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Journalistic Freedom

Final Paper

A Collection of Case Study Analyses Focused on Various Ethical Dilemmas in the Field of Journalism

Introduction:

During the course Journalistic Freedom, we the students were tasked with evaluating certain case studies of real-life ethical dilemmas that past professional journalists and their associated press organizations had faced.

The Society of Professional Journalists (SPJ) has a guiding set of four values

1. seek truth and report it
2. minimize harm
3. act independently
4. be accountable and transparent

and related principles which they promote to help sustain ethical behavior in the journalism industry. It was by these values and their sub-principles that our classwork centered around.

Relying heavily on the full SPJ code of ethics ([which can be found here](#)), the following paper is a compilation of my own analyses of eleven case studies provided by my professor. Included are my summaries of the case context, the ethical issue at hand, and my commentary. Further, I list the various SPJ principles which the actors within the case should have given due attention to throughout the duration of their situations in order to abide by the SPJ values. By listing these related principles, it is my hope to inspire further pondering by you, the reader, on how you personally would conduct yourself in a similarly difficult situation.

Case Study One: Aaargh! Pirates! (and the Press)

This case study is a prime example of unethical yet legal journalism practices which exploit consumer behavioral habits, benefit from illegal content accessibility, and overall, intentionally prioritize capital accrual over the needs of the reported-on victims. The real-life situation focused on for this case study is the crime of intellectual property piracy.

The example used: an album such as The Ting Ting's can be stolen over digital channels and illegally released to the public online. This crime robs the creators of content and their business stakeholders from rightfully profiting off of their intellectual labor in the way they choose - selling it to consumers.

Contributing to the problem of piracy, are reportive outlets who make the act of consuming illegally released content far easier for the public. Reporting about a crime of piracy is acceptable and ethical because certain demographics would be genuinely concerned about a crime occurring for the sake of justice being carried out. This is, in fact, the conclusion that Cory Lamz comes to.

On the other hand, reporting about piracy by actively disseminating the illegal content, is unethical... but sadly, legal. The line of legality for a media outlet falls on whether the illegal content is made available to download, instead of just interactable with. And it seems that it is the rationale behind this line walking that Cory Lamz also excuses the act of disseminating illegally released content on a media platform, instead of just reporting about the illegal release. Tricky things, legal loopholes.

Media outlets such as Rolling Stone and Billboard are for-profit entities whose singular priority is to make money through public engagement with their websites and other products. Profit comes from enticing people into engagement, sometimes through subtly sneaky and unsavory means... such as clickbait articles or advertising access to illegal intellectual property within "news" article post or social media mention.

And thus, the crime far easier to profit from on mass scale through knowledge of how easy it is for the standard public to pirate content from downloads and exchanges of their article bearing the illegal content through text, email, and other social platforms.

Applicable Contextual Principles :

- Provide access to source material when it is relevant and appropriate.
- Recognize that legal access to information differs from an ethical justification to publish or broadcast.
- Consider the long-term implications of the extended reach and permanence of publication. Provide updated and more complete information as appropriate.
- Expose unethical conduct in journalism, including within their own organizations.
- Abide by the same high standards they expect from others.

Case Study Two: Reigning on the Parade

The ethical debate in this case study is: where the "line" between personal life end and professional obligation to employer's brand image begin?

The event being analyzed is if Frank Whelan, a writer employee at news publisher Morning Call was in "conflict, a breach of code," with the business branding interests (enforced through their employee code of conduct) of his employer when he attended and participated in an LGBTQ+ Pride Parade . If so, Whelan would be subject to "consequences" at work.

The company's employee code of conduct prohibits their employees from "public demonstrations in favor of or opposed to a cause." The company says that Whelan was in the firstly

wrong for not seeking permission to attend the "gay rights parade" in 2006. Secondly, he allegedly was in the wrong for then attending an event that had a "cause".

Interestingly, if not hypocritically, a subsidiary of the company (and thus a prominent public face of the company's community impact and influence) was already a co-sponsor of the parade. Thus, Morning Call's branding interests were maintaining/cultivating a public image of pro-LGBTQ+ rights. However, Whelan is obviously a well-respected person within the local community, as evidenced by his position as a co-grand marshal along with his partner during the parade. It could easily be argued that Whelan's parade participation as a marshal was "special treatment" during "outside activities".

Even so, when The Morning Call, a public supporter and funder of LGBTQ+ rights efforts, reprimanded Whelan for participating in an event celebrating his personal life and community, the Morning Call ensures their own suffering by tarnishing their brand. Their reputation in the community would be labeled hypocritical because of their financial ties to the Pride Parade yet active discriminatory practices against employees who identify as LGBTQ+.

Whelan has every legal right to sue his employers for discrimination.

The case study writer states that "a reporter shouldn't be an active advocate for a particular point of view about a subject he's covering." In this particular case, Whelan was not assigned to write about the Parade. He was participating in an event that is prominent in his culture and celebrated his personal life and relationships. While the "cause" of marriage equality is a significant part of Pride Demonstrations, it is not an employer's place to decide whether or not an individual's personal life and status of relationships are a "political agenda" to be punished.

Applicable Principles for Company (& Subsidiaries) Behavior:

- Recognize that private people have a greater right to control information about themselves than public figures and others who seek power, influence, or attention. Weigh the consequences of publishing or broadcasting personal information.
- Support the open and civil exchange of views, even views they find repugnant.
- Diligently seeks subjects of news coverage to allow them to respond to criticism or allegations of wrongdoing.
- Boldly tell the story of the diversity and magnitude of the human experience. Seek Sources whose voices we seldom hear.
- Consider the long-term implications of the extended reach and permanence of publication.
- ...Prominently label sponsored content.
- Explain ethical choices and processes to audiences. Encourage a civil dialogue with the public about journalistic practices, coverage, and news content.

Applicable Principles for Whelan's Journalist Behavior:

- Label advocacy and commentary
- Avoid stereotyping. Journalists should examine the ways their values and experiences may shape their reporting.
- Avoid conflicts of interest, real or perceived. Disclose unavoidable conflicts.
- Refuse...special treatment, and avoid political and other outside activities that may compromise integrity or impartiality, or may damage credibility.
- Respond quickly to questions about accuracy, clarity, and fairness.

- Expose unethical conduct in journalism, including within their organizations.

Case Study Three: Controversy over a Concert

This is a case discussing the constitutional rights of individuals to engage in political processes, such as voting, in relation to the constraints on action that journalists opt into when contracted into their professional roles.

In 2004, John Temple, editor and publisher of Rocky Mountain News, sent out a memo that communicated to his employees a reminder of their company policy of maintaining an image of political non-partisanship. This included no reporters giving political donations and no attending politically associated events such as fundraising concerts (unless otherwise expressly given permission for event news coverage).

Prompting this memo was an Eagles rock concert soon to be held in Denver, Colorado, advertised as a direct part of Ken Salazar's Senatorial Campaign fundraising efforts.

Temple defended this policy and advisory against attendance at the Eagles concert by arguing that The Newspaper, as a business entity, had to serve its first obligation to readers before all else. This obligation was to "avoid anything that might compromise-or appear to compromise- its impartiality and integrity." Included within this obligation would be dedication of employees to ensure appearance of impartiality.

Employees of Temple's company were unenthusiastic by the reminder of policy and argued against the limitation on their choice to attend the fundraising concert. They argued in favor of personal interests versus their contractual duties. Employees suggested that:

- Policies should only concern whether work produced was politically impartial, not whether employee actions in public are impartial.

- That these policies implied that management did not "trust" reporters and editors.

Unfortunately, their arguments avoided addressing the fact of the matter at hand. Employees were contractually obligated to follow company policies catered to maintaining their professionalism and reputation as reputable reporters for an impartial News company.

Political Fundraising Concerts met three criteria for being contractually off limits to newsroom employees:

1. Attendance at the concert required a political campaign donation. Political Donations from employees was expressly prohibited.
2. The fundraising concert was an overt feature of a senatorial political campaign, aligned with the Democratic party. The Newspaper required impartiality from employees, which extends to displaying partisanship and favoritism for a candidate, which can be perceived as a conflict of interest.
3. Attendance at the concert required payment (in the form of donation)

This case is important for reminding journalists that if they are to be ethical journalists, they need to do their best to put their partisanship to the wayside if that is what their signed contract required. That means actively choosing not to exercise some constitutional rights protected by the first amendment.

Applicable Principles:

- Label Advocacy and Commentary
- **Avoid conflicts of interest, whether real or perceived. Disclose unavoidable conflicts.**

- **Do not pay for access to news.** Identify content provided by outside sources, whether paid or not.
- **Deny any favored treatment to advertisers, donors, or any other special interests. Resist internal and external pressure to influence coverage.**
- Abide by the same high standards they expect of others.

Case Study Four: Deep Throat, and His Motive

This case study reflects on the historic journalism achievement, and the motive of involved actors, of the infamous Watergate Scandal . The Watergate Scandal is a well-known one; US President Nixon was exposed for corruption through the meticulous research and reporting of two Washington Post journalists, Bob Woodward and Carl Bernstein, in the 70s.

Much of the evidence Woodward and Bernstein were able to publish was only made possible through the help of confidential sources supplying information for the investigative journalists to pursue. Out of all the anonymous sources contributing to the breaking of the Watergate Story, the source known as Deep Throat was the most critical contact.

Deep Throat, now known to be Mark Felt, was a high-ranking FBI official during the 70s. As a federal agent with access to confidential information pertinent to national security, Felt was in a prime position to have knowledge about presidential corruption and coverups. Through this privilege, he chose act as a watchdog to report illegal actions taken to cover up the illegal actions of Nixon by the feds.

Felt was promised complete anonymity by both Woodward and Bernstein, and this promise was fully supported by Washington Post's executive director, Ben Bradlee. With continued anonymity, Deep Throat continued to feed the journalists information as it became known to him. This anonymity was also served as a protection for Felt. If it had become known that he was leaking top secret information

about one of the most powerful, and corrupt, individuals in the country, his career would be at risk. He potentially could have been charged with a felony, or treason (I don't recall if watchdog protections were in force at that time). He most likely would have been assassinated upon his name reveal if it had occurred in the 70s amidst the events of the scandal.

The case study brings up the following question about the ethics of journalists maintaining the anonymity of their sources when the situation calls for it. Aren't journalists supposed to, first and foremost, reveal information that is pertinent to their audience understanding the story?

As long as source information is verified, the reasoning behind granting anonymity is explained to the audience, and the purpose of the report is made clear as "watchdog" reporting for the sake of the public, then the journalist has taken the proper steps to ethically report using the anonymous source. When it comes to informing an audience about an event, it is the leaked information that matters most because it is the information that will impact the community and audience.

If a source is granted anonymity by a journalist, the ethical reason behind the decision is because some kind of identifiable danger would impact the source's life, career, or family if their identity became publicly known.

Applicable Principles:

- Take responsibility for the accuracy of their work. Verify information before releasing it. **Use original sources whenever possible.**
- Provide context. Take special care not to misrepresent or oversimplify in promoting, previewing, or summarizing a story.
- Gather, update, and correct information throughout the life of a news story.
- **Be cautious when making promises but keep the promises they make.**

- **Identify sources clearly. The public is entitled to as much information as possible to judge the reliability and motivations of sources.**
- **Consider sources' motives before promising anonymity. Reserve anonymity for sources who may face danger, retribution, or other harm, and have information that cannot be obtained elsewhere. Explain why anonymity was granted.**
- Avoid undercover or other surreptitious methods of gathering information unless traditional, open methods will not yield information vital to the public.
- **Be vigilant and courageous about holding those with power accountable.**
- **Recognize a special obligation to serve as watchdogs over public affairs and government. Seek to ensure that the public's business is conducted in the open, and that public records are open to all.**
- Recognize that legal access to information differs from an ethical justification to publish or broadcast.
- Balance a suspect's right to a fair trial with the public's right to know. Consider the implications of identifying criminal suspects before they face legal challenges.
- **Consider the long-term implications of the extended reach and permanence of publication.**
- **Explain ethical choices and processes to audiences.** Encourage a civil dialogue with the public about journalistic practices, coverage, and news content.

Case Study Five: When Sources Won't Talk

This is a case study whose ethically appropriate outcome hinges on dedication to verifying facts and sources during the process of uncovering and relaying a story. This case study also emphasizes the usefulness of social media platforms as tools for investigative journalism efforts.

A former news editor, Jamila Gates, wrote a letter to her former colleagues at the Marshall University's student newspaper about a story lead and her related opinion on it. She, a black woman, had discovered through social media postings that a fraternity and sorority had recently sponsored a party built around the racist stereotype of "thug-and-gangsta" aesthetic. Gates had a personal stake in getting the story reported.

The newspaper, The Parthenon, decided to investigate the tip-off about this potential controversy. In order for the story to be published, Gates' information needed to be verified independently. Solid evidence of the party having occurred would help eliminate claims of bias or conflicts of interest on the part of the newspaper and the (then) singular source of Gates. The newspaper and Gates had past history of critiquing events on greek row and credibility needed to be assured.

The alleged attendees of the party (and the associated fraternity and sorority) were sought out for comment. If these students had provided information, that would have been a direct source to support the initial scoop lead. It would also allow for potential refutation of the accusation that the party was racist and insulting to black students at large. Sadly, Greek row was not forthcoming with commentary when a news reporter requested interviews.

Because no other source of information was able to back up Gates' claims immediately, The Parthenon opted not to publish a piece about the party until further digging could provide verification of the story. Eventually, news staff tracked down "several pictures on Facebook" of the party taking place

with incriminating evidence directly naming the greek chapters involved (presumably, posters, signs, symbols were prominently displayed in the photos taken by partygoers).

The newspaper, with verification of the story through found photos, decided to publish Gates' original letter as an opinion piece. Gates' message was that the party and its attendees were "displaying light-hearted racism" and were insulting and inappropriate to students of color. This calling-out forced the greek row chapters to come forward and issue public apologies on behalf of each organization and promises to be more sensitive in the future.

Applicable Principles:

- **Take responsibility for the accuracy of their work. Verify information before releasing it. Use original sources whenever possible.**
- **Remember that neither speed nor format excuses inaccuracy.**
- **Provide context. Take special care not to misrepresent or oversimplify in promoting, previewing, or summarizing a story.**
- **Gather, update and correct information throughout the life of a news story.**
- **Identify sources clearly. The public is entitled to as much information as possible to judge the reliability and motivations of sources.**
- **Diligently seek subjects of news coverage to allow them to respond to criticism or allegations of wrongdoing.**
- **Avoid undercover or other surreptitious methods of gathering information unless traditional, open methods will not yield information vital to the public.**

- Be vigilant and courageous about holding those with power accountable. **Give voice to the voiceless.**
- Provide access to source material when it is relevant and appropriate.
- **Boldly tell the story of the diversity and magnitude of the human experience. Seek sources whose voices we seldom hear.**
- **Avoid stereotyping. Journalists should examine the ways their values and experiences may shape their reporting.**
- Label advocacy and commentary.
- **Never deliberately distort facts or context, including visual information. Clearly label illustrations and re-enactments.**
- Balance the public's need for information against potential harm or discomfort. Pursuit of the news is not a license for arrogance or undue intrusiveness.
- **Realize that private people have a greater right to control information about themselves than public figures and others who seek power, influence, or attention. Weigh the consequences of publishing or broadcasting personal information.**
- Consider the long-term implications of the extended reach and permanence of publication.
Provide updated and more complete information as appropriate.
- **Avoid conflicts of interest, real or perceived. Disclose unavoidable conflicts.**
- Deny favored treatment to advertisers, donors, or any other special interests, and resist internal and external pressure to influence coverage.

- Explain ethical choices and processes to audiences. Encourage a civil dialogue with the public about journalistic practices, coverage, and news content.
- Respond quickly to questions about accuracy, clarity, and fairness.

Case Study Six: A Suspect "Confession"

This is a case that questions how to balance media obligations to inform the public of information that impacts them and their community versus journalists maintaining reputations of ethical responsibility, confidentiality, and collaborative source relationships.

In August 2000 (approximately), John Mark Karr was arrested under suspicion of murdering young JonBenet Ramsey a year previous. He was extradited back to the US from Bangkok, Thailand where he was starting up a teaching position. The Colorado authorities (where both Ramsey and Karr were from) and federal officials were alerted to the possibility of Karr being a murderer by journalist Michael Tracey.

Tracey, a journalism professor at the University of Colorado, had four years' worth of communications from Karr that implied Karr had a special interest in following the media fallout of JonBenet's murder. Tracey had previously stated that he believed that JonBenet's parents weren't the killer(s). Karr was intrigued enough by Tracey's opinion of this that he kept up correspondence for the four years afterwards.

It's important to note that Tracey, an academic, was merely keeping correspondence with Karr, not using him as a source for news reporting activities. As such, anonymity was never granted to Karr because he wasn't a source.

Some critics claim that Professor Tracey contacting law authorities about Karr was unethical. However, Tracey had come to suspect Karr was a child murderer or other statutory abuser based on

details shared with him over years of emails. It is my suspicion that Tracey was not acting as a journalist, but likely as a mandatory reporter. A mandatory reporter is someone contractually required to report all potential cases of child abuse to law enforcement such as CPS and the police. Educators are mandatory reporters.

After being brought back to Boulder, Colorado, Karr confessed to the murder of JonBenet. However, DNA tests proved his statement false. Despite being cleared of JonBenet's murder, Karr was relatedly charged with misdemeanor child pornography crimes in nearby California.

The case study revolves around the public media coverage of this unfortunate situation.

Within three weeks, three Local Coloradoan Newspapers printed a combined 280+ articles about Karr, preemptively and falsely presenting him as the confirmed murderer. Due to community emotional connection to the story, the lure of tabloid excitement, and desperation for JonBenet to receive justice likely led to the fevered overkill of articles published about Karr.

The local papers went beyond the scope of their commitment to educating the public, by saturating the press with unverified speculation and fueling controversy. The extent of the coverage was unethical because such volume allowed for increased journalist irresponsibility in exchange for generating content engagement. Further, the laser focus on the death of the child was all the community could talk about. This atmosphere was likely extremely harmful and traumatic for the Ramsey family, especially when it was revealed that Karr was not the killer after all.

If Karr had, in fact, been charged with JonBenet's murder due to DNA evidence, the excessive coverage would have been even more damaging. His right to a fair trial would be compromised due to a jury of his own peers being irrevocably prejudiced against him.

Applicable Principles:

- **Take responsibility for the accuracy of their work. Verify information before releasing it. Use original sources whenever possible.**
- **Remember that neither speed nor format excuses inaccuracy.**
- **Provide context. Take special care not to misrepresent or oversimplify in promoting, previewing, or summarizing a story.**
- **Gather, update and correct information throughout the life of a news story.**
- Diligently seek subjects of news coverage to allow them to respond to criticism or allegations of wrongdoing.
- Recognize a special obligation to serve as watchdogs over public affairs and government. Seek to ensure that the public's business is conducted in the open, and that public records are open to all.
- **Never deliberately distort facts or context**, including visual information. Clearly label illustrations and re-enactments.
- **Balance the public's need for information against potential harm or discomfort. Pursuit of the news is not a license for arrogance or undue intrusiveness.**
- **Show compassion for those who may be affected by news coverage. Use heightened sensitivity when dealing with juveniles, victims of sex crimes, and sources or subjects who are inexperienced or unable to give consent. Consider cultural differences in approach and treatment.**
- **Recognize that legal access to information differs from an ethical justification to publish or broadcast.**

- **Avoid pandering to lurid curiosity, even if others do.**
- **Balance a suspect's right to a fair trial with the public's right to know. Consider the implications of identifying criminal suspects before they face legal charges.**
- **Consider the long-term implications of the extended reach and permanence of publication. Provide updated and more complete information as appropriate.**
- Explain ethical choices and processes to audiences. Encourage a civil dialogue with the public about journalistic practices, coverage, and news content.
- Respond quickly to questions about accuracy, clarity, and fairness.
- Acknowledge mistakes and correct them promptly and prominently. Explain corrections and clarifications carefully and clearly.
- Expose unethical conduct in journalism, including within their organizations.
- **Abide by the same high standards they expect of others.**

Case Study Seven: Who's the "Predator"?

This case study considers the various issues that arise when journalists actively participate with the development of reality tv and police investigations. There is an entertainment media trend both online and on tv where "watchdogs" pose as children on social media, intentionally communicate with adult men, and with sexually explicit conversations they lure these men, assumed to be pedophiles because of the circumstance, into in-person visits for sex. Once the men are present, law enforcement and sometimes tv crews, are in waiting to sweep in and arrest the men for sexual predation of minors.

"To Catch a Predator" was a limited run tv series on NBC's Dateline that hired or contractually reporters, internet "watchdog" child posers, and police in order to film the luring and entrapment of

potential criminals. The tactics of this particular tv team to earn ratings and money from viewers lead to “public humiliation” of both the targeted men and their families and drove at least one man to suicide in front of both police and tv film crew. Other tv shows, dating back to at least 2003, use the same tactics. There is also an advocacy group online called Peverted-Justice.com where vigilante “correspondents” pour through online chatrooms pretending to be children. They intentionally seek out men and “lure [them] into sexually explicit conversations.” They then contact both news media and police and all three parties wait at a designated location for the targeted man to arrive to meet with the supposed minor.

This whole enterprise is focused on executing borderline entrapment, depending on each individual’s situation, for the purpose of producing sensationalized television programs, generating propaganda for the character of law enforcement, and driving company earnings agendas. In short, what should have been “responsible media” instead “[based] their ethical standards on what’s popular” instead of what is fair and just. The case study concludes that “justice and the media [are] both perverted throughout this predatory process” due to multiple ethical problems generated.

The problems are as follows.

1. Participation in these shows results in financial reward
2. The shows are “lurid pandering” to the base curiousness of reality tv watchers at the expense of credibility.
3. It involves journalists, meant to be impartial fact communicators, into the agenda’d prosecution process of criminal investigations.
4. Easy target for lawsuits
5. The process requires dubious methods of gathering information in order to create a story to report on
6. Damages the credibility and safety of all parties involved.

7. Accuses individuals of crimes before any charges are named or formally filed, leading to miscarriage of justice.
8. Journalists participating in this reality tv niche actively engage in deception.

Applicable Principles:

- Provide context. Take special care not to misrepresent or oversimplify in promoting, previewing, or summarizing a story.
- **Diligently seek subjects of news coverage to allow them to respond to criticism or allegations of wrongdoing.**
- **Avoid undercover or other surreptitious methods of gathering information unless traditional, open methods will not yield information vital to the public.**
- Provide access to source material when it is relevant and appropriate.
- Avoid stereotyping. Journalists should examine the ways their values and experiences may shape their reporting.
- **Never deliberately distort facts or context, including visual information.**
- **Balance the public's need for information against potential harm or discomfort. Pursuit of news is not a license for arrogance or undue intrusiveness.**
- **Show compassion for those who may be affected by news coverage.** Use heightened sensitivity when dealing with juveniles, victims of sex crimes, and sources or subjects who are inexperienced or unable to give consent.
- **Recognize that legal access to information differs from an ethical justification to publish or broadcast.**

- Realize that private people have a greater right to control information about themselves than public figures...weigh the consequences of publishing or broadcasting personal information.
- **Avoid pandering to lurid curiosity, even if others do.**
- **Balance a suspect's right to a fair trial with the public's right to know. Consider the implications of identifying criminal suspects before they face legal charges.**
- Consider the long-term implications of the extended reach and permanence of publication...
- **Avoid conflicts of interest, whether real or perceived.**
- **Refuse...and avoid [any and all] activities that may compromise integrity or impartiality or may damage credibility.**
- Deny favored treatment to advertisers, donors, or other special interest, and resist internal and external pressure to influence coverage.
- Abide by the same high standards they expect from others.

Case Study Eight: The Media's Foul Ball

This case study takes a stance on the acceptable circumstances of revealing the identity of someone previously anonymous to the public. When is it not acceptable to do so?

In 2003, The Chicago Cubs were denied advancement to the World Series due to direct interference during a game. A fan attempted to catch a foul ball and instead accidentally deflected it away from the Cubs outfielder about to catch it. The loyal fans of the team, much of the local public, were distraught and angry. Due to television footage, the physical description of the fan was ingrained in the public eye as a villain. But his name was unknown for 24 hours.

Until one journalist, Frank Main, of the Chicago Sun-Times did some digging and then outed the anonymous fan's personal identity as well as his location of employment. This was done without the fan's consent. This is a well-known revenge tactic called doxxing. Doxxing an individual is unethical, due to the direct increase in danger to the individual's life and security caused by purposeful release of a controversial person's identifying details and location to a vengeful audience. Further, the editors at the CST believed that since they perceived that the likelihood of "assassination" was minimal, they thought the potential harm to the fan, Steve Bartman, wasn't serious enough to warrant anonymity. The immorality behind such a stance is disturbing.

The minimum threshold for a journalist offering or maintaining anonymity should never be set at the highest bar: expected murder.

It's completely unethical to dismiss all other potential harms to a person just because such harms are not fatal. Safety and security of the individual are the top priority, not the momentary satisfaction of the out-for-blood public searching for their villain with metaphorical pitchforks. Journalists are obligated to minimize harm, not actively encourage it through dangerous stunts like blacklisting.

Applicable Principles:

- **Consider sources' motives before promising anonymity. Reserve anonymity for sources who may face danger, retribution, or other harm...**
- Diligently seek subjects of news coverage to allow them to respond to criticism or allegations of wrongdoing.
- Avoid stereotyping. Journalists should examine the ways their values and experiences may shape their reporting.
- **Balance the public's need for information against potential harm or discomfort. Pursuit of the news is not a license for arrogance or undue intrusiveness.**

- **Show compassion for those who may be affected by news coverage.**
- **Realize that private people have a greater right to control information about themselves than public figures and others who seek power, influence, or attention. Weigh the consequences of publishing or broadcasting personal information.**
- **Consider the long-term implications of the extended reach and permanence of publication.**
- Explain ethical choices and processes to audiences. Encourage civil dialogue with the public about journalistic practices, coverage, and news content.
- Acknowledge mistakes and correct them promptly and prominently.
- Expose unethical conduct in journalism including within their organizations.
- Abide by the same high standards they expect of others.

Case Study Nine: Publishing Drunk Drivers' Photos

Starting on December 31, 1997, small town publisher and editor of The Anderson News in Anderson County, KY, Don White implemented a new weekly story serial. He had started publishing "photographs of all persons convicted of drunken driving in Anderson County." He came up with his particular strategy after an anti-drunken driving coalition petitioned him for help in delivering "innovative sanctions against drunk drivers." Aligning himself with their cause, White published photos as well as personal information (such as names and addresses) from 1999-2003. White was able to do so with cooperation from the elected county jailer.

Complaints about the harm befalling the pictured individuals and their families were numerous. Embarrassment and humiliation were key injuries attributed to White's targeted reporting. Those with published DUI photographs reported people treating them differently. One minor attempted suicide in an attempt to avoid his picture being put in the local paper.

Beyond White damaged his own journalistic credibility and that of his company by aligning himself with the agenda of a special interest group and also that of an elected official. White also incited multiple questions of moral fairness of his particular attention to drunk drivers from his community. Why were only drunk drivers being singled out instead of perpetrators of all types and seriousness of crimes? Why would public officials be treated with increased scrutiny compared to the average citizen? Was this form of punishment fair as it was inflicted outside the established legal system? Was it even effective in its stated purpose of limiting future drunken drivers?

It is clear that publishing identifying content specifically to incite public humiliation of crime doers (rationalized as a crime deterrent tactic) is not an ethical application of journalism. In this particular case, it was pushing a politicized agenda at the detriment of the community.

Applicable Principles:

- Provide context. Take special care not to misrepresent or oversimplify in promoting, previewing, or summarizing a story.
- Be cautious when making promises but keep the promises they make.
- **Diligently seek subjects of news coverage to allow them to respond to criticism or allegations of wrongdoing.**
- Recognize a special obligation to serve as watchdogs over public affairs and government. Seek to ensure that the public's business is conducted in the open, and that public records are open to all.
- **Label advocacy and commentary.**
- **Balance the public's need for information against potential harm or discomfort...**
- **Show compassion for those affected by news coverage...**

- **Recognize that legal access to information differs from an ethical justification to publish or broadcast.**
- Realize that private people have a greater right to control information about themselves than public figures...weigh the consequences of publishing or broadcasting personal information.
- **Consider the long-term implications of the extended reach and permanence of publication.**
Provide updated and complete information as appropriate.
- **Avoid conflicts of interest, real or perceived. Disclose unavoidable conflicts.**
- **Refuse...and avoid political and other outside activities that may compromise integrity or impartiality or may damage credibility.**
- **Deny favored treatment to advertisers, donors, or any other special interests. Resist internal and external pressure to influence coverage.**
- Explain ethical choices and processes to audiences. Encourage a civil dialogue with the public about journalistic practices, coverage, and news content.

Case Study Ten: Naming Victims of Sex Crimes

This case study focuses on the sensitive decision to name victims of sex crimes when reporting. Each case presents a unique challenge for coverage, based on the circumstances surrounding the victim, the age and capacity of the victim to consent to their information being shared, and potential ongoing threats to their safety and personhood.

Multiple stories are visited within this case study. All involve a minor, whether boy or girl, who were kidnapped and sexually abused by their kidnapper. Some children were found and returned back to their families where they underwent intense scrutiny by the media. Others were found dead. Still more children are missing to this day. Throughout all the cases, the media first identified the children by

name during the various searches for the missing children. Releasing names and photos of each child is a common tactic for asking the public for aid in locating victims. Families or legal guardians of the missing children would have to give consent for the name and image to be published publicly.

Upon the finding of victimized kidnapped children, media often doubles down on media exposure of the traumatized child. Speculative documentaries, live interviews, and news broadcasts all reiterate the narrative of a child being stolen and then sexually abused. Each media scenario is another instance of a child being put in the spotlight to recall trauma for an audience. All the media needs is parental consent to a child being on the news.

The ethical issue at hand is: when should the name of a minor and victim be censored from the public, if at all? Is it acceptable to use when searching for a missing child, but unacceptable once the child is safe and needing time to heal from trauma?

It seems that the answer to the first answer is yes, use the name if parental permission is given. Regarding the second answer, I believe a journalist has the obligation to protect the privacy of children as much as possible. No matter what kind of permission a parent may give, it should be up to a child themselves if they are comfortable staying in the public eye. They should be asked permission to continue using their name and story, because while a child may not be a legal adult, they are still a full person whose feelings and privacy are vulnerable...more so vulnerable than adults are. Sensitive details of assault or kidnapping must be treated with care and compassion and avoid explicitness, out of respect for the victim.

Applicable Principles:

- Be cautious when making promises but keep the promises they make.

- ...Reserve anonymity for sources who may face danger, retribution, or other harm...
- Give voice to the voiceless.
- Boldly tell the story of the diversity and magnitude of the human experience. Seek sources whose voices we seldom hear.
- **Balance the public's need for information against potential harm or discomfort. Pursuit of the news is not a license for arrogance or undue intrusiveness.**
- **Show compassion for those who may be affected by news coverage. Use heightened sensitivity when dealing with juveniles, victims of sex crimes, and sources or subjects who are inexperienced or unable to give consent.**
- **Realize that legal access to information differs from an ethical justification to publish or broadcast.**
- **Avoid pandering to lurid curiosity, even if others do.**
- Consider the long-term implications of the extended reach and permanence of publication. Provide updated and more complete information as appropriate.

Case Study Eleven: A Congressman's Past

During the 2004 electoral cycle, U.S. Congressman David Wu was running for re-election for his fourth term. Three weeks before the election, newspaper The Oregonian of Portland, OR published what is essentially a defamation piece against the politician. The newspaper was in direct support of Wu's political opponent, Goli Ameri. The Ameri campaign used the piece as character fodder during her campaign speeches against the incumbent.

The piece was over 3,000 words, connecting various hearsay stories from peripheral people who were around during an accusation of rape against Wu 28 years ago. The accuser was Wu's college ex-

girlfriend. The ex-girlfriend never filed charges. There was no arrest, no prosecution, and no formal disciplinary complaint. Both her and Wu had left it in the past, both not wanting to discuss the issue. Their college, Stanford University, also would not give comment to The Oregonian about the nearly three-decades-old closed case.

In order to accuse Wu of rape, the newspaper had to work around the reality that the supposed victim by all official accounts had not been assaulted, the supposed rapist was not never charged, and both law enforcement and the school had not found any evidence of a crime to provoke disciplinary procedures.

Instead, the newspaper resigned to grasp at conjecture by contacting “former Stanford students, current and retired university officials and professors, law associates, and former campaign staffers and friends of Wu.” Out of everyone they contacted to see if they could gain information about the alleged incident, only a “Stanford patrol commander, the woman’s counselor, two professors who supervised dormitories at the time and several classmates” had any details worth weaving into the Oregonian’s narrative of Wu the Rapist.

Harm of Wu’s reputation was the poorly hidden intent driving the publication of the piece, not seeking justice for a truth overlooked. What resulted was not just harm to Wu’s public character, but also harm to the anonymous ex-girlfriend, Wu’s family, friends, and associates, as well as harm to Stanford. Any allegation of sexual misconduct leaves a stain on public opinion, even if the accused isn’t charged and is innocent in the eyes of the law.

The whole situation surrounding the publication of the piece is unethical. The Oregonian clearly was aligned with a political candidate and her interests in damaging the campaign of Wu influenced the interests and subsequent actions taken by The Oregonian in their publication. The journalists had to stretch the truth of an old news story to make it enticing for a new speculative audience. The sources

whose personal opinions on the matter were quoted weren't even privy to the actual incident itself between Wu and the Ex-Girlfriend. The whole character piece was built around 30-year-old hearsay. Their company integrity and impartiality were revealed as thoroughly compromised by this publication.

Applicable Principles:

- **Take responsibility for the accuracy of their work. Verify information before releasing it. Use original sources whenever possible.**
- **Provide context. Take special care not to misrepresent or oversimplify in promoting, previewing, or summarizing a story.**
- **Identify sources clearly. The public is entitled to as much information as possible to judge the reliability and motivations of sources.**
- Diligently seek subjects of news coverage to allow them to respond to criticisms or allegations of wrongdoing. Be vigilant and courageous about holding those in power accountable. Give voice to the voiceless.
- Avoid undercover or other surreptitious methods of gathering information unless traditional, open methods will not yield information vital to the public.
- **Be vigilant and courageous about holding those with power accountable.**
- **Balance the public's need for information against potential harm or discomfort. Pursuit of the news is not a license for arrogance or undue intrusiveness.**
- Realize that private people have a greater right to control information about themselves than public figures and others who seek power, influence, or attention. Weigh the consequences of publishing or broadcasting personal information.
- Avoid pandering to lurid curiosity, even if others do.

- **Balance a suspect's right to fair trial with the public's right to know. Consider the implications of identifying criminal suspects before they face legal charges.**
- **Consider the long-term implications of the extended reach and permanence of publication.**
Provide updated and more complete information as appropriate.
- **Avoid conflicts of interest, real or perceived. Disclose unavoidable conflicts.**
- **Refuse gifts, favors, fees, free travel, and special treatment, and avoid political and other outside activities that may compromise integrity or impartiality, or may damage credibility.**
- **Deny favored treatment to advertisers, donors, or any other special interests, and resist internal and external pressure to influence coverage.**
- Explain ethical choices and processes to audiences. Encourage a civil dialogue with the public about journalistic practices, coverage, and news content.

Conclusion

It is my hope that these eleven case studies, my commentary, and the listed mentions of what ethical principles could be applied in similar situations, has been helpful to broadening understanding of the importance of maintaining journalistic integrity through ethical practices. It is the obligation of anyone involved in the news industry at large to uphold the SPJ's four values of: seek truth and report it, minimize harm, act independently, and be accountable and transparent. The greater public expects a trustworthy journalist who reports facts of stories pertinent to their community functioning, while those who are featured in stories expect a respectful and compassionate reporter to protect their safety and reputation. It is in all journalists' best interests to think carefully about where their decisions lay when it comes to ethical behavior and moral motivations.