

A refresher course in law and ethics

Drone use update; advice about covering sexual abuse stories

In the last few weeks, the legal hotline has generated enough calls from newspapers beginning to look at the use of drones in the newsroom that it clearly is time to refresh everyone's memory about the current status of the law in this regard.

At this moment, the Federal Aviation Administration (FAA) has NOT authorized the unrestricted use of drones (ie: "unmanned aerial vehicles") for newsgathering.

Despite this, there are a number of reporters around the country who own drones or who are working hard to perfect their skills in manipulating drones with the hopes this will be the next frontier for journalists in gathering data.

Meanwhile, the FAA, which has begun its study of drones, anticipates its rule-making process will not be completed until late 2016. During the time before it is completed, the FAA has worked with a number of organizations to test the use of drones, including with CNN, in terms of the use of drones in newsgathering; with a drone manufacturer, in terms of the use of drones to observe and monitor agricultural crops; and with BNSF Railroad, in terms of the use of drones to monitor rail traffic.

Individual news operations, meanwhile, may apply for an exemption under Rule 333 for the right to use a drone for news gathering. Forms for this exemption are available online and, generally, the FAA says it takes about 120 days for such an exemption to be processed. The applicant, in order to qualify for this exemption, MUST have an FAA-issued pilot certificate.

It is of note that one of the considerations under study in this rule-making activity is whether the FAA will allow the use of a "micro" category of drones (under 4.5 pounds) which will not require pilot



Jean Maneke,
is MPA's Legal Hotline attorney.
Contact her at (816) 753-9000;
jmaneke@manekelaw.com.

certification by the operator in order to be used.

Alternatively, there are a number of entities who have already qualified for these exemptions and a user may work with one of these entities in order to hire them to operate the drone if a project is underway in the news room in which drone photography or video would be beneficial.

Drones do have an amazing capacity to show large areas of land in a way that most smaller news operations cannot begin to afford to photograph. I have absolutely no doubt that a drone in the 21st century will soon be no different than the computer that is sitting on nearly every reporter's desk today.

Sex Abuse Reporting

Meanwhile, on a totally different subject, let me share with you this month some thoughts about ethical decisions that confront a newspaper in writing stories about sexual abuse victims.

The Poynter Institute, noting the Bill Cosby media coverage in recent months, has issued a number of points to be considered when editing such stories prior to publi-

cation. I'm taking the liberty of repeating a shorter version of them here because I think they make for good newsroom discussion.

These have no right or wrong answer, of course. They are not laws, but ethical concerns.

First, determine the focus of your coverage and the audience. Is it a legal story, or a celebrity story? Poynter suggests that the writers determine what are the really important points to be made in the story and focus on those.

Weigh your options in regard to naming the victim. You need not follow what others are doing.

Consider the details you will report.

Are they necessary to the story? What harm do they cause? Are you just appealing to your readers "prurient interest" for click traffic?

Remember that a sexual assault is an act of violence, not reporting on a sexual interaction. Weigh the words being used in your descriptions.

Finally, if there is a story worth reporting on, it is worth reporting on until the story is over. The Poynter Institute points out that the AP pursued the story about Bill Cosby for years. The

entire story may take substantial digging to reach its conclusion. A newsroom needs to be committed to pursue it until the whole story has been told.

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