

## The Delicate Balance of Ethical Journalism: A Case Study

*All names used in this essay have been changed to protect the privacy of the individuals involved.*

My university is a small, liberal arts institution with about 2,500 students. That's why the sudden and tragic murder of student Rachel Moore hit our community hard. The student-run newspaper was at the center of the tragedy, and our reporting caused many rifts between members of the paper's staff as well as among others in the larger community. All of these rifts, though, were caused by a common question: How much can and should the newspaper report on the murder of a fellow student?

There were four main actors in the reporting of Rachel's murder for the university newspaper, and each had differing opinions regarding one central ethical question: To whom is moral duty owed?

### **Part I**

On November 1, 2017, the university president sent an email with the subject line, "Mourning the Loss of a Student." The email included a very brief message with little information. Sophomore Rachel Moore had passed away on the afternoon of October 31. The campus was shocked and wanted answers. Was it illness? An accident? While car accidents are tragic, it would not be a complete surprise to students. We can understand what happens in a car crash.

However, word spread that Rachel's death was more devastating and unexpected than we realized. Her passing immediately became marred by mystery and rumor. None of the student body's theories could be confirmed or denied. The university spokesperson refrained from making further comments, both to protect private information the family wanted kept secret and to avoid fueling more gossip. Rachel's friends, mostly members of a social sorority, were also adamant about maintaining Rachel's privacy. In this state of deprived information, the student community became a rumor mill.

The managing editor of the newspaper, Joan, learned about Rachel's death very early. Joan was a member of the same sorority as Rachel, and she had very close ties to her fellow sisters. Joan told her friend and coworker, Ryan, who was the editor-in-chief of the student-run newspaper. Ryan, in turn, told the executive digital editor, Nicole, so that she could have time to begin the initial reporting in preparation for the deadline of that week's paper. This all trickled down to Sarah, the advisor to the newspaper, a paid staff member of our university.

Each of these actors was loyal to journalism, but applied that loyalty in different ways. I recently reached out to these former coworkers to ask about their decision-making process, and to reflect on the choices they made. It's been a year since Rachel's passing. Did we do her, her loved ones, and ethical journalism, justice?

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### **Joan, the Managing Editor**

Rachel was taken to the hospital by her then-boyfriend on Sunday and declared brain-dead the next day. She was removed from life support the next Tuesday and died later that night. Joan was one of the few on campus who knew anything about how Rachel died: she was violently sexually assaulted and killed by blunt force trauma to the head, by her then-boyfriend Chris Levin, after a fight. Levin took Rachel to a hospital when he noticed she wasn't breathing, where she was later declared brain-dead, and taken from life support. This is the story Rachel's friends believed and wanted to keep private.

Joan took a leave of absence immediately to mourn and take care of her sorority sisters. She was not a part of the reporting for the news article that would be published in the school newspaper.

### **Ryan, the Editor-in-Chief**

Ryan, as the editor-in-chief, began to prepare. His first thought was to figure out his priorities, and the most important of those was the students working under him. "I was in charge of a newsroom," Ryan wrote. "That's about 40 young adults whose jobs, one way or another, have to do with telling people the truth about what's going on around them. And none of them joined the staff because they wanted to explain how their peer died."

Next, Ryan needed to figure out how to write what was then only a vague, unsubstantiated, tragic story. In less than a day, rumors had already begun filtering

through the students. The campus was buzzing with gossip: she had been in a drug or alcohol-related car accident; she had been beaten to death by her boyfriend; she had been found on the side of the highway in a coma. “How do you go about trying to confirm something like that?” Ryan questioned. “Asking one of her sorority sisters? On the same day that their 2,500 peers were just alerted via an impersonal email?” Ryan would never print any statement that was unsubstantiated. So, the news story that was published that week was sparse, and only had statements from the university president, spokesperson, and the student body president.

“It’s so much more important to have fewer, factual, uncontroversial statements than to add fuel to the fire,” Ryan explained.

### **Nicole, the reporter**

Nicole was the executive digital editor at the time of Rachel’s murder, and an experienced reporter. She helped heavily in reporting the initial story. While Ryan was focused on the campus and community, Nicole was aware of and paying attention to the massive amount of media coverage Rachel’s story was already garnering. “What fascinated the news cycle was the fact that she was a cheerleader and sorority member,” Nicole noted. In a matter of hours, Rachel’s story was picked up by the DailyMail, CNN, and several news sources from the city. But Nicole didn’t want to publicize or exploit this sensationalized view of her schoolmate. In the end, Nicole’s approach to the story was from the campus perspective: Rachel was a student; teachers and students would be affected; this is the information that was released. When Nicole was advising

the reporter handling this article, she remembered being concerned about unsubstantiated claims and sources, but agreed with Ryan that reaching out to Rachel's sorority sisters was a bad call. "We can still write a news story that conveyed the news to our audience without immediately approaching her loved ones in that way," she wrote. Her decisions were made from the perspective of a student journalist, reporting for a small, tight-knit community.

### **Sarah, the advisor**

And then there was the advisor, Sarah, who was always present when the reporters had questions, but never directed the reporting herself. Sarah was an employee of the university; her role was to use her past experience as a well-rounded journalist to advise and instruct the student reporters. She understood that the newspaper had two roles: "To give the community a chance to grieve and heal and to answer questions," she wrote. Sarah understood best that the community had many different constituents, and each had concerns that needed to be addressed.

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Joan was disappointed with the article published by our newspaper the day after Rachel's death. Ryan recalled Joan telling him that including this quote from the spokesperson of the university was inciting more, rather than less, rumor and speculation.

“I don’t know when we will know more. I would imagine that sometime in the near future we might know some more, but I cannot promise that we might share more information.”

Joan, through angry tears, argued that the story about her dead sorority sister had become a “Scooby-Doo Whodunnit.”

Joan was with her mourning sorority sisters when she first read our published pieces about Rachel: a news article written by a reporter, and the editorial written by Ryan. The article placed so much emphasis on the unavailability of details that it felt disingenuous to her and her sisters. Instead of trying to reach the people who were going to be the most affected, Joan felt the article served as kindling for the community to debate in whispered gossip. The editorial, written by Ryan, said:

“We understand this desire for information — we empathize with you ... But we can’t succumb to rumors and panic.”

Yet the article pointed out several times how there was no information available, and to Joan that felt disjointed. “I couldn’t rationalize why it felt like the people I worked with, people I considered friends, were capitalizing on one of the worst days of my life,” she wrote.

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Joan had loyalties to Rachel, her family, and her legacy. She argued that the newspaper shouldn’t cover any additional details regarding the death. Any information released about Rachel’s murder and the circumstances surrounding it was an invasion

of privacy that the newspaper had no right to publicize. This would be capitalizing on the murder of her sorority sister and potentially sully her image and legacy in a very public manner. In a legal sense, it could also hamper the investigation.

But Ryan had loyalties as well. Our campus community, he argued, deserved to know the details. Ryan placed an emphasis of the newspaper's role in the community: we were the public record for the university. When asked why he felt we needed to report about Rachel, he wrote:

"Because we are a campus that cares about one another, because we ask questions when one of us are harmed or when others may be at risk, because rumors only cause anguish and confusion but diligent, factual reporting can dispel them and offer closure to the community."

Ryan wanted to provide closure through reporting, and if he didn't have any details confirmed, he said so.

Nicole's loyalties were more straightforward to the mission. Journalism was journalism, and the school newspaper held a unique position and responsibility to their community. The news had already been picked up by media off campus and they were using every sensational keyword in order to get as many clicks and views as possible. Nicole knew our paper had the opportunity to do better and provide a different perspective. Nicole was also concerned for the very practical reason of student safety. Was the man rumored to be involved in Rachel's death a threat to students on campus? Were our peers in trouble? The newspaper needed to answer those questions. "We need to be able to tell them that we're not in danger. That's the role of the student press," Nicole wrote.

The editors reached out to Rachel's close friends for help writing her memorial article, which was printed one week later. This was a positive move for the newspaper, as it made itself into a platform for the community to mourn, while maintaining its role as public record. It allowed Rachel's sorority sisters to grieve and let the community remember their lost friend. The story focused on the details of the memorial service held that week in the campus chapel and didn't mention the details surrounding her death. Two days after this article the newspaper published a final installment to the initial reporting of Rachel's death, composed of her loved ones' anecdotes, comments about her personality traits, and messages of love.

This was the only reporting that Joan was proud of. "It finally felt like Rachel was being remembered, not what happened to her," she wrote. "It felt human. It felt real. It helped people remember that there was a lost life and people missed her. I didn't really see that in any other articles."

### **The Aftermath:**

Joan took a leave of absence almost immediately after the articles about Rachel were published. In an email to the staff, she said she was taking a break for mental health reasons. One month later, the staff received an email from Sarah, which stated officially that Joan had resigned from the newspaper. Sarah and Ryan both publicly thanked Joan for her hard work and dedication, but said nothing about the circumstances regarding her decision. To the staff, however, it was painfully obvious, and made a very clear statement. "I know people knew the real reason I resigned," Joan

wrote. "I wish more people had asked me about how I was doing, why I left something I had loved so much. I wish more people had questioned if the decisions made were the right decisions."

After Joan's resignation, the younger students still working on the paper began evaluating the decisions made as well. Many of us had been questioned by our friends about the editorial decisions regarding Rachel's death already, as if we had been a large part of the decision-making process ourselves. Were we working for an institution that might not be valuing the high standards of ethical journalism like we thought? Were we working for a newspaper that simply wanted to capitalize on grief and gossip? At the same time, our perception of the managing editor began to change as well. We always recognized Joan for her passionate dedication to the protection of the First Amendment and the role of the press in today's society. Her take on the reporting of Rachel's story was never openly explained to the staff. All we saw was our former leader deciding that reporting should be halted if a story became too gruesome or salacious. We were confused, unsettled, and at the time, frustrated with unanswered questions.

Ryan took his role as editor-in-chief to heart, and wanted to understand. He welcomed the criticism, and invited the members of the community who emailed him complaints to talk in person. He remembers clearly a tense discussion with two newspaper staffers who were sorority sisters of Rachel. After Ryan had told the staff in a meeting that the newspaper would follow Rachel's case and planned to report on it, the two warned Ryan to not make Rachel's death into a spectacle. They pointed to the Society of Professional Journalists' Code of Ethics, which directs reporters to minimize

harm in their writing and investigating. After the stressful meeting, the decision was still up to Ryan, and he had a passionate ambition about his duty as a reporter: “After all, whatever happened next was going to be news. It needed to be in the news. We needed to put it in the news.”

## **Part II**

“Four months after the death of sophomore Rachel Moore, 22-year-old Chris Levin was charged with murder and aggravated sexual assault on Wednesday, Feb. 28,” read the lede in our March 1 article. The subsequent story was written the day of the release of the affidavit containing the details of the crime. Nicole, being the only experienced reporter available, took the story herself.

Nicole’s priorities were journalistic at heart: “How can we minimize rumors, how can we answer questions that were causing more harm to the people on campus who had to keep answering them, how can we add something to the story that’s for our campus?” Nicole was keeping the code of ethics integral to the reporting of this story, focusing on minimizing harm and seeking and reporting the truth. To do this, she reached out to the Justice of the Peace who officially determined the time of Rachel’s death, managed to obtain a copy of the autopsy report, and contacted a lawyer for help parsing the affidavit and to seek guidance on the legal process.

And that’s where Nicole decided to go a step further than the news outlets who had already released articles detailing the goriest parts of the affidavit. “We decided to offer something new to our audience that gives context and a deeper understanding of

the situation,” she wrote. Both Nicole and Ryan had received blunt criticism for their first articles, as well as their statements saying that the newspaper would follow-up on the story once an arrest was made. They were painfully aware of how many community members were watching the newspaper; some for closure, others for vengeance.

Nicole began questioning how often a case like Rachel’s happens. Her story wasn’t simply a one-off. Rachel’s death was one amongst thousands in the United States, and was indicative of a national trend of tragedy. To finish the news article, Nicole reported statistics from the Center for Disease Control that stated information about female homicides committed by a victim’s past or current romantic partner. Nicole then included information about the National Domestic Violence Hotline. This was important, and added something to the news story that was being completely overlooked. It was contributing in a way that was helpful to the community and taught our readers something new. It still maintained respect to Rachel in the process.

However, it was small. A drop in the metaphorical ocean of information at the reader’s fingertips, tacked on to the tail-end of a story that not everyone bothered to finish. Joan noticed. “We lost someone so beautiful in such an ugly way and I think [the newspaper] had a responsibility to inform its readers about the signs of domestic abuse and how to help someone in need ... They wrote two sentences on how to get help. Two sentences in one article.”

### Part III

When researching ethical journalism, I turned to our newspaper's very own code of ethics, which was created and supported by the Society of Professional Journalists. This code has four tenets: "seek truth and report it," "minimize harm," "act independently," and "be accountable and transparent." We have a poster of the code hanging in our newsroom and reference it as much as we can while reporting.

But this code is simply too vague. The newspaper did all of these things with Rachel's reporting, and yet many criticized the articles and claimed they were irresponsible. Nicole sought truth and reported it, Joan attempted to minimize harm, and Ryan acted independently of situational pressures. But, the article still hurt members of the community.

I turned to the Dart Center, from the Columbia University Graduate School of Journalism, that has resources to help journalists report on victims and survivors, for a more concrete approach to our ethical dilemma. One point that the Dart Center teaches is what the media represents to the people who were close to the tragedy.

"For news media to focus on that as-yet-unresolved mental or emotional conflict can be destructive to victims, survivors, witnesses, their families and friends as well as to unseen others who might have experienced similar or worse situations."

This explains the criticism the newspaper received after publishing Rachel's story on the front page of the paper. But perhaps we failed in other respects.

The Dart Center also advises reporters to be sensible and realize that emotional stories do not need added sensation. "Rely on good, solid, factual journalism and a

healthy dose of sensitivity,” the Dart Center recommends. While we only relayed facts, the manner in which it was done, in hindsight, might not have displayed enough sensitivity to the mourning community members. Rachel’s smiling face from her cheerleading portraits covered the front page of that week’s issue, which was heavily circulated around campus. This photo was the closest at hand at the time of reporting. The reporters didn’t want to reach out to friends or family so soon after Rachel’s death. But the emotional harm the photo caused to her loved ones reflects a lack of judgement on our parts, where our reporting may have lacked the sensitivity her story required.

#### **Part IV**

One year after Rachel’s death, Joan hopes the newspaper will do more. While antithetical to her earlier position of not reporting any additional information the story Joan imagines is one of awareness, and compassion. “This would be the time to remind people to check on their friends and loved ones,” she wrote. “To remind campus that this is an issue that could affect any of us ... I’ve been checking the [newspaper] website and I haven’t seen anything. That seems like a failure to me.”

Joan’s words might seem like a change of heart, like she is suddenly going back on her earlier anti-reporting policy. But instead she’s relaying the story she always wanted to see in the first place. Where Ryan and Nicole wanted facts about Rachel, Joan wanted facts about domestic violence. While many took Joan’s words before to mean that she didn’t believe the newspaper had a right to Rachel’s grief or legacy, what Joan really wanted was a story that allowed Rachel’s death to be used for education. While

that was impossible in the initial reporting, our newspaper could have done more in the follow-up.

Joan needed to be in the newsroom, making the editorial decisions next to Ryan and Nicole, to ensure this balanced reporting. After all, she provided a close perspective that was lost to Ryan and Nicole. In the end, her perspective on journalism as a whole suffered due to the negative media coverage by other news outlets, who sensationalized Rachel's murder in ways that even violated the Society of Professional Journalists' Code of Ethics. "If we lose sight of who our readership is, what good can we really do as journalists? ... Journalists really don't know what it's like to be a part of a story and that's a failure of the whole system. Journalism has lost that human touch," Joan wrote. Joan could have been that 'human touch' for the handling of Rachel's story on our newspaper.

Ryan had his regrets as well. He lost his friendships with Joan, as well as the staff members who disagreed with him. But in the end, he valued his role and principles, and acted by them. Ryan still had his loyalties to the people of the community. If the trial had started while he was still editor-in-chief, he would make sure it was reported on, as truthfully and sincerely as he knew how. His passion and dedication was always for the community that our newspaper served, and the lessons he learned were valuable. "It's easy to think of myself as having been 'just a kid' or 'a non-professional,'" he wrote. "But I was 22, and now that my job title has 'reporter' in the name, I almost feel like I'm less of a journalist now than when I was writing stories *and* helping others do the same."

Nicole took the entire experience head-on, and is proud of the role of the newspaper on campus. She emphasized how working in a newspaper is difficult and sometimes simply misunderstood until you do it yourself. "The things we do are not of malicious intent or to cause targeted trauma or harm, but you have to cover these things in a responsible manner that is respectful and informational." Nicole brings us back to the core of ethical journalism. In the end, what we mean to do is inform and record everything that happens, no matter how sensitive.

And finally, Sarah, as an advisor, observed from the position least compromised by outside biases. Her perspective, therefore, brings in the most balanced outlook of all regarding the role of the press and the community we serve. In regards to the sorority sisters' silence and defiance of everything published by the newspaper, Sarah asked, "Would they want to be members of a community in which a young woman could be brutally murdered and no one asks any questions about it?"

Would we want to be part of a world where we didn't question what happens to our neighbors? The role journalists play, as long as it is played well, has lasting effects on each community member. The school newspaper has a duty to the community: to let them know what happened and how. We also have a duty to Rachel, to frame her story in a way that doesn't sensationalize her murder, but teaches us how to prevent it from ever happening again.

Before graduating out of his role, Ryan wrote policies on how to handle future sensitive stories that will "help the [newspaper's] capacity to accurately and fairly report the news with an eye toward empathy," he wrote. With these guidelines in place,

our future reporters will be better equipped to understand the nuances and implications of writing a story like Rachel's.

Levin's trial will take place in 2019. Our newspaper will report the news.