

**Media law and ethics**  
**JRN 3315 & 3312**  
**4/7/14**

- Media rights
  - Access to meetings
  - Access to records
  - Shield laws and protection of sources
    - Alabama shield law, Sec. 12-21-142
      - Show it in ALISON as example of where to find state law online.
    - Needs some work.
      - Some media not covered.
      - But what is a news medium these days? How do you draw the line.
        - That's one of the problems when you make the media a special class.
        - There's no licensing of the media, no government card you carry.
  - Generally, journalists claim few privileges beyond what average citizens have. When you can, insist on citizens' rights, not journalists' rights.
- Media wrongs
  - Legal
    - Contempt of court
      - Seth got thrown in jail.
    - Trespassing
    - Libel
      - Truth is a defense.
      - Sometimes you have a privilege.
        - Attribute.
        - Report accurately.
      - Pp. 346-7 of AP Stylebook: the 5 things a successful libel plaintiff must prove
        - A defamatory statement was made.
        - The defamatory statement is a matter of fact, not opinion.
        - The defamatory statement is false.
          - Truth is a defense.
        - The defamatory statement is about the plaintiff.
        - The defamatory statement was published with the requisite degree of "fault."
          - Times v. Sullivan

- Different types of plaintiffs
    - *Public officials & public figures*
    - *Private individuals*
- Invasion of privacy
  - Intrusion into physical solitude
  - Publication of private info that violates ordinary decencies
  - Publication of info that places a person in a false light
  - Appropriation of personality, name or likeness for commercial purposes (usually a concern in advertising rather than news)
  - ... Truth is not a defense.
- Violation of copyright
  - You can't steal stuff off the Internet.
- Ethical lapses
  - Harrower's 7 deadly sins (pp. 150-1)
    - Deception
    - Conflict of interest
    - Bias
    - Fabrication
    - Theft
    - Burning a source
    - Plagiarism
  - Codes of ethics
    - SPJ's is on p. 153.
      - Seek and report the truth.
      - Minimize harm.
      - Act independently
      - Be accountable.
    - There are others.
    - None are legally binding, but ...
      - They're good guides.
      - Your employer may hold you to them.
- Generally ...
  - Don't make dumb mistakes.
    - "Arrested for ..."
    - Publishing more than you know.
  - Be careful.
  - Respect people's rights.
  - Be courteous if someone complains.
  - Consult lawyers when appropriate. It's not all common sense.

- Consider codes of ethics. It's not all common sense.
- In Advanced Editing class ...
  - What to publish about the vice mayor? (p. 147)
  - Prepublication cautions at the copy desk (p. 141)
  - Editing with good taste and sensitivity (p. 158)
- Good resource: The AP Stylebook
  - "Statement of News Values and Principles," p. 314 of 2013 Stylebook
  - "Briefing on Media Law" starts on p. 328 of 2013 Stylebook.
  - Skim it, highlight it, use it as a reference.
- In-class exercise: Break into groups; analyze the AP's "Statement of News Values and Principles."
  - ... What's in it?
  - ... How does it compare with SPJ code of ethics and other material we have studied, such as what the reporters told us in Montgomery?
  - In the Advanced Reporting class ...
    - Anonymous sources
    - Bylines
    - Datelines
    - Providing attribution
    - Quotations
    - Expressions of opinion & political activities (2 sections)
    - Freebies (favours, gifts, free tickets, trips)
  - In the Advanced Editing class ...
    - Corrections/correctives
    - Images
    - Obscenities, profanities, vulgarities
    - Use of others' material
      - How does this differ from aggregation?
      - How is AP different from most newspapers and websites?