SPURRED BY RUSSIA’S INVASION OF UKRAINE, OPEN-SOURCE INVESTIGATIONS ARE BEING INTEGRATED INTO STANDARD NEWSROOM PRACTICE.
Flames burst out of buildings and homes in the northeast area of Chernihiv, Ukraine, March 16. Cover illustration by Ricardo Tomás

Contributors

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An Overdue Generational Shift Is Changing How Journalists Manage Traumatic Stories

BY ANN MARIE LIPINSKI

Michael Ye Lee has sharp memories of her first traumatic assignment. It was 2011, and U.S. Rep. Gabby Giffords had been shot in a suburban Arizona supermarket parking lot, the victim of a gunman whose rampage that January morning would kill six people and injure 13.

Among the dead was nine-year-old Christina-Taylor Green. The AP reported that the girl’s parents were donating their daughter’s organs, and Lee’s Arizona newspaper editor asked the young reporter to contact the father and check the story.

“I remember listening to him cry as I had to confirm every single body part of his daughter and ask, ‘Do you know this is my job and I have to get through this?’” recalls Lee. “It was several years later that I wondered: What was I doing? Did we have to put him through that? Did we have to match the AP story and re-traumatize him? What are we putting aside in order to do that story?”

The facade that reporters historically wore in recounting traumatic events had been replaced by a new public candor and questioning, unrecognizable from what Lee, now Tokyo/Seoul bureau chief for The Washington Post, experienced a decade ago post-shooting. As I followed the Itaewon story, I felt that I was witnessing an overdue generational shift in how we manage traumatic stories and the reporters who cover them.

“I had really great mentors in the [Arizona] newsroom, but there was no culture then of asking, ‘How are you doing?’ What do you need?” Lee recalled when we spoke. “It’s only been in the last three to five years that this culture has shifted, and it’s okay for journalists to talk about being human ... and not fear that that affects our credibility.”

Within days of the Itaewon disaster, there were social media announcements of “online grief and healing sessions” being offered to journalists in Seoul by the Asian American Journalists Association. Lee, the outgoing president of AAJA, helped launch similar sessions during the height of the Covid-19 pandemic: “Because the mental needs of our members [were] rising.”

Jeanie Chang, a U.S. certified clinical trauma specialist who was born in Korea, ran the sessions and said the challenges of covering the Itaewon story were compounded by the “vicarious trauma” journalists had already experienced during this epic year.

“I’m not saying that 2022 was more traumatic than ever, but Covid, a war, political and racial tension, school shootings — we were not meant to endure trauma after trauma,” she said.

In her off-the-record conversations with the journalists, Chang talked about managing the stress and grief that are common to such assignments. Some of her counsel is hard (sleep; it’s okay to also have fun) and some of it thoroughly practical (make the word document on your screen large and the video small; watch the video turn off the audio down; turn off TikTok). She notes there has been progress in how newsrooms address the challenges of trauma reporting, but that the work needs to be ongoing, not episodic.

“If newsrooms don’t put mental health at the forefront,” she told me, “I don’t know how the news survives.”

For South Korean journalists, the Itaewon story revived memories of the 2014 Sewol ferry disaster, when a boat sank off the southwestern coast of South Korea, killing 304 passengers, most of them school students, died. A number of newsrooms made public apologies for their coverage, which had been tainted by naivete in government statements that turned out to be false.

Choo-ae Lee, a senior journalist for the Seoul Broadcasting System, recognized in the story an opportunity to improve trauma reporting in her country — both for journalists and the subjects of their coverage — and published guidelines that continue to steer her newsroom and others.

The advice is wise: “Disaster reporting guidelines must be adopted and training must take place ahead of time so journalists are prepared. Ethical issues related to trauma ... can’t be learned while covering an incident.” It is also provocative: “If a lot of journalists approaching victims and families seem to do more harm than good, try to organize a pool system. Families’ emotional trauma is not something to compete over.”

She has been building on her guidelines and working with a national trauma center to create a clinic for journalists, a need dramatically underscored by the Itaewon story. “I hope we can really make our community understand the importance of our role, that we sacrifice to get the right information, and that sustaining journalist health is important for our society.”

On the day before I left Seoul, I visited the Itaewon neighborhood, its main street bursting with floral memorials, photos and letters to the dead, religious figures chanting, and protesters angered by the slow response from police on the night so many in the community perished.

On a crowded stretch of sidewalk, I saw a young television reporter crouching, interviewing an even younger woman, who had begun to weep. The reporter looked up at her cameraman as if for guidance. I could feel her struggle, as would any journalist who has ever interviewed a grieving survivor. She gave the cameraman another plaintive look, then silently handed him her microphone and put her arms around the woman. She would ask no more questions, and the two of them stayed like that, each looking against the other, for several minutes.

As the reporter prepared to leave, I introduced myself and told her I was moved by her compassion. She seemed relieved. “I didn’t know what to do,” she said.

We exchanged contact information and arranged to talk a few days later. Na Kyung Heo ("I like to be called Lizzie") is 23 and was working the Itaewon story as an intern for a Singapore-based media company. The woman she was interviewing the afternoon we met was a high school student who had lost three friends in the disaster.

That interview was the most difficult in a week that had included reporting on a lost-and-found center for bereaved families, hospitals where bodies had been driven, and memorial sites where she tried to ask parents and grandparents about their loss. “They turned their backs to the camera so it was a picture of me trying to talk to them,” she said.

Heo said her journalism training has not included guidance on trauma reporting or mental health and that she’s been relying on instinct and conversations with senior reporters in her newsroom. She thinks about the high school student often and notes that when that story aired, “they left the part out with my arms around her.”

She adds: “I hope she wasn’t hurt by what I did.”
“We Need a Language That Has Been Developed, Defined, and Codified by People Who Look Like Us”
Deborah Douglas and Susanna Siegel on re-defining objectivity, advocacy journalism, and newsroom power dynamics

Objective, once a prized tenet of journalism, has come under scrutiny in recent years. What does it mean to be objective? Should journalists re-define it? And is objectivity an ideal that journalists should still aspire to?

Susanna Siegel and Deborah Douglas answered these questions and more in a conversation with Nieman Fellows in October. Siegel is the Edgar Pierce Professor of Philosophy at Harvard University, where she has taught since 1999. She is author of two books and many articles about perception and the relationships between perception and culture, memory, and reasonable person standards in the law. This semester she is teaching an undergraduate course on the philosophy of journalism, “Truth, Lies, and the Press.”

Douglas is co-editor-in-chief of The Emancipator and previously served as the Eugene S. Pulliam Distinguished Visiting Professor at DePauw University, senior leader at O, The Oprah Magazine, and managing editor at The Tampa Bay Times. A Traveler’s Guide to the People, Places, and Events That Made the Movement,” the first extensive examination of the official civil rights trail in the South.

Edited excerpts:

On objectivity

Susanna Siegel: Much anti-racist reporting is exemplary as accountability, explanatory, and investigative journalism. Yet often this kind of journalism is criticized by critics who rely on the vocabulary of “objectivity.” The critics say the journalists are “biased” and cannot be “objective.” Increasingly, such attacks reach beyond the professional circles, into broader publics, as we have seen with the barrage of charges against Nikole Hannah-Jones’ Project.

What vocabulary can we use to characterize such vital journalism from attacks like these?

The popular anti-objectivity option says, “If being objective is pretending not to care about or advocate for democracy, or if being objective means I have to leave behind what I know from my experiences when I’m reporting ... If it means these things, well then I don’t want to be objective.”

In this option, one is agreeing to some extent with the attackers by saying, “You’re right about one thing: My coverage is not objective, and that’s fine with me.”

Then there’s the pro-objectivity option, which says to the critics, “No, you’re wrong. Here are all the ways that my reporting is objective.”

Here’s a consideration favoring the pro-objectivity option. Most words have valences. Valences are positive or negative, and they’re not negative to what an individual happens to associate with the word. [You might love spiders and dislike babies,] but that does not stop the word “spider” from having a negative valence and “babies” from having positive one. Purely as a matter of political rhetoric, if you can find your opponent as opposing a thing that has positive valence — such as doing something that’s bad for the babies — then you can score a rhetorical point.

On advocacy journalism and democracy

Douglas: The one thing that we haven’t talked about now is the fact that journalism is a part of the American project as a democratic exercise.

There’s a built-in bias — [because of] the fact that we’re the only profession mentioned in the Constitution. If we are pursuing this democratic ideal — we haven’t gotten there yet, it’s still an idea — then, what is it that activates that democratic idea? I would like to think that an antiracist society is part of that definition. How could that bring about what we’re the thing that drives us, everyday within our daily practice?

We have people in charge of the narrative who are not prepared and don’t have the expertise to really, truly be the gatekeepers of the narratives that bear witness to our lives. I’d like to get to a place where people start to be a little more introspective and excavate and understand where they have the capability to make a decision and where they need stand back and center other people, voices, and experiences. We could have this collective practice of bearing witness and accountability together.

Siegel: I don’t like the word “advocacy.” When you call it advocacy it sounds partisan. I think the argument for [inclusive] journalism comes [not from advocacy], but directly from a fundamental principle of democracy, which is political equality.

On how to change newsroom power dynamics

Douglas: I think that’s hard, because when you’re disagreeing with your producer or with your editor on their thought process, there’s a power differential there. How do we keep amplifying these ideas and how to break through?

It has to do with critical mass like having people in a room like this. Go back into the newsroom, evangelize for evolving the way we think about things, but also, finding other people in newsrooms, affinity groups, and then our community to raise the question, to press the forward as a group not as an individual.

When you disaggregate the mass into one person, then you’re a target. If you’re vulnerable because there’s this power differential, then you never win. You run the risk of being seen as problematic. Being seen as part of a community, a conversation — there’s more power in numbers.

We do have power. We just have to stop long enough to figure out where our power lies, where our community power is. I think the people who were in charge to be called to account but in a loving way, not in an angry way of like, “We’re trying to do something different here.” Come on over here, and let’s have a conversation. Let’s have a reparatory conversation about how you helped create this, and, by virtue of following your leadership, I helped create that problem too. I’m going to tell you what I’m going to do about it to repair, but let’s talk about what you did.”

Nieman Fellow Deborah Berry (right) moderates a discussion on rethinking objectivity with Susanna Siegel (left) and Deborah Douglas.
I

stopped scrolling and squinted at Harvard’s course catalog, rending the class title on the screen: “The Criminal Legal System as a Labor Market Institution.” I had reported on the criminal justice system for years and had set out to study the relationship between that system and economic inequality as a Nieman fellow that semester. Yet I couldn’t quite wrap what I was looking at in class, sociologist Sandra Susan Smith explained how the government, through its criminal justice policies, impels workers with criminal records to accept jobs with low wages and poor working conditions, and creates a subclass of disproportionately Black workers whose desperation employers can exploit. With funding for an investigative project from the of the World Work Opportunity Tax Credit, a longstanding federal job subsidy for employers of formerly incarcerated and other hard-to-employ workers. I requested tax credit records from 50 states and received usable records from nine. In an analysis that showed temp agencies were collecting nearly a quarter of these credits. Publicly traded temp agencies’ SEC filings revealed that the tax credit had become an enormous windfall for the industry. As one economist explained to me, it was likely this program was supposed to counteract the problems of disproportionately Black workers whose desperation employers can exploit. It was a fun house decked with trick mirrors, where a man with an IQ of 69 failed to see he cannot save the world if he loses himself or his family. It is about our delusions to see he cannot save the world if he loses himself or his family. It is about our delusions.

I first met Hannah in 1998. That’s where Nieman came in. During the reporting itself felt like walking through a fun house decked with trick mirrors. I was used to reporting on issues like elder abuse and discriminatory bail practices—things society agrees are problematic. I spoke with temp workers who earned less than the colleagues they toiled next to and received no benefits or paid days off. Some described dangerous jobs they performed without training. Others had been stuck in temp work for more than a decade. Yet few would give me more than 10 minutes of their time. My biggest problem, I came to realize, was that most of these workers didn’t think their circumstances were newsworthy. So, I turned to the data, in particular the Work Opportunity Tax Credit, a longstanding federal job subsidy for employers of formerly incarcerated and other hard-to-employ workers. I requested tax credit records from 50 states and received usable records from nine. In an analysis that showed temp agencies were collecting nearly a quarter of these credits. Publicly traded temp agencies’ SEC filings revealed that the tax credit had become an enormous windfall for the industry. As one economist explained to me, it was likely this program was supposed to counteract the problems of disproportionately Black workers whose desperation employers can exploit. It was a fun house decked with trick mirrors, where a man with an IQ of 69 failed to see he cannot save the world if he loses himself or his family. It is about our delusions.

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PUBLISH OR PERISH?

A spate of Trump titles sparks debate about whether it’s OK for journalists to withhold vital reporting for their books

BY JULIA CRAVEN

New York Times reporters meet with President Donald Trump in Jan. 2019. Recent books on his presidency have raised ethical questions about journalists holding back scoops for their books.
antalizing bits of information were happily fed to the public in the days leading up to the release of “Confidence Man,” a meaty look at everything from Donald Trump’s upbringing to his presidency by New York Times reporter Maggie Haberman. Many of the revelations were unsurprising, such as when Trump, the architect of the birtherism lie, suggested he wouldn’t use the same toilet as former President Barack Obama. Or when Haberman reveals that Trump may have impersonated a reporter on a call with Rep. Debbie Dingell after decades of reportedly assuming the alias “John Miller” to defend himself against bad press. Some revelations were deeply concerning, such as Trump giving Rudy Giuliani, the former mayor of New York and his personal attorney, the green light to “do anything” necessary to overturn the results of the 2020 election. Or when he warned that he would sue Congress for moving to impeach him.

But Haberman’s discovery that Trump did not intend to leave the White House after losing the 2020 election to Joe Biden were outright concerning. Haberman wrote that Trump, initially, seemed to understand that he had lost. Then he pivoted. In the weeks following the election, Trump began to tell aides that he wasn’t exiting the office. “We’re never leaving,” Haberman reports Trump told an aide. “How can you leave when you won an election?”

Following the election, Trump dodged most journalists’ questions about his refusal to publically acknowledge Biden’s win, only saying that he would leave the White House when the time came. Prior to a CNN report on Haberman’s book in September, it hadn’t been widely reported that Trump had made plain his intentions to refuse to cede power.

It’s unclear when Haberman obtained this information, but she’s said publicly that she began focusing on the book “in earnest” following the second impeachment trial in February 2021 once Trump was out of office. Still, the online fallout from the revelation that Haberman hadn’t gone to print with these reported comments from the president about the election as soon as possible — or at least during the aftermath of the Jan. 6 storming of the U.S. Capitol by Trump’s supporters — was swift and intense, as The Wrap noted. One commenter tweeted that Haberman would write any damning information about Trump for her employer “like a real journalist, not a PR agent or anti-democracy getter.” Another alleged that she was profiting from the president’s alleged crimes, while a different tweeter sarcastically likened Haberman’s editorial decisions to declining to report a murder.

The pushback also raised a sticky question that has become more prevalent within journalism of late: When is it acceptable for journalists to withhold reporting in service of their book project, especially when that reporting is clearly of urgent public interest? ABC News reporter Jonathan Karl reported on never-before-published information about the Trump administration’s routine abuses of power, which often presented real threats to human life during his tenure, has given new urgency to ethical questions around this dilemma. All journalists and newsrooms contend with when to publish a story. Should it go live right now, or will other breaking news overshadow the reporting? Should the report be held longer to see if anything new develops? Is more in-depth reporting required to make better sense of this information?

And, most importantly, who benefits from holding the information back?

“If the answer is the reporter, the writer, the publishing house, or the news organization [benefits] from making it splashy, then I think you really have to have to weigh that,” says Allison Hantschel, author, freelance writer for Dame magazine, and co-publisher of the journalistic and politics blog First Draft, who has written on this topic. “Who are you serving? That’s something that’s been on my mind.”

Haberman’s book was revealed that White House staffers like Bob Woodward found toilets clogged with documents during the Trump administration.

During the early days of the pandemic, in early February 2020, Trump said to reporter Bob Woodward, who was working on “ Rage” at the time, “It goes through air, Bob. That’s always tougher than the touch. You know, the touch — you don’t have to touch things, right? But the air, you just breathe the air. That’s how it’s passed. And so that’s a very tricky one. That’s a very delicate one. It’s also more deadly than your — you know, your — even your venereal fluids.”

In the following weeks, Trump and his administration promoted a very different reality, riddled with constant reassurances that everything would be fine. On Feb. 25, Trump told the public that Covid-19 was “a problem that’s going to go away.” The next day, Trump said in a briefing that the coronavirus was “like a regular flu that we have flu shots for.” Then, on Feb. 27, he claimed that “like a miracle,” the coronavirus would one day “disappear.” This pattern of lies about the severity of the disease would continue throughout his presidency. And by the time Trump’s true understanding of the disease would continue throughout his presidency.
pandemic was published in September 2020, at least 200,000 Americans had died due to Covid-19.

The decision to hold off on publishing Trump’s Covid comments praised him for taking the time to flesh out the context around the information he had. At the time, critics maintained “if Trump can’t even lie convincingly, the scoop could have saved lives.” But part of Woodward’s response was that it took him until May 2020 to verify the scoop, which prompted more questions as to why the information wasn’t reported once it was pinned down. Another argument is that Woodward’s reporting wouldn’t have shifted policy because nothing about the administration’s response shifted once the news was broken. But that misses the point that some individuals would have changed their behaviors, regardless of whether policy shifted, if they knew the disease was deadlier than the seasonal flu.

"As a journalist, one would have to ask, 'Who’s my loyalty toward?' Is it myself and my book? Or is it to my employer? … Or is it to the public?"

Dan Gillmor, Arizona State University

Withholding critical information for books is a worrisome trend, says Samuel Freedman, a journalism professor at Arizona State University and the author of nine books. "An individual author has to ask herself or himself: 'How do I feel about having had information that potentially could have saved lives? And I didn’t disclose it because I wanted to wait till the book was ready to be published so I’d sell more copies?'"

The societal consequences of withholding information depend on the topic and the subject matter. One of the scenes from "The Final Days," Carl Bernstein and Woodward’s book on the end of Richard Nixon’s presidency, pertained to the man’s drunkenness and how people around the former president were afraid for his wellbeing. But the difference is, Freedman says, when Bernstein and Woodward researched that book, Nixon wasn’t in office. Running to the public, he says, "is the point that some individuals would have changed their behaviors, regardless of whether policy shifted, if they knew the disease was deadlier than the seasonal flu.

"People are always more willing to speak for history than in the heat of the moment," says Freedman. "As a journalist, one would have to ask, 'Who’s my loyalty toward?' Is it myself and my book? Or is it to my employer? … Or is it to the public?"

Jonathan Martin at CNN focused on the question of what an author’s obligations to the news organization are, all those things have to be weighed in terms of the function of the author’s association with the news organization while doing the book work?" asks Freedman. "Does it matter if the author is doing the book work while continuing to work full time and be paid by the news organization? Does it matter if the access the reporter is getting to sources and documents and so on is partly a function of the author’s association with the news organization? All those things have to be weighed in terms of what an author’s obligations to the news organization are, and I think what’s unfortunate is it’s probably relatively rare that any of this gets clarified ahead of time."

Gawlowski said that the paper doesn’t consider the process of saving information for a book publisher as a conflict of interest. "It’s a complex matter, but as far as the reporting process, 'We’re much more focused on what audiences need in every format. We tend to break news in our main publications, then provide additional reporting and context through books.'"
OPEN-SOURCE JOURNALISM IN A WIRED WORLD

SPURRED BY RUSSIA’S INVASION OF UKRAINE, OPEN-SOURCE INVESTIGATIONS ARE BEING INTEGRATED INTO STANDARD NEWSROOM PRACTICE

BY MAXIM EDWARDS

ILLUSTRATION BY RICARDO TOMÁS
A popular traffic app could show you the queues building up at border crossings between Russia and its neighbors back in September, as young men evading mobilization sought to escape the country.

Apple’s Find My tool can show you where a Russian soldier who stole a local’s headphones ended up.

A heat signature tracker can show you where fires rage in the war-zones of Ukraine’s east and south.

Satellite imagery starkly comparing Ukraine’s cityscapes before and after Russian airstrikes is now a regular fixture in the news.

More than nine months into the Russian invasion of Ukraine, the online methods for tracking this war are many and proliferating, including the most obvious source of all — social media networks. A 2019 law designed to keep its military from posting on social media has not deterred Russian servicemen from sharing images and updates from the frontline, not least on Telegram and the Russian social network VKontakte, potentially allowing anyone with an Internet connection to pinpoint the place, time, and sometimes individuals seen in footage of military movements.

Open-source investigations (OSI), popularly and misleadingly known as open-source intelligence, is not synonymous with social media, however. OSI is any information that can be publicly accessed by others, including but not limited to online sources. That includes everything from local newspapers to satellite imagery and images shared on TripAdvisor. What it doesn’t include are two mainstays of traditional investigative journalism — non-public document leaks or closed-source reporting, otherwise known as shoe-leather reporting and interviews.
Over the past few years, newsrooms have started integrating open-source methods into their coverage and building their own OSI teams. That’s in part to verify social media posts, and in part to report on places where it is simply too dangerous for most journalists to venture — areas on or behind the frontlines — where open-source imagery allows a glimpse into military movements and potential war crimes. Since Russia’s invasion of Ukraine, open-source investigations have surfaced in prominence and the genre as a whole has attracted scrutiny, not least from state actors themselves.

Rising awareness of what open sources can yield has motivated journalists to do more than simply verify what they find online. Several newsrooms now have dedicated open-source teams, like The Washington Post’s visual forensics team and the BBC’s Africa Eye, which used social media images to reconstruct the scene of a horrific clash at the fence surrounding the Spanish enclave of Melilla’s border with Morocco, in which 24 migrants were killed. There’s also The New York Times’ visual investigations unit, which in April used satellite imagery to debunk Moscow’s claims that bodies had been placed on the streets of Bucha after Russian troops had withdrawn from the Ukrainian town.

Open-source newspapering is becoming integrated into journalistic practice as a standard reporting technique, particularly in investigative newsrooms. The divide between open-source investigations in the form of online research and closed-source investigations may turn out to be a generational one. For young journalists who have been socialized online, the Internet has always been a source of public interest information.

**A BRIEF HISTORY OF OSI**

Until fairly recently, access to high-quality satellite images was mostly the privilege of governments and commercial actors with deep pockets. Today, detailed satellite imagery costs just hundreds or even tens of dollars. This new accessibility may well be due to an expanding market of mid-range buyers with shallower pockets than traditional procurers of satellite imagery, according to my colleague Nick Waters, an open-source analyst at Bellingcat. The past decade, he says, has seen a rise in additional procurers of satellite imagery, according to Storyful, founder Eliot Higgins and other volunteers examined social media footage to corroborate claims that a BUK missile launcher operated by pro-Russian militia had fired from occupied Ukrainian territory on the day of the attack. This doggedness also took aim at Russian state actors’ attempts to obfuscate and derail the line of enquiry, most notably in apparently doctored satellite imagery presented at a press conference in July 2014 by the Russian Ministry of Defense.

Journals have used open sources in coverage before. In 2013, The New York Times’ C.J. Chivers and Eric Schmitt followed up on Higgins’ documentation of small arms being used in the Syrian Civil War to produce a longer article on how Yugoslav-manufactured weapons made during the Cold War were making their way to that conflict. The first clues to the existence of the Xinjiang internment camps were discovered by the German academic Adrian Zenz, in the form of construction tenders publicly available on local government websites that corroborated rumors of a new mass incarceration system. In several cases, the size and location of these facilities could then be verified with satellite imagery and were consistent with survivor testimony.

In the tense weeks before Russia’s Feb. 24 invasion, open-source imagery — showing the incremental buildup of a significant Russian military force along the borders of Ukraine — was the basis among the commentators for a battle of interpretations as to Russia’s ultimate objectives.

When Russian tanks crossed into Ukraine, open-source analysts saw a surge in followers, although the generational shift in the field could be felt in the increased importance of a wider range of social networks, most prominently TikTok, as a source for footage of Russian military equipment on the move. Most reporters online following the war now know the intricate maps compiled by Nathan Ruser, based on open-source evidence of military movements on the frontline as well as geo- and chronologically footaged social media networks, particularly Telegram. They know the pseudonymous

Dornelles via Getty Images

Bellingcat examined social media footage (inset) to reveal that Malaysia Airlines Flight MH17 was shot down by pro-Russian forces in occupied Ukrainian territory in July 2014, undercutting Russian propaganda.
Oryx Spioenkop, who famously counts Russian tank losses (and their conversion to Ukrainian tank gains), and the ship spotter Yorük Işık, who tracks maritime movement through the Turkish straits. These names now feature prominently in news and investigative reports.

**HOW OSI WORKS**

On June 27, reports appeared that the Amstor shopping mall in the Ukrainian city of Kremenchuk had been hit by a Russian missile attack. Reports of high casualties followed, as did dramatic images of the building ablaze. Just as quickly came a flurry of deflections and denials from Russian officials and state media channels. The mall was hit but the fact that Ukrainian soldiers appeared on the scene alongside emergency services raised questions as to its purpose.

These kinds of responses were familiar to anybody who had witnessed the reaction of Russian state media channels following the shooting down of flight MH17 eight years earlier. The purpose was presumably not to convince anybody of the merits of these false arguments but, like similar “fake news” strategies used by politicians and governments, to muddy the waters, to advance an epistemological nihilism. Open-source evidence showed the truth.

While journalists in Ukraine for The Guardian and CNN were able to visit Kremenchuk and interview eyewitnesses, Bellingcat quickly verified and analyzed all open-source imagery we could find relating to the event. A CCTV video from a nearby factory posted to social media showed the moment of the explosion as locals strolling in a park fled for cover. There were no secondaries or any secondary explosions from neighboring buildings, as would be expected if an ammunition warehouse had been struck. No significant impact site could be seen anywhere near the mall, undermining claims that a fire spread from the factory area.

Russian media had claimed that a lack of activity and reviews on Google and a lack of images from inside the mall proved that the building was closed at the time of the strikes. But the social media pages of various businesses based at the Amstor mall had posted announcements welcoming their customers back on June 25. These later offered messages of condolences to their employees who had been killed or wounded in the attack.

The same pro-Kremlin media outlets opined that the lack of vehicles in the mall’s car park in the aftermath also proved that the mall had been closed. But satellite imagery Bellingcat reviewed dating back to 2016 showed many occasions during opening hours when the parking lot had been sparsely occupied. Moreover, online mapping services and guides to Kremenchuk put the Amstor mall well within walking distance of bus and trolley stops. One Ukrainian even posted a receipt for a purchase made at the mall shortly before the attack, showing the date, time, and address of the mall — a key piece of evidence that widely circulated on Twitter.

None of us working on the Kremenchuk missile strike set foot in Ukraine that day. But we reached the same conclusions as journalists in-country, such as The Guardian’s Lorenzo Tondo, who cited our findings in his report from Amstor.

What makes an organization like Bellingcat unique is no longer that we produce open-source investigations, but that we use exclusively open-source information in our investigative process. Kremenchuk was one of several cases where Bellingcat employed open-source research to debunk specific, contradictory Russian claims designed to deflect scrutiny. But the excitement for open source can lead to extravagant expectations for the genre. A “footage fetish” — a phrase coined by Jeremy Morris, professor of global studies at Aarhus University in Denmark — is taking hold in social media. It’s more important than ever to remember that a single im-
from his followers on Twitter for help and shared his notes of charities asking if reports, searched scoured news. In 2016, reporter analyzed mortar fragments — they were a type that has upon on this perilous four-mile road. Journalists later that information. The Wall Street Journal that they had been deliberately fired the “road of death” west of Kyiv.

In Bucha gave one Reuters journalist a clue in the aftermath of the Russian unit present during the massacre. During his absence, his checkpoint along the road that was threatened by Russian fire from the north.

One recent Reuters Institute study found that many of today’s Russian journalists are wary of trusting visual media more than text, a finding that should be very promising for open-source journalism. But open-source intelligence does not always speak for itself. It often needs correction by human interpretation. Images of rows of burnt-out tanks alone may mean little to readers, and even less when the open-source researchers do not state clearly the identities of the two groups. When even open-source research is not paired with shoe-leather reporting, it still needs thorough vetting.

There is doubtless much more to discover, whether in the dormant social media accounts of dead soldiers or the CCTV cameras with a vantage point on a missile strike. A primary concern today is what to select from the deluge of publicly relevant information emerging from hotspots — a problem at least as important as how to extract meaning from what is selected. Knowing the technical shortcuts to finding useful data — scraping social media data, reverse image search, scraping source documents, publishing full transcripts of in-depth interviews — that many news outlets now make a routine part of their reporting.

The promise for public input to complete their stories is not new. In 2016, amid growing enthusiasm for the rise of citizen journalism, The Guardian’s Paul Lewis took to Twitter to appeal to airline passengers and later for their ticket stubs. He was seeking anybody who had witnessed the death of asylum seeker Jimmy Mubenga, who lost consciousness while being restrained on a British Airways plane bound for Angola. In 2016, David Fahrenthold, then with The Washington Post, pieced together Donald Trump’s charitable giving, finding that many of the donations that ostensibly showed weapons for sale were in fact several standard reverse image search revealed that photographs that looked like floods of material are deleted, the unconvinced reader may still have only the journalist’s word that relevant posts ever existed, potentially undermining transparency.

But best practice can also dictate that journalists sometimes refrain from being fully transparent about source material. In general, European journalism is generally refrain from publishing the faces of private individuals suspected of but not officially charged with a crime. Bellingcat overlooks much of the extremist, incendiary social media posts we encounter in our reporting on far-right online subcultures, in line with best practice laid out in the Data Society’s 2018 Oxygen of Amplification report. This decision stems from a desire not only to avoid inadvertently amplifying hate speech, but to instead emphasize its context, discourse, and spread in order to redirect the focus of the narrative away from stoked by extremists. As we know from reporting on the far-right in North America, fascist groups are particularly adept at gaining the system, provoking and provoking the news media into rewarding them with notoriety and attention.

In 2016, reporter David Fahrenthold scoured news reports, searched publicly available documents, and contacted hundreds of charities asking if they had been donated to them, and shared his notes on Twitter for help from his followers.

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free publicity. The same questions could be asked of the need to gratuitously reproduce the hate speech made by Russian television pundit and nationalist bloggers towards Ukrainians.

This dilemma is even more acute when faced with distressing footage that may depict war crimes. In February, Bellingcat reported on a series of apparently staged videos recorded by pro-Russian media channels in the run-up to the war. In one gruesome example from the Donetsk-Horlivka highway, a cadaver showing signs of a medical autopsy had been placed in a burnt-out vehicle; Russian journalists asserted that the body belonged to a local civilian killed by a Ukrainian improvised explosive device (IED). My colleagues noted a neat cut through the skull cap of one of the corpses in the vehicle, which a forensic pathologist told us was consistent with an autopsy procedure. This indicated that the body was likely placed in the vehicle before it was set alight. We chose not to embed links to the full, extremely graphic content and to obscure sections of imagery we had to publish in order to show the top of the skull in question.

In August, we reported on one of the most disturbing videos of the conflict posted on Russian social media from the frontline near Pryvillia, depicted a group of Russian paramilitary fighters mutilating and then executing civilians. One convoy in the video — this case, features which allowed us to connect two videos believed to be taken at the same spot as well as those that allowed us to eventually geolocate both to the crime scene. These features allowed us not only in describing the video, we outlined several extremely disturbing details about the act of sexual violence depicted, which were not essential to their analysis.

There are a growing number of resources dedicated to the ethics of open-source research in media. A recent report from the Stanley Center, a policy organization dedicated to peace and security, includes a comprehensive workbook designed to introduce researchers to codemembers loosely based on real examples, for example. Some recommend as a researcher considering whether to use a “sock puppet” account to view a closed social media page. The authors wrote that the body was placed in the vehicle before it was set alight. We chose not to embed links to the full, extremely graphic content and to obscure sections of imagery we had to publish in order to show the top of the skull in question.

In this sense, open-source practitioners’ openness — things often in short supply. What appears to be a simple geolocation can take hours if not days of paid staff time to verify. Of the most memorable open-source stories are the fruits of collective work, which are the first to amplify such footage. For example, in Bellingcat’s interactive map of incidents of harm to civilians in Ukraine, my colleagues have partially obscured the geolocations of footage when it is believed that the authors could be endangered if their identity was revealed.

Footage of these horrors — not only potential war crimes but only consistent with an autopsy procedure. This indicated that the body was likely placed in the vehicle before it was set alight. We chose not to embed links to the full, extremely graphic content and to obscure sections of imagery we had to publish in order to show the top of the skull in question.

But the process of producing OSI in newsrooms to journalistic standards takes time, training, and money — things often in short supply. What appears to be a simple geolocation can take hours if not days of paid staff time to verify. Of the most memorable open-source stories are the fruits of collective work, which are the first to amplify such footage. For example, in Bellingcat’s interactive map of incidents of harm to civilians in Ukraine, my colleagues have partially obscured the geolocations of footage when it is believed that the authors could be endangered if their identity was revealed.

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The horrors unfolding in Ukraine could set an important precedent for investigative journalism of war crimes, which can draw even more enthusiasm towards the use of open-source tools. This is because for justice and accountability it is the same pull factor that drew enthusiasts towards traditional investigative journalism of war crimes, which can draw even more enthusiasm towards the use of open-source tools. This is because for justice and accountability it is the same pull factor that drew enthusiasts towards traditional investigative journalism of war crimes, which can draw even more enthusiasm towards the use of open-source tools. This is because for justice and accountability it is the same pull factor that drew enthusiasts towards traditional investigative journalism of war crimes, which can draw even more enthusiasm towards the use of open-source tools. This is because for justice and accountability it is the same pull factor that drew enthusiasts towards traditional investigative journalism of war crimes, which can draw even more enthusiasm towards the use of open-source tools. This is because for justice and accountability it is the same pull factor that drew enthusiasts towards traditional investigative journalism of war crimes, which can draw even more enthusiasm towards the use of open-source tools.
IT started with a disturbing tip: Police officers in Vallejo, California, were bending the points of their badges each time they killed someone while on duty.

There had long been rumors of a gang-like culture in the Vallejo Police Department, which is one of the deadliest law enforcement agencies in the country, data show. And by 2018, the roughly 100-member department had cost Vallejo so much in civil rights settlements that the city was forced from its municipal insurance pool of more than three decades.

The source was credible, the allegation plausible. But Open Vallejo was still a one-person operation, and while I had previously written articles on topics within the scope of my work as a First Amendment lawyer, I had little experience with publishing an original work of investigative reporting.

But I did know that the facts had to speak for themselves. Open Vallejo’s first major investigation, which took nine months to produce, was conducted almost entirely using open-source techniques. I started by examining every photograph of a Vallejo police badge I could find. This included countless hours spent reviewing, collecting, and analyzing materials from the city’s website, the department’s official social media accounts, and other publicly available sources.
and officers’ often-pseudonymous personal Facebook profiles. I soon found that the curved, polished metal lends itself to slight glosses, reflections, and other visual artifacts. Combined with the low resolution of many of the photographs, and the city’s refusal to disclose photographs in the possession of the department, I set out to make my own set of my own.

In 2019, Vallejo hired its first Black police chief in the police department’s then-119-year history, Shawna Williams. Police officers packed the city council chambers for his historic swearing-in ceremony. As our publication date neared, I received several credible, frightening, anonymous threats. Open Vallejo’s critical incident database shows that in 2019, Vallejo hired its first Black police chief in the police department’s then-119-year history, Shawna Williams. Police officers packed the city council chambers for his historic swearing-in ceremony. As our publication date neared, I received several credible, frightening, anonymous threats.

By now I had developed a number of sources with knowledge of the badge-bending tradition. To understand the scope of the tradition, I also used public records to build a database of shootings and other fatalities involving Vallejo police, which Open Vallejo released under a Creative Commons license. To understand the scope of the tradition, I also used public records to build a database of shootings and other fatalities involving Vallejo police, which Open Vallejo released under a Creative Commons license.

The occasion meant that many of those present were in more formal uniforms, and thus wearing a metal badge. While covering the event I photographed as many badges up close as I could.

Not only did one of those photographs become the story, but when I compared the detailed pictures to others I had gathered, they revealed that the first bend is often applied at the 4 o’clock tip of an officer’s seven-point star.

We faced the challenge of finding as many visuals as possible to tell the story. By now I had developed a number of sources with knowledge of the badge-bending tradition. To understand the scope of the tradition, I also used public records to build a database of shootings and other fatalities involving Vallejo police, which Open Vallejo released under a Creative Commons license. To understand the scope of the tradition, I also used public records to build a database of shootings and other fatalities involving Vallejo police, which Open Vallejo released under a Creative Commons license.

Ten concert goers died and dozens more were injured during the Astroworld Festival in Houston, Nov. 5, 2021. The Washington Post used open-source video to show how crowd density contributed to the tragedy.

By Malachy Browne

The New York Times has deployed dozens of reporters, videographers, and others to Ukraine, and has gathered evidence that enables newsrooms to inform their readers more deeply about what went wrong and holds those responsible accountable. The Visual Investigations team at The New York Times has deployed dozens of reporters, videographers, and others to Ukraine, and has gathered evidence that enables newsrooms to inform their readers more deeply about what went wrong.

That allowed us to eavesdrop on troops essentially ad-libbing their stories to fire on civilians — a war crime.

When Russian forces withdrew from the town of Bucha at the end of March, the world recoiled at what was left in their wake — dozens of bodies on Yablonska Street, in basements and gardens, of many them apparently executed. Russia’s president described the images as “another hoax,” claiming that Russian soldiers were not present when the bodies appeared. Our team re-broadcast those claims by showing through satellite images that the bodies had lain on the street for weeks while Russia controlled the town.

Then began the process of finding out who those victims were, how they were killed, and who was responsible. The Visual Investigations team dispatched two reporters who spent months in Bucha and Kyiv interviewing witnesses and survivors, and collecting previously unpublished videos from witnesses, drone and security camera footage, documents from the police, military commanders, and Ukrainian investigators.

One investigation showed how Russian paratroopers rounded up and executed at least eight Ukrainian men at one office building on Yablonska Street. By scouring Telegram channels and Facebook groups for missing persons reports, contacting relatives, and collecting autopsy reports and death certificates, our reporters — for the first time — identified all eight men. The team also obtained more than 4,000 recordings of Russian soldiers’ phone calls intercepted in the Bucha area by Ukrainian law enforcement agencies. The soldiers’ gardening anecdotes and boasts of battlefield failures and civilian executions. We independently authenticated the calls by cross-referencing outgoing and incoming Russian phone numbers with cell phone messaging apps and Russian social media accounts.

Russian leaders may deny the atrocities committed in Bucha and elsewhere, and peddle propaganda at home. What is different in this war is the volume of digital evidence available through open sources and on-the-ground reporting — evidence that enables newsrooms to inform the world and achieve accountability.

When Travis Scott’s Astroworld performance ended in chaos on Nov. 5, 2021, it was clear there had been a disaster: 10 people in the crowd died and dozens more were injured. The tale made it one of the deadliest concerts in the United States.

Records of the concert show that there were problems from the beginning. A density of 1.5 square feet per person can cause panic. Parts of the area where many of the dead and injured were concentrated had as little as 1.85 square feet per person. The layout of barriers did not allow fans to move off the dance floor, meaning that people were packed into one over another. The concert continued for nearly an hour after three of the victims died. The New York Times has deployed dozens of reporters, videographers, and others to Ukraine, and has gathered evidence that enables newsrooms to inform their readers more deeply about what went wrong.

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Freelance journalists in Italy are banding together to take on—and fund—ambitious investigative projects around the globe.

By Maurizio Franco and Daniele Ruzza
The end of December 2020, freelance journalists Matteo Garavoglia and Youssef Hassaan Holgado spent a month-and-a-half traveling across Tunisia to report on the 10th anniversary of the Jasmine Revolution, when large-scale protests led to the ousting of longtime president Zine El Abidine Ben Ali. What happened in Tunisia ignited similar uprisings all over the Middle East, which came to be known as the Arab Spring. A decade later, Garavoglia and Holgado found a country still struggling with the same issues that prompted the uprising: poverty, widespread unemployment, and social inequality. Resistance toward the political establishment is still prevalent among Tunisians, particularly among younger generations.

Garavoglia and Holgado’s trip took them to Sidi Bouzid, the city in Tunisia where the first protests of the 2010 revolution were sparked by the death of Mohamed Bouazizi, a street vendor who set himself on fire after suffering police harassment for some time. Their report on what life is like in Sidi Bouzid was published in the Italian daily newspaper Domani and featured firsthand accounts from residents who lived through the tumultuous days of the revolution. Other stories on the economic crisis gripping the northern African country and the corruption of its institutions were published by RadioTelevisione Svizzera Italiana (RSI), El Salto, and il manifesto didn’t send them to Tunisia. They organized the trip themselves and paid for their reporting expenses with funds provided by the Centro di Giornalismo Permanente (CGP, Permanent Journalism Center), a collective of professional freelance journalists producing in-depth, long-form journalism.

Garavoglia and Holgado live in Rome, producing videos, podcasts, and articles to sell to news outlets. However, Domani, RSI, El Salto, and il manifesto don’t have the staff or budgets to cover.

As members of CGP, they are part of a community of freelance professionals who share ideas and work together on stories that would be too expensive and demanding for a single journalist to tackle. “We could have never paid the travel expenses just by selling the articles we were going to write while [in Tunisia],” says Holgado. “Associations such as CGP fill a void in the Italian media landscape. We pursue ambitious stories that legacy outlets often do not anymore, mostly due to budget cuts. Indirectly, we broaden the content that newspapers offer to their readers.”

In Italy, a growing number of young Italian graphic designers, photographers, visual storytellers, and freelance journalists are joining forces in informal collectives, cooperatives, and commercial companies to collaborate with legacy news outlets. Their focus: longer-form articles and more in-depth pieces that established newsrooms don’t have the staff or budgets to cover.

The last decade saw a steep drop in newspaper sales and income from ads, a trend that has deepened the wage disparities between staff journalists and freelancers. According to Agcom, the Italian antitrust authority for the communication sector, more than four out of 10 journalists are freelancers. In its latest report, published in 2020, Agcom highlighted how nearly 63 percent of all journalists earn less than 20,000 euros per year. Of those, about 45 percent of freelancers and 50 percent of contractors (freelancers who have a contract with a news outlet) earn less than 5,000 euros per year. The profession is also aging. Forty percent of the journalists in Italy are older than 50, while 70 percent are over 40, according to the report. And, nearly three-quarters of journalists under 35 earn less than 5,000 euros per year.

As highlighted by Agcom’s report, the vast majority of people working in journalism, and particularly as staff editors in newsrooms, are over 40. This, along with the economic crisis and the impact of Covid-19, has created an almost overwhelming situation for younger, aspiring journalists. Insofar as young people want to pursue a career in journalism, they are compelled to work as freelancers. Lack of funds and logistical challenges are an everyday issue for freelancers, as they cannot rely on the financial backing, and technical know-how that would otherwise be provided by a newsroom.

Italy’s freelance associations have become alternative models for the production of journalism. Here is a look at four organizations trying to support freelance journalists while also meeting urgent coverage needs.

**Lettera22**

**FOUNDED IN 1993, Lettera22 is the first collective of independent journalists in Italy. The name comes from the portable typewriter produced by Olivetti in 1950.**

“It’s a symbol that contains our idea of journalism: re-
porting from the field, delving firsthand into the facts, wearing our one’s shoes, and explaining with clarity the complexity of what’s going on,” says Paola Caridi, one of Lettera22’s founders.

In the early 1990s, Italian freelancers were almost nonexistent. Most journalists either worked in a newsroom or as external partners with the expectation that they would eventually be hired, says Caridi. But when she and five colleagues working for the foreign desk of Avanti!, a historically socialist newspaper, were laid off, they decided to band together instead of leaving the profession. “We made the best out of a bad situation, and turned being made redundant into an opportunity,” Caridi says. “The association that we founded allowed us to keep working together, while remaining free from the constraints imposed by a newsroom.”

Lettera22 has a membership fee and collects a percentage of the payment members receive for the articles they publish. In exchange, members get to be part of a collective of expert journalists, trading contacts about outlets and sources, and can apply for grants reserved for associations.

The structure is very loose for the 15 members. “There is not an established hierarchy: Each role serves a purpose in our machine,” says Giuliano Battiston, Lettera22’s current director. In Lettera22’s original incarnation, each journalist covered a specific area of the world. Caridi focused on the Middle East, while the others focused on Afghanistan, Bangladesh, and China. “We published stories together, strongly reporting from the heart of areas of conflict and capitalizing on our contacts with [non-governmental organizations] and [U.N.] agencies,” says Caridi. “We were among the first in Italy to cover the war in the Balkans or the coltan mines in Congo.”

After establishing itself with local newspapers that lacked international news, Lettera22 moved to wider-reaching national outlets, like L’Espresso, La Stampa, and Il Sole 24 Ore, as well as academic publications and books. “With time, outlets started relying more and more on the articles and news that we provided, and occasional relationships turned into regular ones,” says Caridi.

Among their collective efforts there are two books: “A Oriente del Califfato” (“East of the Caliphate”), which explores the broader plan of the Islamic State of Iraq and the Levant to convert non-Arab Muslims to their cause, and “Sconfinate. Terre di confine e storie di frontiera” (“Boundless. The borderlands and their stories”), which focuses on the concept of borders, and on the similarities between communities whose shared trait is living close to a country’s border. They also co-organized a five-day networking event called MIP, Il mondo in periferia (The world’s suburbs), last June in Rome.

CGP’s members meet on a bi-weekly basis to discuss the association’s activities. They pitch ideas and decide as a team which ones to further develop. The members who show an interest in the project then form a team, deploying themselves to report on the story.

CGP’s membership fee is 10 euros per year, but the organization’s main sources of funding are monthly online workshops on journalism-related topics, such as how to write an investigative article, how to write about a specific area of the world, or how to produce a podcast. The workshops are taught by experts in the field and feature theory lectures and practical lessons. Enrollment fees average around a hundred euros, and workshop attendees range from freelance journalists seeking to broaden their skills to people outside the sector curious to know more about a specific topic.

Among CGP’s published projects is “Un gioco di societa” (A board game), a report on Instagram that analyzes the sociological, economic, and urban transformation of Italian cities that won the 2019 Roberto Morrione Prize for investigative journalism. The project focused on Naples, Rome, and Milan, highlighting how the development of Italy’s most populous cities is shaped to benefit hedge funds, international real estate firms, and digital short-stay rental platforms, often with the public sector’s complicity. The report borrows aspects of tabletop games and integrates them into Instagram. Starting from the main account, the user is free to pick one of the three cities analyzed. From there, the user is redirected to the city’s Instagram account, beginning a journey that explains how each city has changed in recent years.

CGP, headquartered in Rome, opened an office in a co-working space in March 2020, shortly before Italy’s first coronavirus lockdown, so members had a place to collaborate. **“We did not have a newsroom, so we created one for...”**
freelancers,” says Elena Basso, another CGP founding member. “By working together, we were able to develop our professional skills and break the chains of the loneliness that yoked us.”

**THE INVESTIGATIVE REPORTING PROJECT ITALY**

Disillusionment with existing newsroom opportunities also prompted Giulio Rubino and Cecilia Anesi, two aspiring journalists who met in London in 2009, to found IRPI, The Investigating Reporting Project Italy, in 2012. IRPI is a collective of journalists focused solely on investigative journalism, funded through grants and donations from European foundations. “A systemic lack of funding was a longstanding issue for us,” says Rubino. “With time, we developed close relationships with foundations that grant us funds without tying any of it to a specific project. Within IRPI, we have people who both work solely on grant applications alongside the journalists who are then going to use those grants to develop journalistic reports.”

Investigative projects are planned collectively, with Anesi working as a supervisor. IRPI operates like any newspaper newsroom, with co-editors-in-chief Rubino and Lorenzo Ragnoli, six editors and reporters, and two contractors. The collective has its own online news outlet, IRPI Media, launched in 2020. IRPI is also part of two international investigative journalism consortiums—the Organized Crime and Corruption Reporting Project and the Global Investigative Journalism Network. “Our ambition right from the beginning was to create an independent voice,” says Rubino. “We have now moved on from strictly selling our reports and investigations to legacy publications. We now have our own website. We would rather readers experience our work on our website rather than visit someone else’s.”

IRPI was the Italian partner in a lengthy investigation called OpenLux, coordinated by Le Monde, in which six news outlets uncovered the underground world of European finance, scrutinizing some three million documents and around 124,000 businesses. The project, published in February 2021, revealed how politicians, businessmen, and criminal organizations evade taxes by hiding their money in Luxembourg, where about 90 percent of companies registered there are controlled by foreign businessmen, and criminal organizations evade taxes by hiding their money in Luxembourg, where about 90 percent of companies registered there are controlled by foreign

**FADA**

In Niger, a fada is a place where unemployed men meet to socialize, discuss politics and social issues, form new relationships, and forge a sense of identity. Giacomo Zandonini, one of the few Italian journalists covering western Africa, thought it would be the perfect name for a journalism collective reporting from various parts of Africa not covered by Italian news outlets. Along with five other journalists scattered all over the world, Zandonini launched FADA in December 2020.

FADA has a horizontal structure, with each member having the same influence when it comes to pitching stories. The common thread connecting all FADA stories is social engagement, frequent areas of coverage include civil society, activism, migration, climate change, and social rights, with articles published in outlets like The National, The Guardian, and Al Jazeera. FADA is mostly funded through grants and events designed to help freelance journalists—whether they are members of the collective or not—reporting from abroad. The organization helps to pay for insurance coverage and protective equipment when needed on assignment. When FADA journalists work in risky areas, the association’s network stays up to date on reporters’ whereabouts and intervenes to help when necessary. During an event held in February 2021, FADA discussed how Italian news outlets are increasingly relying on freelancers because they cannot afford to pay foreign correspondents. But the economics don’t work for freelancers trying to make a living reporting from abroad. The “goal of our association is to promote a new way of reporting on foreign-related topics,” says Zandonini. “In the Italian media landscape, foreign reporting is left to underpaid freelancers. This leads to unnecessary rivalries and competition, which affects the quality of the journalism produced. Ideally, our association represents a different model for foreign reporting to introduce higher quality foreign reporting.”

Their idea of foreign reporting can be better understood by looking at two recent works of theirs: a long-form article on how Benin is becoming a major outpost of jihadist terrorist groups in Africa, and a documentary on the challenges that human rights advocates are facing in Iraq. Andrea Ianniuzzi, La Repubblica’s senior managing editor, maintains that news associations “will take up more and more space within the journalism sector” to fill the content gap left by journalism’s financial crisis. La Repubblica is not alone in relying on collaboratives for coverage. L’Espresso, one of Italy’s most influential weekly publications, has also published stories by organizations made up of freelance journalists. “Bigger, collective products equals more in-depth reporting,” says Beatrice Dondi, deputy editor of L’Espresso. Freelance collaboratives “greatly increase the quality of journalism content that a publication can present to its audience.”
How journalists are organizing to defeat strategic lawsuits against public participation, which powerful individuals use to silence independent reporting

BY JARED SCHROEDER
ILLUSTRATION BY DOUG CHAYKA
NIEMAN REPORTS WINTER 2023

RIMOŽ CIRMAN STARTED RECEIVING orange, business-card-sized slips of paper in his Celje, Slovenia, mailbox in June 2020. They haven’t stopped coming.

Each card is a notice that he has a piece of certified mail waiting for him at the post office near his house. At first, every 10-minute walk to the post office yielded an envelope informing him of a new defamation lawsuit against him. “In my post office, they were watching me strangely at first,” Cirman says. “Why does that guy keep getting court orders? I said to them, ‘I didn’t kill anybody. I’m just a journalist.’”

More recently, the cards alert him to updates on his cases. Post office officials have set aside a space on a shelf for his legal documents.

Cirman, editor of Necenzurirano, a Slovenian news organization, has been the subject of 15 defamation lawsuits, all stemming from his reporting about Rok Snežič, an adviser to former Prime Minister Janez Janša. His colleagues Vesna Vukovic and Tomaž Modic also accrued 15 lawsuits each. Snežič “basically picked every article we ever wrote about him and filed a lawsuit — for each of us,” Cirman says. “Why? Each lawsuit needs a response from a lawyer and that costs money.”

The lawsuits Cirman and his colleagues face are often classified as SLAPPs — strategic lawsuits against public participation. The lawsuits allow people with power to intimidate and silence journalists and others through financially draining litigation and fear and uncertainty about their futures. The London-based Business & Human Rights Resource Centre tracked 155 SLAPPs worldwide between 2015 and 2021.

SLAPPs are part of a growing list of headwinds journalists face around the world. In Russia, for example, independent journalism has been all but shut down following the passage of the so-called “fake news” law that prohibits reporting on the war in Ukraine. Several other countries have introduced similar laws that can be manipulated to criminalize reporting that is unfavorable to governments in the wake of the Covid-19 pandemic. Female journalists in Iran are being targeted for covering the protests following the death of Mahsa Amini in September. Violence against journalists continues to hamper their work on a global scale, and people like Donald Trump and his followers are turning chunks of the electorate against facts and legitimate journalism.

SLAPPs are a particularly effective tool for those in power to silence cash-strapped news organizations and reporters.

Nieman Reports spoke with journalists on four continents about their experiences, with each providing lessons about using the resources available, forming international coalitions, finding support in their audiences, and fighting the harassment that often comes with SLAPP lawsuits.

Ask Your Audience for Help

Steven Gan couldn’t believe what he’d just heard. Sitting in a mostly empty Kuala Lumpur, Malaysia, courtroom during the Covid-19 pandemic in February 2021, he shifted in his seat and asked Malaysiakini co-founder Premesh Chandran if he’d correctly heard the fine the judge had just announced against their news organization. He had.

The Federal Court had just fined the independent news outlet roughly $124,000 for five reader comments posted on its website, even though the comments were deleted within 12 minutes. The comments that led to the fine were in response to a June 2020 report about the courts lifting Covid-19 restrictions. When Malaysiakini editors were notified by police about the comments, the comments were deleted within 12 minutes. Gan provided a statement to police, and the news organization banned the five commenters. Still, the government pursued contempt of court proceedings against Malaysiakini — a legal action that can have the same chilling effect on press freedom as more traditional SLAPP suits.

Government prosecutors sought a $50,000 fine. The judges, however, set the fine at well more than double that number. To make matters worse, Gan and his news organization had about a week to pay or Malaysiakini would cease to exist.

Gan, Chandran, some staffers, and supporters stopped at an outdoor food stand on their way back from the court to the office. They were ready for a fine, perhaps even $50,000, as the government sought. More than $100,000 to be paid in such a short time, however, was concerning. “I was expecting a hefty fine,” Gan says, “but I was stunned by that.”

They had to try to save their news outlet. Gan set the staff’s plan in motion before lunch. They posted a report about the court’s decision and a crowdfunding request.

As they sat outside and ate, Gan checked his phone every few minutes. “I was constantly receiving updates from our head of finance, who was furiously checking our bank account to check how much,” Gan says. “He

Primož Cirman, editor of the Slovenian outlet Necenzurirano, has been the subject of several defamation lawsuits tied to his reporting.
We’re going to be outside a Burger King,” Gan recalls. “We told our readers we’re going to be working there.”

The new version of the Express, which labels itself “the People’s Paper,” was created to “fill a void in our Metroplex communities for fact-based, non-opinion news,” according to the site’s mission statement. But, before Bennett launched the new site, both The New York Times and D Magazine — a monthly publication covering Dallas-Fort Worth — had written about Bennett’s connection to pay-for-play news sites that published articles about the importance of federal stimulus money.

While the relationship between Malaysiakini and its audience is key, Gan emphasizes that it is a victory because the outlet was able to lean on it. “Just because you’re small, it doesn’t mean you can’t hold on. And if you can’t rely on them, then you’re in trouble,” he says.

Meanwhile, the outlet is looking to futureproof its operations. “We always see that the future is digital,” Gan says. “We’re looking to make sure we can offer the same quality of news online.”

For journalists, the future is uncertain. “The First Amendment is still critical, but it’s under threat,” Monacelli says. “There are a lot of things that can be said, but it’s just a matter of when.”

Still, Monacelli remains optimistic. “Every time I feel pressured or despondent, I will go get a cup of coffee and think about the support we got from our readers, and it’s enough to keep going,” he says. “It will take time. In the meantime, we’re going to face these problems.”

**Get Legal Advice**

Monacelli connected with the First Amendment Clinic, which is based in the law school at Southern Methodist University in Dallas, which agreed to represent him and the Dallas Weekly.

“Anyone got a good good recommendation for pro-bono legal assistance for journalists?”

Monacelli emphasizes that journalists must know the resources they have available to them, including sources of free legal representation. “If you’re a journalist, don’t give up,” he says. “Reach out to institutions that say they work to protect journalists. Don’t roll over if you are confident that what you’ve reported is the truth.”

Some of those institutions include SMU, which has one of several First Amendment clinics around the United States that provide free legal representation to journalists. The Reporters Committee for Freedom of the Press has a legal advice hotline, and the Society for Professional Journalists maintains a legal defense fund. “If you’re a journalist, don’t give up,” he says. “Reach out to institutions that say they work to protect journalists. Don’t roll over if you are confident that what you’ve reported is the truth.”

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**REFER TO**

**LEGAL ADVICE**

**THAT WHICH YOU’VE REPORTED IS THE TRUTH**
La Abeja has published more than 60 stories about Ugaz since 2018, placing her picture alongside a snake, a prison, and criminal mag shots. When Fijúrred's lawsuits were dropped, the site questioned the church’s motives.

Ugaz said finding a network of support has been crucial. She has received letters from the Pope and met with him at the Vatican in November. Ugaz says the hoped meeting with him would have a powerful effect on the cases that are pending against her.

Cirman and Salinas used connections with human rights advocate Francisco Sobrérn Zuliana Lainer, who heads the National Association of Journalists of Peru and is the executive committee for the International Federation of Journalists, Jo-Marie Burt, who works with the Washington Office on Latin America, a human rights advocacy group, and Kate Harrison, who was ambassador to Peru for the United Kingdom, to create a network of support and to get her story out to an international audience.

Ugaz says the network, and the exposure it helped bring to her story, led to help from the Clooney Foundation for Justice, Forbidden Stories, the Committee to Protect Journalists, and Media Defence. The groups have provided funding to support her legal costs and helped create international pressure on Peruvian officials to dismiss the lawsuits.

Ugaz says that the attacks have been different because she is a woman: “They talk about my body, my intelligence, my family. They put me in a lot of cartoons. They try to be demeaning. [Peru is] a very misogynistic country.”

Ugaz is uncertain when her cases will be decided. The damage, in many ways, is already done. “That’s the problem,” she says. “They don’t have any limit. You get put in a limbo. It’s like continually harming you. They are really happy with this.”

Get Civil Society Organizations Involved

The lawsuits have been less successful in destroying Nenciaruzano, which translates to “Uncensored” in English. Still, the lawsuits have caused financial stress.

Cirman incurred about $48,000 in legal fees, a substantial amount of money in Slovenia, since the lawsuits started. He cautions, if the cases go to court, it will be crucial that they are combined into one defamation lawsuit, rather than dozens of individual cases. “Otherwise, we will go bankrupt,” he says.

He’s been helped by two grants, totaling about $8,000, from the European Centre for Press and Media Freedom as well as legal support from SVETaQ, another Slovenian news outlet, which ran some of the reports associated with the defamation cases. Cirman says support from more than a dozen international journalism organizations has been a crucial weapon against the attacks: “That saved us. Attention is all we need.”

The European Union announced recommendations to combat SLAPPs in April, including a mechanism for judges to quickly dismiss baseless lawsuits like those Cirman and his colleagues face as well as cost-covering measures. At the same time, EU lawmakers are considering legislation to protect against SLAPPs throughout the bloc.

The potential measure would encourage judges to dismiss unfounded lawsuits against journalists and outline other tools, such as compensation for journalists from those who file SLAPPs and penalties for the use of abusive lawsuits. The E.U. also recommended member states to increase training for prosecutors and judges to help fight SLAPPs. The E.U. also wants member nations to conduct awareness campaigns to help journalists recognize when they are facing SLAPPs and understand what resources are available to help.

Cirman thinks an E.U.-wide protection is the only solution. “Without it, those seeking to punish journalists and limit the flow of information will file in countries without anti-SLAPP laws. That could be a long process.”

In the meantime, Cirman and other journalists facing SLAPPs can take heart in Paola Ugaz’s approach: “Fear never has to be your editor. The only answer is more journalism.”

Peruvian journalists Paola Ugaz and Pedro Salinas, who exposed a web of abuse in the Peruvian Catholic church, faced defamation lawsuits from an archbishop for their work.
SUIED FOR DOING JOURNALISM

How reporters are countering public officials who use lawsuits to suppress public records requests

By Jonathan Peters
Illustration by Doug Chayka
In response to the AG’s lawsuit, Advocate editor Peter Kovacs told The Washington Post that he was worried it would have a chilling effect on open government. “If a citizen filed a public records request and then sued and had to pay the legal fees of the agency that required it, you would have a lot less citizens feeling comfortable filing public records requests,” he said. “It becomes an intimidation measure that promotes government secrecy.

Ultimately, the judge ruled against Landry and ordered the AG’s office to release the records and to pay a portion of Gallo’s legal fees. The case bewildered a lot of commentators, who on the whole hadn’t seen a government official sue a journalist for requesting records. But these actions date back decades, and they’ve been on the rise in recent years, at a time when it’s already too hard to obtain public records. The process is un navigable or vastly frustrating for many people, in large part because penalties for noncompliance are seldom or sporadically enforced, and long delays and baseless exemption claims are routine.

Taking a wider view, government actions against public records requesters are of a piece with efforts worldwide to interfere with accountability reporting. “Fake news” laws that criminalize journalism unfavorable to the government, the weaponization of libel laws to score political points or exact revenge on critics, the spread of pink slime partisan sites that mimic news outlets, and so on. Independent journalism is under duress on multiple fronts, one of them being the form of lawsuits like Landry’s. Which, again, was far from the first of its kind.

In 2017, for example, Michigan State University sued ESPN for requesting police reports about a sexual assault investigation, and the University of Kentucky sued its student newspaper for requesting records about a faculty member accused of sexually assaulting students. In 2018, a Michigan county sued a newspaper for requesting personnel files of sheriff candidates, and in 2014 the city of Billings, Montana, sued a newspaper for requesting landfill records.

For her part, Gallo said she was fortunate to work at a news organization that could afford to retain a lawyer to represent her. These actions can be expensive to defend, and they can be perilous because a requester might have to pay her own legal fees even if she prevails. Many public records laws allow requesters who sue for access to win to seek fees from the agencies they took to court, but actions against requesters are usually declaratory in form and therefore don’t include fee awards to the prevailing party. This is a threat to traditional news organizations with strained resources, and it’s a special threat to requesters generally lacking resources, like student publications and freelancers.

Actions against requesters also undermine the free flow of information necessary for the press and public, respectively, to monitor and participate in the political process. The Supreme Court has recognized “a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open” and that “public discussion is a political duty.” Lawsuits against requesters frequently arise out of information-gathering activities related to important public issues. Suing requesters who are trying to learn more about their government discourages engagement with those issues and the discharge of key political duties.

That’s one reason Patrick File and Leah Wigren, media law scholars at the University of Nevada, Reno, compared these actions to strategic lawsuits against public participation (SLAPPs) in a 2019 journal article. SLAPPs are civil complaints filed or threatened against a person who speaks out on public issues. They’re usually disguised as libel or privacy claims, and they’re not necessarily meant to win on their merits. Rather, they’re meant to harass and deter the target and others from speaking out.

Actions against requesters can have the same minatory effect, and to be clear, they’re not limited to cases involving journalists and news organizations. The Louisiana Department of Education once sued a retired teachers’ union official for requesting school enrollment data; a New Jersey township sued a local gadfly for requesting surveillance footage of government buildings; and a school supervisory union sued a parent for requesting documents revealing why he was banned from school property.

Government officials generally claim that these actions are filed in good faith and that it’s a smart idea for courts to step in right away if an agency’s disclosure obligations are unclear. But the actions frustrate the purpose and design of public records laws, which typically give the requester, alone, the choice of filing a complaint and assuming the burdens of litigation. The laws don’t authorize a government agency to preempt that choice and put those burdens on a requester, robbing her of the right to decide how to address an agency’s denial (e.g., she might walk away or initiate an administrative appeal, or she might sue or seek the assistance of a public records ombudsman or mediator).

More broadly, although judges normally do dismiss them, actions against record requesters are a worrisome exemplar of the resources that the government expends to try to avoid press and public scrutiny. That’s dangerous for democracy because information access is critical to inclusive knowledge societies, and government transparency improves civic participation, public trust, and financial management, all while reducing corruption. For these reasons, it’s essential for requesters to fight back if sued by the government. They should seek the complaint’s immediate dismissal as well as legal fees (if available), and news organizations should report and editorialize to educate their audience about the public interests and implications.

As Bruce Brown, who directs the Reporters Committee for Freedom of the Press, said about the Landry lawsuit: “No journalist should be sued simply for requesting that government officials release records, particularly those that shed light on an issue that is of intense public interest and importance. Disclosure of public records is an essential part of keeping communities informed.”
Pakistani journalist Jawwar Hasan, NF ’67, dies at age 96

Hasan was considered a mentor to many trailblazers throughout his long career.
Kristofer Ríos’ upbringing pushed him to address media coverage of communities like his.

**Addressing Power Equity Issues in the News**

Why journalists need to be aware of the way we cover vulnerable or underrepresented communities

**BY KRISTOFER RÍOS**

My parents grew up in the 1960s and 1970s in East Harlem, New York City, when it was especially precarious for people living in that neighborhood. A national recession and a local fiscal crisis pushed the city to the brink of collapse. At that time, the city government largely ignored the predominantly Puerto Rican community. Some of the starkest visuals of how neglected East Harlem was then are images of uncollected trash piling up in the streets. The city’s sanitation department infrequently collected trash, and it often rotted on the sidewalks. The issue came to a head in the summer of 1969 when a Puerto Rican activist group called the Young Lords organized the community and took matters to the city. They proudly remember this moment as when their neighborhood prompted a response from city officials. But these kinds of experiences and structural issues that were pushing poverty in East Harlem featured prominently in late-1960s and 1970s reports of urban poverty. Neighborhoods like East Harlem were often overemphasized in the news media’s lens focused on raw images of urban poverty. Government strategies like East Harlem featured prominently in late-1960s and 1970s reports of urban poverty. Neighborhoods like East Harlem were neglected and crime rates higher.

This is also how broadcast media shifted to an “eyewitness news” model of reporting, its focus on raw images and crime rates higher.

As I built my career, I was conscious of how I represented certain communities in writing and in my visuals. I never wanted to make anyone feel the way I felt when my community was misrepresented in my work. But I recognize that I haven’t always gotten it right. I’ve underestimated the power of narrative stereotypes and how much they’re embedded into the shorthand of daily, breaking news. I see this in my reporting on immigration. Sometimes it’s as simple as asking sources about the ways they’ve felt harmed by the news media to make sure I don’t repeat the same mistakes in my work.

Today, more than ever before, there’s a bigger range of voices represented in the news. But inclusion alone is not enough. As more voices are brought into the conversation, journalists need to be aware of the way we cover certain communities.

This isn’t a novel idea. Throughout the 1960s and 1970s, almost every major city in the U.S. experienced rebellions in Black and brown communities. A government review of the uprisings found that underrepresentation and misrepresentation of these communities in the news media added to the frustration that spilled out into the streets. The way we cover communities matters.

Addressing Power Equity Issues in the News

**Why journalists need to be aware of the way we cover vulnerable or underrepresented communities**

**BY KRISTOFER RÍOS**

The narrow perspectives of my reporting on immigration. While I’m proud of most of my work, some of my pieces have flattened a very complex issue. When I came of age in the same neighborhood during the mid-1990s, the media’s reporting on drugs and crime was used to justify hardline law enforcement policies. Mayor Rudy Giuliani was in office and ushered in racist policing practices that targeted neighborhoods like East Harlem and teenagers like me. Anyone from a Black or brown family at that time was almost certainly impacted. Having so little control over how my community was represented and feeling the threat of these policing practices every day made me feel powerless. It took decades for lawmakers to recognize the damage these policies had done to people who looked like me.

When I decided to become a full-time professional journalist in 2010, I brought the weight of these lived experiences to my work. I made it my mission to bring more nuance to my reporting because I understood firsthand how painful it could be when your community isn’t fully represented in the news.

As a photojournalist in Texas for the past 18 years, I’ve photographed the aftermath of mass shootings, including the one at First Baptist Church of Sutherland Springs, where 26 were killed, including several children, in a tiny, wooden church near San Antonio.

The number of mass shootings in America averages more than one per day. As these tragedies mount, we must work with compassion and empathy, and use trauma-informed reporting, while providing the public with what they need to know.

Lara J.H. Rodriguez was also at the vigil. When I asked for her permission, she said yes but not when she was “breaking down.” She told me every time she started to cry, the cameras went up. I gave her my word, and I kept it. The balance of knowing who wants to share their story and who doesn’t in the midst of traumatic events is difficult, but I am certain we must make every effort to not further traumatize those most affected.

The mother of 10-year-old victim Annabal Rodriguez was also at the vigil. When I asked for her permission, she said yes but not when she was “breaking down.” She told me every time she started to cry, the cameras went up. I gave her my word, and I kept it. The balance of knowing who wants to share their story and who doesn’t in the midst of traumatic events is difficult, but I am certain we must make every effort to not further traumatize those most affected.

Friends and family of victims spoke about their loved ones to the crowd gathered in the courtyard. As a photojournalist in Texas for the past 18 years, I’ve photographed the aftermath of mass shootings, including the one at First Baptist Church of Sutherland Springs, where 26 were killed, including several children, in a tiny, wooden church near San Antonio.

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As a photojournalist in Texas for the past 18 years, I’ve photographed the aftermath of mass shootings, including the one at First Baptist Church of Sutherland Springs, where 26 were killed, including several children, in a tiny, wooden church near San Antonio.

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