began at the Free Library of Philadelphia. Stops are scheduled in Chicago, New Hampshire and Washington, D.C.

She said she worked on "Under This Beautiful Dome" for a decade but did most of the writing after she signed the book contract in 2012.

"It was the most difficult thing I've ever done. More difficult than passing the bar, more difficult than starting the Office of Open Records," Mutchler said. "It took a lot out of me, but I learned a lot and that was most valuable."

#### Life after Penny

After Severns' death, Mutchler took up pastel painting.

"I would relax through the artwork, because it went right through the hand to the page and I could cut out my mind completely," she said.

Painting turned out to be a successful hobby – one of her pieces sold for \$700 at a silent auction. "It blew my mind," she said.

Three days a week, Mutchler commutes to Harrisburg from her home in Fort Washington in the Philadelphia suburbs. She lives with her partner, Maria Papacostaki, a Greek whom she met in 2004 at a writing retreat in Pine Mountain, California.

When she started to write the book, Mutchler said she was fearful that immersing herself in a past life would cause her to lose Papacostaki. In the end, it made them closer, she said.

"My book was an introspection of how I as a person permitted this to happen, and it forced me to look at some very unkind weaknesses and strengths," she said. "But in doing that it enabled me to learn

some very deep things about myself that only benefited my relationship with Maria."

One of those weaknesses still plagues Mutchler's thoughts, years after Severns' death. She speaks with a heavy heart about how she didn't know how to be intimate and communicate with Severns as she got sicker and eventually died.

The grief of being a secret widow was something Mutchler had to deal with. Leaving the AP Alaska job in May 1995, Mutchler returned to Illinois and worked as Severns' press secretary. Several months later, she enrolled in the John Marshall School of Law in Chicago. Eventually, she dropped down to being a part-time student as Severns' health worsened. Severns died in February 1998.

Mutchler said that when she completed law school, she considered going back into journalism. But, having committing the journalistic sin, she decided against it.

Mutchler worked as a senior adviser to the Illinois attorney general and, during the summer of 1998, as a clerk for the Executive Office of the President during the Bill Clinton administration.

In the job she has today, she said, she is using her law license "in a way that enabled me to kind of still stand for openness in government and transparency."

#### The executive director

Mutchler's passion has been recognized globally. In fielding questions from Tennessee to Tokyo, she has talked about "the Pennsylvania model" of making government information more transparent.

Recently, before a group of legislators and state agency officials in Harrisburg, she spoke with clarity about the smallest nuances of the state Open Records Law. She was visibly riled up when she talked about how some agencies redact parts of public records they don't need to hide.

She made it clear that she supports efforts to broaden the law, notably including a provision to make Pennsylvania's state-related universities – Penn State, Pittsburgh, Temple and Lincoln – provide more complete information. Those efforts have so far been stymied in

the legislature. "It was a killer to me that that didn't pass," she said.

Even without any major changes to the law since its creation, Mutchler's office continues to grow in both size and responsibility.

Charles Brown, chief counsel of the Open Records Office, said the office can receive up to 40 appeals a day. Those are instances in which citizens or journalists have requested records from agencies, and the agencies have declined. If the Open Records Office rules against them, the agencies can appeal their cases to the Commonwealth Court or a county Court of Common Pleas.

In six years, the Open Records Office has dealt with more than 10,000 appeals and 500 court cases.

In building the office from one person to 16, Mutchler describes herself as "more of an architect than a carpenter."

Both the Rendell and Corbett administrations wanted to sign off on her hires, she said, but she declined. That, she said, would be like letting advertisers dictate the editorial content of a newspaper.

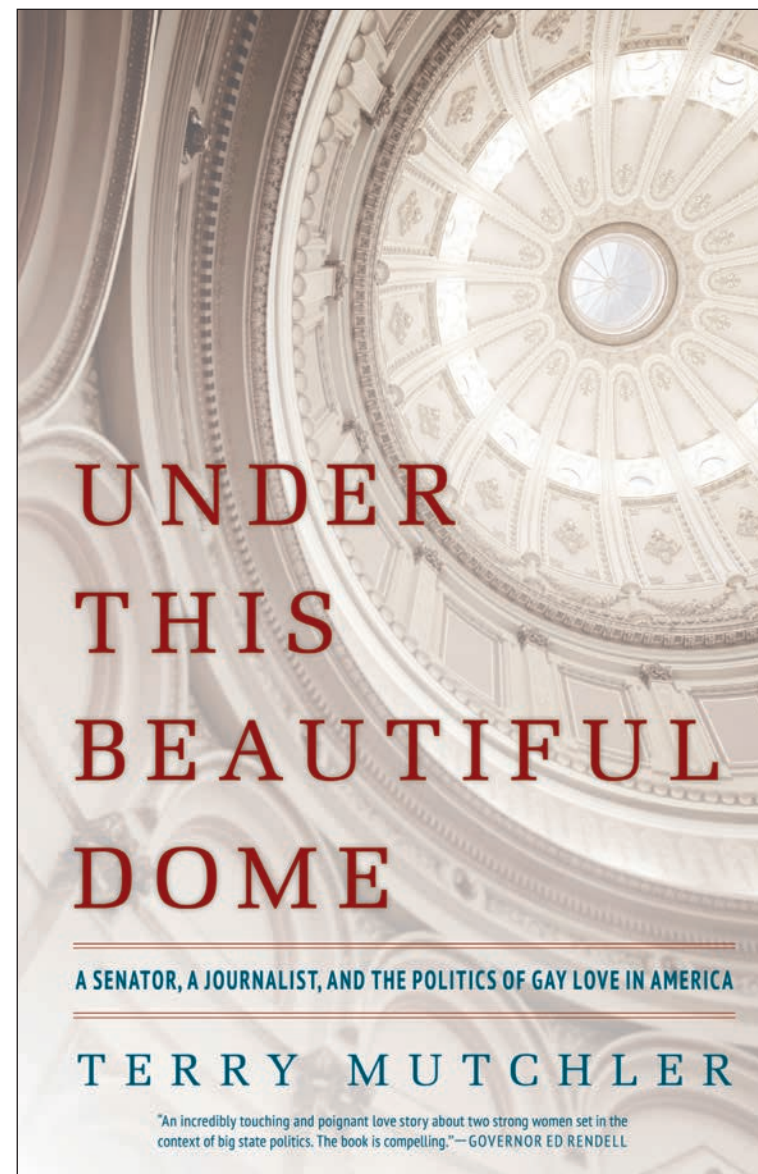
Now, as a leader with her own independent, diverse staff, she said she has the authority, and the pleasure, to let them all work at home one day a week. She said she tells her staff members to put their families and health first. "We're serious here about our work but we're not crazy," she said.

Someone once told Mutchler the Office of Open Records was "more like a newsroom than a state agency," a description that pleased her. As a former journalist, she said, she enjoys "moving at a very, very fast pace."

While final decision-making authority ends with Mutchler, she said she doesn't make decisions in a vacuum. She said she tells her staff members that she values the input they give her, even when she decides the other way. She said she was cautious about saying no, because she has "very smart people in the room and very pro-open government types in the room."

#### The life in limbo

Tacked on the wall above the desk in the corner office of the Office of Open Records is a piece of paper that reads in big bold letters,



Mutchler recounts her professional and personal dilemmas in a new memoir.

"Free Terry Mutchler," with a picture of her smiling face.

Mutchler said one of her staff members put the sign there in April when her six-year term ended without a reappointment.

Mutchler's fate rests in the hands of the governor-elect. Wolf has yet to make any statement on whom he would appoint, and his transition office has not returned requests for comment.

Former Gov. Rendell said he would have some advice for the new governor. "If Wolf asked me, I would say absolutely," he said. "You'd be hard pressed to find someone who would do that job better than Terry."

ically, emotionally and psychologically. For me, the timing was off."

At some point, Mutchler said, the timing might be right.

"Right now, it's kind of hard to relax overall because I have a lot on my plate," Mutchler said. "I have uncertainty in the Office of Open Records, which is bigger than just whether I'm reappointed. My heart and soul is invested in this office... What I'm saying is my heart and soul is invested in the citizens of Pennsylvania getting the records they own."

While she hasn't had as much time recently for her pastels or for relaxing in other ways, Mutchler has accepted the possibility that she will not return. "I'm not tempting fate, but the worst things that will ever happen to me have already happened," she said. "I lost my partner to death, to cancer. Candidly, losing a job is pretty far down the list."

Those who have watched her build the Office of Open Records say that Mutchler has the immense passion the job demands.

Baer said she took on the challenge of making Pennsylvania more transparent – something the state had not had a great reputation for in the past. "She changed part of the culture that needed changing," he said.

Krebs, whose late husband Barry Fox, also a former journalist, served as Mutchler's number two at the office when it started, said Mutchler's passion for open government runs deep. "I think she understands the position that she's been given. Not only is she a pioneer here in Pennsylvania starting this office, but she's leaving her legacy," Krebs said.

Chief counsel Brown said the public has little idea of the devotion Mutchler has to the office.

Brown said: "Whoever replaces her is going to have some big shoes to fill." He went on to say: "She has talents that very few people have, both as a person, as a manager, as an advocate for open government. And I think it's a disservice to the public of Pennsylvania to not reappoint her."

Said Mutchler: "From his lips to the governor's ears."