

## YOU MAKE THE CALL:

Here is a series of hypothetical stories that we will discuss at lecture this week.

Read them and think about the question in each case: Can the News Media can be stopped from broadcasting or publishing the information?

Faber College's campus is shocked by the murder of Sally Albright, a popular junior gymnast found dead in the "Nookie Room," the TV lounge in the attic of her sorority.

It's a double-shock when police interrupt a Sociology lecture to arrest Big Man On Campus John Blutarski and charge him with the murder of Albright.

You are the Editor of the local newspaper. Leaving for lunch, you find an envelope taped to your car that contains a tape of Blutarski confessing he choked Albright to death, accidentally, while playing Twister.

With the tape is a photocopy of his signed statement to that effect. A reporter calls Blutarski's lawyer, who demands that you not publish the confession because it will prejudice everyone in the community, making it impossible for Blutarski to get an impartial jury of his peers. Can you be prevented from publishing the confession?

A speeding Chevy Suburban T-bones a school bus, putting a dozen elementary school students in the hospital. You are a reporter for the student TV station. You call the hospital to confirm that two of the injured students are the adopted children of a popular young professor who studies the psychology of adoption. The hospital refuses, citing federal privacy law (HIPAA). But, your room-mate works as an orderly at the hospital. You call and he finds the two names on the room roster. Plus, he sees the professor pacing the hall outside the E.R. You call back the hospital, hoping to get a comment on the nature of the childrens' injuries. The spokesperson threatens legal action and demands you not air the story, saying you will have violated federal privacy law if you do. If she finds a judge ready to hear the case right away, can the judge prevent you from airing the story?

You are the Executive Producer at the nightly news at a national network. A foreign correspondent calls to tell you he has a great anecdote for his story on the use of Satellite Phones by terrorists: it turns out Osama Bin Laden uses one and the CIA has been listening in on the calls for a month, gathering information about the people protecting Bin Laden. You assign a Washington, DC reporter to call the CIA for comment and within 15 minutes a very angry CIA official calls to inform you that information is Top Secret. He orders you not to run the story. You explain that if your reporter found out about it, it's obviously not very secret. You both say regrettable things and then he threatens to have you jailed if you air the story. Can the CIA arrest you or stop you from airing the story?

Two grad students decide to publish an all-students magazine of erotic photographs to cover the costs of their final research for doctoral dissertations on String Theory and Database Reliability. The magazine will feature nude students in romantic settings and promises to be raunchier and more racy than any other magazine on the racks in local stores. All work will be done in the two grad students' apartment in Selden and printed by an obliging printer in . The University, fearing backlash from parents and from alumnae, orders the students not to do it. Can the students be prevented from making and distributing a pornographic magazine?

Bored and over-caffeinated one night, you go to the WikiLeaks website and begin reading the 9,000 classified documents written by CIA, military and other U.S. officers in Afghanistan. The documents, stamped "Top Secret" include detailed reports on key battles, lists of Afghan citizens who cooperate with the U.S. military, and an after-action report detailing what went wrong in the campaign to drive the Taliban from Marjaq. You post the documents to your blog and within minutes an FBI agent comes to your door and begins asking questions. Ten minutes later, a CIA agent comes knocking. They tell you to take down the documents or you will be prosecuted for releasing CIA and military secrets.