

Bulletin Spring 2007

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Top Story

Media Coverage of Virginia Tech Shootings Sparks Controversy and Scrutiny

In the days following the April 16, 2007 Virginia Tech shooting, media outlets scrambled to cover the event from every possible angle. [Continue reading](#)

Reporter's Privilege News

Freelance Journalist and Blogger Released After 226 Days in Prison

Freelance journalist Joshua Wolf was released from prison April 3, 2007, after spending 226 days incarcerated for refusing to comply with a grand jury subpoena. [Continue reading](#)

Washington State Enacts Reporter Shield Law

In February 2007, the Washington state House of Representatives unanimously (with two lawmakers not voting) passed a shield law granting reporters an absolute privilege for protecting confidential sources, and in March, the state's Senate followed suit with a 41-7 vote (with one lawmaker not voting) on a similar version of the law. [Continue reading](#)

***The New York Times* Refuses Opportunity to Discuss Reporter's Role in Conspiracy to Publish Sealed Documents**

In February 2007, *The New York Times* declined an invitation offering their reporter Alex Berenson an opportunity to explain his role in what Senior District Court Judge Jack B. Weinstein described as a "conspiracy" to defy a protective order in a recently-settled class action lawsuit that was, at the time of the alleged conspiracy, pending before United States District Court for Eastern New York. [Continue reading](#)

Judge Orders Mankato Reporter to Disclose Notes from Interview with Man who Took his own Life After Standoff

A state district judge in Blue Earth County, Minn. has ordered a reporter for *The (Mankato) Free Press* to disclose his notes about a telephone conversation he had with a man during a police standoff that ended in the man's death and the wounding of two police officers. [Continue reading](#)

Endangered Journalists

International Roundup

A former Egyptian law student was sentenced to four years in jail after being found guilty of inciting hatred of Islam and insulting Egyptian President Hosni Mubarak in articles that the student posted online under an assumed name. [Continue reading](#)

International News

Danish Editor wins Free Press Award

Flemming Rose, the editor of the Danish newspaper *Jyllands-Posten* who was at the center of the 2005 controversy over his newspaper's publication of a controversial series of political cartoons depicting the prophet Mohammed, has been honored with an award from the Danish Free Press Society. Continue reading

French Editor wins Lawsuit over Publication of Cartoons

On March 22, 2007, Phillipe Val, editor of the French satirical newspaper *Charlie Hebodo*, was acquitted of charges brought against him in a Paris court by Muslim groups for publishing cartoons depicting the prophet Mohammed in his paper. Continue reading

Rome II Proceedings Could Decide Venue for Suits

Efforts by the European Union to facilitate civil litigation between citizens of different member states were frustrated by proposed regulations that would require EU countries to apply the law of other member states when resolving legal claims against the press. Continue reading

Defamation/Libel

Tenth Circuit Declines to Strike Down Colorado's Criminal Libel Law After Finding Student's Challenge Moot

In a disappointing decision for criminal libel law opponents, the United States Court of Appeals (Tenth Circuit) in Denver declined to rule on the constitutionality of Colorado's criminal libel law in an opinion handed down in April 2007, *Mink v. Suthers*, 2007 WL 1113951 (10th Cir. Apr. 16, 2007)(formerly titled *Mink v. Salazar*, 344 F. Supp. 2d 1231 (D. Colo. 2004)). Continue reading

Iowa Supreme Court Permits Defamation-by-Implication Suit

In a March 2007 decision, the Iowa Supreme Court allowed a defamation action against a newspaper to proceed despite finding the allegedly libelous statements to be true. Continue reading

Privacy

California Supreme Court Permits Invasion of Privacy Suit to Continue Against College Professor

The California Supreme Court has permitted one claim in an invasion of privacy suit to proceed against a college professor who allegedly misrepresented herself to the plaintiff's former foster mother in order to acquire information about the plaintiff. Continue reading

Media Access

Minnesota Media Organizations Petition State Supreme Court to Create Presumption of Camera Access to Trials

A consortium of media organizations in Minnesota has petitioned the state Supreme Court for increased electronic access to trials in its state courts. Continue reading

Pentagon Bars Reporters from Attending Guantanamo Hearings

Days before the United States was to conduct “combatant status review tribunals” to determine whether prisoners being held at detention facilities in Guantanamo Bay, Cuba were properly classified as “enemy combatants,” the Pentagon announced that reporters would be barred from the hearings. Continue reading

Judge Rules Classified Evidence in AIPAC Trial Cannot be Kept Secret from Press and Public

A United States District Court Judge for the Eastern District of Virginia has vetoed a government prosecution proposal that he said would have effectively walled off the public from the espionage trial of two former lobbyists. Continue reading

Judge Rules Toledo Mayor Cannot ban Reporter from News Conferences Because he is “Not Objective”

A federal judge has prohibited the mayor of Toledo from barring a radio reporter from city news conferences. Continue reading

Massachusetts High Court Rules Public has no Right of Access to Show-Cause Hearings; Adopts Balancing Test

The Massachusetts Supreme Judicial Court held in March 2007 that the media and public have no First Amendment right to attend a Massachusetts show-cause hearing in *Eagle-Tribune Publishing Co. v. Clerk-Magistrate of the Lawrence Division of the District Court Dept., Mass.*, No. SJC-09665 (Mass. 2007). Continue reading

Charges Dropped Against Photographer who Took Pictures of Voters

Charges have been dropped against a journalist arrested for photographing voters in 2004. James S. Henry, a journalist, lawyer and author from Sag Harbor, N.Y., was chased, tackled, arrested and charged with three misdemeanors following the incident: disorderly conduct, resisting arrest without violence and unlawful solicitation of voters, according to the *Palm Beach Post*. Continue reading

Prior Restraint

Missouri Newspapers win Prior Restraint Victory After Articles Initially Censored

The articles concerned a confidential memo detailing major EPA violations by three power plants. Continue reading

Plagiarism

CBS News Producer Fired over “Omission”

A CBS News producer was fired after it was discovered that a segment she had written for the “Katie Couric’s Notebook” video blog was largely copied from a Wall Street Journal column. Continue reading

Boston Globe Suspends Reporter Accused of Plagiarism

Shortly after allegations surfaced on the Internet that veteran sportswriter Ron Borges had plagiarized passages of another reporter’s work in his weekly football column, *The Boston*

Globe suspended Borges without pay for two months and barred the reporter from appearing on television and radio broadcasts during his suspension. Continue reading

Misrepresentation

Award-winning Photojournalist Digitally Altered 79 Photos Submitted to Newspapers, Wire Services

In April 2007, The *Toledo* (Oh.) *Blade* announced that one of its former photographers had altered 79 of the 947 photos he had submitted, 58 of which the paper published before discovering the alterations. Continue reading

Writer Amends Apology, Admits Fabricating Entire ‘Monkeyfishing’ Story

Jay Forman, author of an article about fishing for monkeys off Florida’s Lois Key that was published on Slate.com in June 2001, has changed his story for a third time, saying he made it all up. Continue reading

Media Ethics

Imus Scandal Sparks a Discussion on Media’s Willingness to ‘Play Along’ with ‘Unconscionable’ Remarks

A week-long scandal that ended in the firing of radio personality Don Imus prompted a wide-ranging debate about whether journalists and reporters who frequented his show condoned outrageous behavior in order to be part of an elite media “in crowd.” Continue reading

Controversy over *Los Angeles Times* Editor’s Resignation Following Alleged Conflict of Interest Played out Online

Los Angeles Times editorial page editor Andrés Martínez resigned on March 22, 2007, saying the newspaper overreacted to a “perception of a conflict of interest.” Continue reading

Former *New York Times* Reporter Admits Making Payment to Subject of Story

Revelations that former *New York Times* reporter Kurt Eichenwald gave the subject of one of his articles \$2000 has caused controversy within the journalism community. Eichenwald’s award-winning December 2005 piece focused on the trials and tribulations of Justin Berry, a young man who had extensive involvement in the child pornography industry. Continue reading

Media Ethics

***Pioneer Press* Sues *Star Tribune* After Publisher’s Defection**

The two largest newspapers in Minnesota are embroiled in litigation after the former publisher of the *St. Paul Pioneer Press* Paul Anthony “Par” Ridder left the *Press* to take the same job at the (Minneapolis) *Star Tribune* in March 2007. Continue reading

Internet Updates

Popular Web Site YouTube Faces Challenges in U.S. and Abroad

The popular video Web site YouTube is facing a \$1 billion copyright lawsuit from a major media corporation and was blocked in two countries for content that was called insulting to national leaders. Continue reading

Coroner Charged with Conspiring with Reporters to Gain Access to Confidential Information

On March 26, 2007, a Lancaster County, Penn. coroner faced charges of unlawfully using a computer and conspiring with local reporters to gain access to confidential police information. Continue reading

Former NJ Councilman Files Lawsuit After Being Outed as Anonymous Blogger

Case may prove to be key legal decision for ISPs. Continue reading

Influential Blogger Proposes Code of Conduct for Blogging

In April 2007, Tim O'Reilly, an influential blogger, book publisher, and conference promoter, who the *San Francisco Chronicle* called a "central figure in the Web 2.0 world," proposed a blogger's code of conduct after another blogger made headlines because of receiving death threats online. Continue reading

Silha Events

Silha Forum Examines Media Coverage of Tragedies

Linda Walker, the mother of the late Dru Sjodin, a University of North Dakota college student murdered in 2003, joined members of the media and the executive director of the Jacob Wetterling Foundation at the Silha Spring Forum, "When Tragedy Strikes, What is the Media's Role?" Continue reading

Local Journalists Discuss Commitment to Objectivity

In a forum event titled "Without Fear or Favor: Objectivity Revisited," journalists, scholars and members of the public met at Minnesota Public Radio's (MPR) UBS Forum in downtown St. Paul on February 26 to discuss one of journalism's most challenging topics: objectivity. Continue reading